



## **VETERINARY COUNCIL (ELECTION OF REGISTERED VETERINARY NURSES) RULES**

1. Elections shall be conducted in accordance with these Rules and the provisions of the Veterinary Practice Act 2005, as amended.
2. At a meeting of Council, to be held before the Nomination Day, the Council shall agree the election process timetable.

### **Returning Officer**

3. At a meeting of Council, to be held before the Nomination Day, the Council shall appoint a person of competence and integrity to be the Returning Officer for the purpose of overseeing the election process and a substitute Returning Officer who shall act in the event that the Returning Officer is unable to act.
4. The Returning Officer or any person duly authorised by him or her to act in any way on his or her behalf at an election shall not be a candidate at the election or promote the candidature of any candidate at the election.
5. The duty of the Returning Officer shall be to ensure that the validity and integrity of the nomination and election processes are maintained and in that regard, he or she shall be empowered for all purposes connected with the performance of such duty, including the making of decisions with regard to the qualification or disqualification of candidates, the making of decisions in respect of valid, invalid and spoiled votes, the conduct of the counts and all other matters which might arise in the course of the election.
6. The Returning Officer may appoint such and so many other individuals to assist him/her to carry out the election process as he/she may require.

### **The Nomination Process**

7. The Returning Officer shall, in accordance with the timeframe set out in the election process timetable, write to each person who is on the Register of Veterinary Nurses for at least 15 days prior to the commencement of the election process with a request for the nomination(s) of a veterinary nurse(s) on the Register of Veterinary Nurses who may wish, if so eligible, to stand for election for appointment under section 16 (1) (h) to the Council.
8. The Returning Officer shall publish on the Council's website public notice of the election. The notice shall be in the form the Returning Officer deems appropriate.
9. In order to be eligible to stand for election for appointment to the Council, a candidate shall be a veterinary nurse on the Register of Veterinary Nurses for at least 15 days prior to the publication of nomination forms and shall not be currently completing a second term on the Council.
10. The election process shall be deemed to have started on the day appointed by the Council as the day for the publication of nomination forms.
11. Each candidate shall be nominated in the manner specified by the Returning Officer and shall be proposed and seconded by two veterinary nurses who are on the Register of Veterinary Nurses for at least 15 days prior to the commencement of the election process. The candidate shall consent to his/her nomination in the manner specified by the Returning Officer. The candidate's proposer and seconder shall confirm their support for the candidate in the manner specified by the Returning Officer.



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12. Each Nomination form, shall be returned to the Returning Officer on or before 5.00pm on the Nomination Day.
13. Nomination forms must be completed in full. A Nomination form which is not received by the Returning Officer on or before the Nomination Day and time shall be deemed invalid. Where the Returning Officer permits the submission of Nominations on paper, they must be completed in full, and the signatures thereon, shall be original.
14. Each candidate shall be described in the nomination form in such a manner as in the opinion of the Returning Officer is calculated sufficiently to identify the candidate, including his or her name, his or her registration number and his or her registerable address. A misnomer or inaccurate description of any person, number or place named in any nomination form shall not invalidate the form if in the opinion of the Returning Officer the misnomer or description of the person, number or place, as the case may be, is such as to be commonly understood.
15. A candidate may withdraw from candidature before the expiration of the time for receiving nominations but not afterwards by furnishing a notice to that effect, signed by the candidate, to the Returning Officer.
16. The Returning Officer shall verify the nomination forms after the specified date and time for receipt of nominations. After the Returning Officer has ruled on the nomination forms, he/she shall cause a notice to be published on the Council's website stating the names and descriptions of the candidates validly nominated for election and the names of the persons who proposed and seconded each candidate.

### **Death of a candidate**

17. If a candidate dies at any time between his or her nomination for election under these Rules and the declaration of election of candidates by the Returning Officer, the nomination of that candidate shall be disregarded, and any votes cast for that candidate shall also be disregarded.

### **The Election Process**

18. If there are a greater number of candidates than there are vacancies to be filled on the Council, an election shall be held.
19. If the number of candidates is equal to or less than the number of vacancies on the Council, no election shall be held and those candidates shall be deemed to be elected and their names shall be submitted to the Minister for Agriculture, Food and the Marine for appointment to the Council.
20. In circumstances where one or more vacancies on the Council have not been filled at an election, the Council shall hold another election under these election rules to fill such vacancies.
21. In order to be eligible to vote in the election a veterinary nurse shall be on the Register of Veterinary Nurses for at least 15 days prior to the start of the election process.
22. The Returning Officer may decide that every person eligible to vote at the election may cast their votes using such different methods of polling in any combination as the Returning Officer may determine.
23. The Returning Officer may decide that persons eligible to vote at the election for whom an e-mail address is included in the list of eligible voters may only cast their votes at the poll using an e-voting method of polling.



