



ENGINEERS  
AUSTRALIA

## REGULATIONS FOR THE ELECTION AND APPOINTMENT OF OFFICE BEARERS

Adopted by Council 24 August 2007

These Regulations are made by the Council of Engineers Australia pursuant to Bye-law 77.2 of the Bye-laws of The Institution of Engineers Australia, and should be read in conjunction with the Bye-laws and Division Regulations.

### PURPOSE

These Regulations provide parameters for the election and appointment of Engineers Australia office bearers, including eligibility and periods of tenure.

### DEFINITIONS

- Committee:** In the context of these regulations this refers to a division committee, college board, special interest group or division group.
- External representative:** An office bearer who represents Engineers Australia on an external committee or body, and who is appointed by an authorised committee of Engineers Australia.
- Internal representative:** A member appointed by a committee to represent that committee on another committee of Engineers Australia. This includes the representatives of college boards, division committees and special interest groups on National Congress.
- Membership register:** The membership register of Engineers Australia is the group of valid members at a point in time as defined by the Bye-laws and Membership Regulations. This includes student members and members in arrears, but excludes erased members.
- Office bearer:** Any member of an authorised committee, board or group of Engineers Australia, or representative of Engineers Australia on an external committee or body, who undertakes that role in an honorary capacity.

**Subcommittee:** A committee of Engineers Australia whose members are entirely appointed by another committee or body of Engineers Australia, generally in an advisory capacity, or to perform a specified task within a policy framework. This includes the committees of Council and the national committees of college boards.

**Volunteer:** Any member or non-member who performs an authorised task (other than an office bearer role) for Engineers Australia in an honorary capacity. This includes awards judges, professional interviewers, technical presenters and school presenters.

## **1. APPLICATION**

- 1.1 These regulations apply to all committees of Engineers Australia with the exception of Council and National Congress, for which the Bye-laws contains provisions. These regulations do not apply to the technical societies of Engineers Australia.
- 1.2 These regulations apply to all office bearers but do not apply to volunteers.
- 1.3 These regulations provide a uniform framework for committees of Engineers Australia. The provisions of these regulations are to be applied to all committees, to the extent that this is consistent with the Bye-laws, and unless specific Council decisions allow otherwise.
- 1.4 Where practicable, these regulations should be implemented immediately. If a transition is necessary, existing election and appointment procedures may be phased out up to 31 December 2008.

## **2. ELIGIBILITY AND VOTING ENTITLEMENT**

- 2.1 A person must be listed on the membership register of Engineers Australia to vote in an Engineers Australia election. A student member is ineligible to vote, and is ineligible for division committee and college board positions unless specific Council approval is given.
- 2.2 Except as otherwise provided for in this clause, a person must be listed on the membership register of Engineers Australia to be eligible to be an office bearer. If there is a clear benefit for a committee position to be filled by a non-member, this may be approved by the body to which the committee is accountable (the division committee in the case of a division group; Council in the case of a college board, division committee or committee of Council).
- 2.3 A person must be a member of the division to be eligible for election as a member of the division committee, or group of that division, or as a college board representative of that division. Only members of the division may vote in division elections.

- 2.4 A person must be a member of the college to be eligible for a position on the board of that college, or to vote in college board elections.
- 2.5 A member standing for position of office must be prepared to give permission for their contact details and membership status to be published for election purposes, and for ongoing governance and operational purposes as appropriate to the role.

### **3. ELECTIONS**

- 3.1 The Chief Executive has the authority to determine operating procedures for committee elections. The Chief Executive is to appoint a Returning Officer for division committee, college board and National Congress elections, and these elections are to be conducted in accordance with Bye-law 64.5.
- 3.2 If the number of valid nominations for an elected committee position exceeds the number of positions available, an election is to be conducted. If the number of valid nominations for an elected committee position is less than the number of positions available, the committee may appoint additional members to fill vacancies.

