

AUSTRALIAN CANOEING INC**BY-LAW 16****EXHAUSTIVE BALLOT BY-LAW**

In accordance with Rule 34.1 of the Australian Canoeing Constitution, the following By-Law is adopted by the Australian Canoeing Board.

This Exhaustive Ballot By-Law sets out the procedure for voting at elections of Interested Directors under Rule 26.2 of the Australian Canoeing Constitution.

1. In accordance with Rule 26.2(f) of the Australian Canoeing Constitution, voting at elections of Interested Directors shall be conducted by exhaustive ballot.
2. Members shall be advised of nominees for election prior to the commencement of each round of the election process.

Nomination equals vacancies or number of nominations less than vacancies

3. If the number of nominations received for the Board is equal to the number of vacancies to be filled or if there are insufficient nominations received to fill all vacancies on the Board, then those nominated shall only be elected if they are elected by the Members by secret ballot (Rule 26.2(d) of the Australian Canoeing Constitution).

Ballot papers shall be prepared for each nominee. The ballot paper shall include two boxes, being YES and NO. The members will be required to mark one box on the ballot paper, indicating whether they agree to the election of the nominee. The nominee will be elected if the majority of members mark the YES box.

If the nominees are not elected or if there are vacancies to be filled, further nominations shall be called for at the Annual General Meeting from the floor and the procedure set out in this clause 3 shall be followed for each further nominee.

Nominations exceed vacancies

4. If the number of nominations exceeds the number of vacancies to be filled, a secret ballot shall be conducted in accordance with this clause.
 - (a) Election of one position – Ballot papers shall be distributed and members requested to insert the name of their preferred nominee. If a nominee has received a majority of votes, that person is declared elected. If no nominee is in that position, the nominee with the lowest number of votes is eliminated, and a re-ballot conducted. If any nominee has a majority at that stage (after the re-ballot), then that person is declared elected. If no nominee is in that position, then the nominee with the lowest number of votes at that stage is eliminated and a further re-ballot conducted. This process is repeated until a nominee has a majority of votes cast. If in the case of two nominees for the election of one position, there is a deadlock in the votes cast, there shall be a re-ballot. If there is a deadlock after the re-ballot, the election of the nominees shall be determined by lot.

- (b) Election for two or more positions – Ballot papers shall be distributed and members requested to insert the name of their preferred nominee. If any nominee has more than a majority of the votes cast, that person is declared elected and is called the “first elected candidate”. If no nominee is in that position, elimination of nominees is carried out as described in clause 4(a), until one nominee reaches the required majority of votes and becomes the “first elected candidate”. Upon the first elected candidate being determined, the procedure set out in this clause 4(b) is repeated to ascertain the “second elected candidate”. This process is repeated until the required number of nominees have been elected. If in the case of two nominees remaining in any one round, there is a deadlock in the votes cast, there shall be a re-ballot. If there is a deadlock after the re-ballot, the election of the nominees shall be determined by lot.

Adopted by the Australian Canoeing Board on 17th February 2003.