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24. The Returning Officer shall issue voting information to every person eligible to vote at the election.
25. Any person eligible to vote at the election who has not received ballot information shall be entitled to obtain ballot information upon application to the Returning Officer, within the timescale set out in the Election Process Timetable.
26. The voting information sent to each person eligible to vote for whom an e-mail address is included in the list of eligible voters shall contain the following particulars:
  - i. The number of Veterinary Nurses to be elected.
  - ii. Instructions on how to vote.
  - iii. The voter's unique voting code (uvc).
  - iv. The uniform resource locator (url) where the polling website is located.
  - v. The time and date of the close of the poll.
  - vi. Information about each candidate standing for election, or details of where this information is readily available on the internet or available in such other formats as the Returning Officer thinks appropriate.
  - vii. The contact details of the Returning Officer.
27. The voting information sent by post to each person eligible to vote for whom no e-mail address is included in the list of eligible voters shall contain the information specified in rule 26 above.
28. The Returning Officer shall ensure that the system used to conduct the election is such as to protect the validity, integrity and confidentiality of the election process.

### **Procedure for counting of votes**

29. Valid votes submitted by the deadline specified in rule 26 (v) shall be counted by the means deemed appropriate, and the results shall be communicated to the Returning Officer in the manner specified in rule 33.
30. Each candidate shall be entitled to be present at the counting of the votes. Where the counting of votes is electronic, candidates may direct queries on the process to the Returning Officer and/or any service providers engaged by the Returning Officer, in the election process. A candidate who is unable to attend the count may request either his or her proposer or seconder to attend on his or her behalf. No other person shall be present without the consent of the Returning Officer.

### **Procedure for declaration of those elected**

31. The Returning Officer shall ensure that the requisite number of candidates having the greatest number of votes shall be declared elected.
32. Where 2 or more candidates receive an equal number of votes, it shall be determined by lot which of those candidates shall be declared elected.
33. Following the counting of votes the scrutineers/electronic election service provider shall make, sign and give to the Returning Officer a certificate, to be known as the Election Result Certificate, which shall contain the following information;

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- a. The total number of valid votes cast for each candidate,
- b. The total number of ballots received, and
- c. The total number of ballots marked, "I do not wish to vote for any of the above candidates."

34. On the completion of the counting of the votes and on receipt of the Election Result Certificate, the Returning Officer shall determine and declare the result and the candidates deemed to be elected.

### **Powers of Returning Officer**

35. Any question arising with regard to the validity of a nomination or completed ballot, or otherwise in connection with any election held under these Rules, shall be determined by the Returning Officer.
36. An election held under these Rules shall not be invalidated by reason of any misdescription or non-compliance with the provisions of these Rules or by reason of any miscount or of the non-receipt, loss or miscarriage in the course of delivery of any document required under these Rules to be despatched by email or post, if it appears to the Returning Officer that the election was conducted substantially in accordance with the provisions of these Rules, and the result of such misdescription, non-compliance, miscount, non-delivery, loss or miscarriage did not substantially affect the result of the election.

### **Procedure for conduct of a recount**

37. Any candidate may, at the conclusion of any count, request the Returning Officer to re-examine and recount all or any of the ballots dealt with during that count, and the Returning Officer shall re-examine and recount such ballots accordingly.
38. The Returning Officer may at his or her discretion recount ballots either once or more often in any case in which he or she is not satisfied as to the accuracy of any count.
39. In respect of each candidate, one request (and not more) may be made by him or her for a complete re-examination and recount of ballots and the Returning Officer shall re-examine and recount all ballots accordingly.
40. Nothing in this subsection shall make it obligatory on the Returning Officer to comply with a request by a candidate which, in the opinion of the Returning Officer, is frivolous or vexatious.
41. Where an error is discovered, the Returning Officer shall, where necessary, amend any results previously announced by him or her.
42. Where a request for a recount is withdrawn by the candidate in respect of whom it is made it shall be open to the Returning Officer not to proceed or proceed further with the re-examination and recount.

### **Notice of persons elected**

43. The Returning Officer, in conjunction with the Registrar, shall give to every person elected written notice of the person's election and shall furnish the Minister for Agriculture, Food and the Marine and the Council with a list of the persons eligible for appointment under section 16 (1) (h) certified by the Returning Officer to have been duly elected, showing, the number of votes cast for each candidate.

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### **Retention and Disposal of Documents**

44. On the completion of the counting of the votes at an election, the Returning Officer shall arrange to have all documents and records relating to the election retained for two years at the expiration of which they shall be disposed of in such manner as the Council may direct.
45. The Returning Officer shall provide a written report on the election to the Council.

### **Definition**

46. For the avoidance of doubt, in these Rules, "writing" or "written" means the representation or reproduction of words, symbols or other Information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.



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### **Appeal of a decision of the Returning Officer**

47. Any decision of the Returning Officer in respect of nominations, ballots, or recounts shall be appealable in writing to the Chair of the Fitness to Practise Committee ("the Appeals Officer"). In order to constitute a valid appeal, an appeal must be received by the Registrar of the Veterinary Council ([registrar@vci.ie](mailto:registrar@vci.ie) or 53 Lansdowne Road, Ballsbridge, Dublin 4 DN04 NY29), in writing, within 7 days of the decision the subject of the appeal. Any decision of the Appeals Officer shall be final.