

## **Board Composition:**

1. The British Columbia Hog Marketing Commission (BCHMC) consists of:
  - a chair appointed by the Lieutenant Governor in Council; and
  - up to five members who are registered producers, elected by the registered producers.
  - The BCHMC will determine the number of registered producer member positions to be elected in a given year prior to the start of the election process

## **Term of Office:**

2. The term of office of an elected member is two years and begins on December 1<sup>st</sup> following their election. Terms are staggered so not all producer members are elected in the same year. At least one member will be elected each year. A member whose term is expiring is eligible for re-election.
3. A member ceases to hold office when:
  - the member is convicted of any offense under the *Natural Products Marketing (BC) Act* or the British Columbia Hog Marketing Scheme;
  - the member resigns in writing; or
  - the member is absent from the province for three consecutive months or fails to attend to his or her duties for a like period, and the position is declared vacant by the remaining members.

## **Vacancy:**

4. If a vacancy occurs by reason of death or any of the circumstances in paragraph 3, the remaining members may choose to continue with a vacant position or appoint a registered producer to fill the vacancy until the term is completed. A quorum is required to make the appointment to fill the vacancy. The appointment is subject to approval by the BC Farm Industry Review Board (BCFIRB). In the event that there are insufficient members to constitute a quorum, BCFIRB may make appointments to fill vacancies in the membership.

## **Independent Election Officer:**

5. The BCHMC will appoint by September 1<sup>st</sup> of each year a person or firm who is independent of the BCHMC and the hog industry as the Independent Election Officer (IEO) to oversee the election and certify the results. The IEO will receive and validate all nomination forms and ballots. The IEO will also open and count ballots in the presence of any scrutineers.

**Notice of Election:**

6. The Notice of Election, including the Election Schedule and nomination forms will be distributed electronically by the Independent Election officer as per the Election Schedule

**Election Schedule:**

7. The election process will be carried out during the months of September, October and November of each year. The election will be completed by November 30<sup>th</sup> of each year.
8. The Election Schedule sent to registered producers will set out specific dates and any necessary times for election related events, including but not limited to: deadlines for receipt of nomination documents paper mail-in ballots requests and online voting.

**Nominations:**

9. Only registered producers (as defined in the BC Hog Marketing Scheme – see Appendix A) are eligible to be nominated for election. For a registered producer to be nominated, a nomination form must be completed, signed by two registered producers and by the nominee.
10. Where the nominee is a representative of a registered producer that is a partnership or corporation, the corporation's or partnership's written designation of the nominee as its representative must be filed with the nomination form.
11. Nominees may at the time their nomination is filed, also provide a short biography to be forwarded to registered producers.
12. All required nomination documents must be received by the IEO no later than the time and date specified in the Election Schedule for the close of nominations.
13. Documents must be sent electronically via email, unless a paper mail-in ballot has been requested.
14. The IEO will validate completed nomination forms by verifying with the BCHMC that the signatories are registered producers.

Each valid nominee will be informed by the IEO prior to the election that upon election to the BCHMC, they must provide a signed declaration that identifies any offices and directorships currently held by them. If they hold an office or directorship (i.e., producer association) that may result in a persistent conflict of interest that could substantially impair their ability to fulfill their obligations as an

elected member of the BCHMC, the BCHMC may require them to resign from such office or directorship.

**Voting:**

15. Registered hog producers as of October 1 of each year, are eligible to vote in that year's election. Every partnership or corporation qualified to vote shall in writing, appoint a person to vote on its behalf and shall file a copy of such appointment with the BCHMC.
16. A register of eligible voters (Election Register) will be prepared by the BCHMC and can be viewed, upon request, at the BCHMC office during regular business hours.
17. If the number of valid nominations does not exceed the number of positions to be filled, the nominee(s) will be elected by acclamation.
18. If the number of valid nominations exceeds the number of positions to be filled, the IEO will proceed with voting.
19. Only one vote may be cast per registered producer. If more than one vote is cast by a registered producer, none of that producer's votes will be counted. Votes received after the applicable deadline in the Election Schedule will not be counted.
20. The BCHMC has approved an online voting system that meets appropriate security, safety and ease of use requirements. The IEO will advise all registered producers that voting online is the default voting mechanism. Registered producers must advise the IEO in accordance with the instructions provided by the IEO if they want to vote via mail-in paper ballot.
21. The IEO will provide all registered producers with the list of nominees, and, if submitted, their biographies by the deadline in the Election Schedule.
22. Voting Online  
Each registered producer voting online will also receive an individual email from the IEO that includes:
  - instructions;
  - necessary web link; and,
  - a one-time use individual access code;and to vote must:
  - complete and submit the online ballot in accordance with the instructions provided no later than the time and date specified in the Election Schedule.