### **4. TENURE**

- 4.1 The normal period of tenure for all committee positions is one year, with the exception that the period of tenure of College Board positions is two years. These periods may be varied by up to six months to accommodate changes in the election cycle.
- 4.2 An ordinary member of a college board or a division committee may undertake up to four consecutive full terms, and will be eligible for further terms as committee deputy or chair. A college board chair or deputy chair, or a division president or deputy president, may be re-elected by their committee for a second consecutive full term. Further consecutive terms under this clause may be undertaken in extenuating circumstances (such as a small division with few candidates).
- 4.3 A committee should plan for succession to ensure a balance of retained knowledge and rejuvenation. The consecutive tenure limits of clause 4.2 should be taken as a guide for other committees, although it is recognised that certain committees may benefit by retaining key members for longer.
- 4.4 The annual dates of commencement and expiry of office bearer positions are to be determined by:
- division committees and college boards, for their own committee positions; and
  - the parent committee, for subcommittee positions; and
  - the division committee, for division groups; and
  - the appointing committee, for external representatives (subject to the requirements of the external body).

## **5. COMMITTEES**

- 5.1 A committee is to include the positions of Chair, Deputy Chair and Past Chair, and may create additional positions or roles as appropriate.
- 5.2 The Chair of a committee is to be elected by the retiring committee from its own number. A new chair vacates his or her current committee position. In the case of a division committee, the Division President chairs the Division Committee, and is to be elected by the retiring Division Committee from its own number.
- 5.3 The Deputy Chair of a committee is to be elected by the retiring committee from its own number. A new deputy chair vacates his or her current committee position. In the case of a division committee, the Division Deputy President is the deputy chair of the Division Committee, and is to be elected by the retiring Division Committee from its own number.
- 5.4 The immediate past Chair (or immediate past Division President) of a committee may take the position of Past Chair (or Past Division President). Should the immediate past Chair (or immediate past Division President) be unavailable, the position is to remain vacant.
- 5.5 In the event of a resignation or other casual vacancy in a committee position elected by the membership, the committee concerned may appoint a replacement for the unexpired portion of the term. In the event that a committee member indicates their unavailability or inability to perform their role and in the absence of a formal resignation, the committee may declare that position to be vacant.
- 5.6 In the event of a casual vacancy in a committee position allocated to the internal representative of another committee, the appointing committee may appoint a replacement for the unexpired portion of the term.
- 5.7 In the event of a casual vacancy in a committee position of Chair (or Division President) or Deputy Chair (or Division Deputy President), the committee concerned is to elect from its own number a replacement for the unexpired portion of the term.

## **6. SUBCOMMITTEES**

- 6.1 A committee which forms a sub-committee (if authorised to do so) should:
- make appointments on the basis of skills, capacity to perform the role and succession planning considerations; and
  - monitor these appointments to ensure that the objectives of the appointments are met.
- 6.2 A subcommittee is to include the position of Chair. Additional positions or roles may be created by the parent committee. The Chair and members of a subcommittee are to be appointed by the parent committee, by normal committee decision making processes.

- 6.3 In the event of a casual vacancy in a subcommittee, the parent committee may appoint a replacement for the unexpired portion of the term.

## **7. INTERNAL REPRESENTATIVES**

- 7.1 A committee which is authorised to appoint a representative to another committee of Engineers Australia should:
- make an appointment by normal committee decision making processes, on the basis of skills, capacity to perform the role and succession planning considerations; and
  - monitor the appointment to ensure that effective representation is being provided and that the objectives of the appointment are met.

## **8. EXTERNAL REPRESENTATIVES**

- 8.1 A committee which is authorised to appoint a representative of Engineers Australia to an external body should only do so when:
- there are clearly defined objectives and a legitimate purpose under the strategic plan; and
  - the benefits and risks of such an appointment have been taken into consideration.
- 8.2 Subject to the requirements of the external body, the period of tenure for external representative positions should be set at one to two years. An external representative may be appointed for no more than four consecutive terms, except in extenuating circumstances.
- 8.3 A committee which is appointing a representative of Engineers Australia to an external body should, subject to the requirements of the external body:
- make an appointment by normal committee decision making processes, on the basis of skills and capacity to perform the role; and
  - issue terms of reference to the representative including tenure, consultation, and communication and reporting requirements within Engineers Australia; and
  - monitor and review the appointment periodically.
- 8.4 The Chief Executive or delegate is to keep a register of all external representatives, to assist committees in managing these appointments.