## 23. Voting by Paper Ballot

Each registered producer voting by mail-in paper ballot will also receive:

- a paper election ballot;
- one small blank envelope; and,
- one pre-printed envelope addressed to the IEO

and to vote must:

- mark clearly on the mail-in ballot his or her choice of candidate;
- place the mail-in ballot into the small blank envelope and seal the envelope;
- insert the small envelope (containing the marked ballot) into the larger, outside pre-printed envelope and seal the envelope. This outside envelope is to be marked with the name and address of the voter which will provide the verification to the IEO of the validity of the enclosed ballot.
- Return the mail-in ballot to the IEO by mail. Mail-in ballots must be received no later than the date specified in the Election Schedule.

Any mail-in paper ballot received without an eligible name and address of the voter, on the outside envelope, will be considered a spoiled ballot.

### **Ballot Count:**

24. The IEO will open the online results voting page and will also receive, validate and count all mail-in ballots. The total validated votes from the online results and mail-in ballots constitute the election results. One scrutineer may be appointed by each nominee.

### **Election Outcomes:**

25. The candidate(s) receiving the highest number of votes will be elected to the BCHMC. In the event of a tie all ballots will be recounted. If a recount confirms the tie result, the BCHMC chair will cast the deciding vote.
26. The IEO will contact all nominees and notify them of the election outcome. A written report prepared by the IEO will be submitted to the BCHMC and BCFIRB upon completion of the election. An e-mail summarizing the election results will be sent to all registered producers.

### **Review Process:**

The Election Rules and Procedures shall be reviewed every five years in consultation

with registered producers, with the next review to occur in 2027. The BCHMC will also review the Election Rules and Procedures upon receipt of a written request from a producer organization or any three registered producers. Any changes must be approved by BCFIRB prior to implementation.

**Effective Date:**

Approved by the BC Hog Marketing Commission on: June 17, 2022

Approved by the BC Farm Industry Review Board (BCFIRB) on: June 20, 2022

A handwritten signature in black ink, appearing to read "T. Leigh". The signature is written in a cursive style with a small flourish at the end.

Tamara Leigh,  
Member, BCFIRB

These election rules and procedures come into effect on June 20, 2022 the date of the approval by BCFIRB and replace all previous rules and procedures for the election of members.

## APPENDIX A REGISTERED PRODUCER

The BCHMC maintains a current and accurate Register of Producers (the “Register”) in accordance with the requirements of the British Columbia Hog Marketing Scheme. The Register is open to inspection to any registered producer during regular business hours. Set out below are excerpts from the Scheme which relate to the definition of the term registered producer.

### Meaning of Registered Producer - Excerpts from BC Hog Marketing Scheme

Sections 1, 7 and 8 of the British Columbia Hog Marketing Scheme provide as follows:

1. In this regulation:  
...  
“**registered producer**” means a commercial producer whose name has been entered and remains registered in the register referred to in section 7 as a commercial producer;
7. (1) Where a commercial producer applies to be registered as a commercial producer, and the commission is satisfied that he qualifies under Section 8, it shall enter his name and address in the register as a commercial producer.  
  
(2) Where the commission is satisfied that a person has ceased to qualify as a commercial producer, it shall amend the register to reflect that fact, but unless the person affected requests the amendment the commission shall first mail a notice by registered post to him at his last registered address advising him of the proposed amendment.  
  
(3) Where a commercial producer
  - (a) is in arrears in his license fees, or
  - (b) fails to comply with a provision of the scheme or an order from the commission,the commission may strike his name from the register.
8. A person qualifies to be to be registered as a commercial producer if he operates a farm
  - (a) from which he markets, or
  - (b) on which there are hog production facilities capable of producing for market300 or more hogs annually, for processing.