

## 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 the Veterinary Council of Ireland ("the Council"), to be held before the Nomination Day, the Council shall agree the election process timetable.

### Returning Officer

3. At a meeting of the 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 as 'scrutineers' to assist him/her to carry out the election process as he/she may require. These scrutineers must be approved by a resolution of the Council before the votes are counted.

### 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 posting out of nomination forms and shall not be currently completing a second consecutive 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 posting out of nomination forms.
11. Each candidate shall be nominated in writing and shall be proposed and seconded in writing 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. Each nomination must be completed in full and shall be signed by the candidate and by his/her proposer and by his/her seconder.
12. Each Nomination paper shall be delivered to the Returning Officer on or before 5.00pm on the Nomination Day.
13. Nomination papers must be completed in full, and the signatures thereon, shall be original. Faxes, photocopies or other non-originals shall be deemed invalid. A Nomination paper which is not received by the Returning Officer on or before the Nomination Day and time shall be deemed invalid.

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14. Each candidate shall be described in the nomination paper 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 paper shall not invalidate the paper 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 open and check the nomination forms after the date and time for the 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 shall send a ballot paper by post to every person eligible to vote at the election.
23. Any person eligible to vote at the election to whom a ballot paper is not sent shall be entitled to obtain a ballot paper on application to the Returning Officer within the timescale set out in the Election Process Timetable.
24. The ballot paper sent to each person eligible to vote shall contain the following particulars:
  - i. A list of the candidates in alphabetical order giving in respect of each candidate his or her name, registration number and address as published in the Register of Veterinary Nurses.
  - ii. The name, registration number and address, as published in the Register of Veterinary Nurses of each candidate's proposer and seconder.
  - iii. The latest date and time by which the ballot paper must be returned to the Returning Officer.
  - iv. The address to which the ballot paper is to be returned.
  - v. Instructions on the voting procedure or a reference to an enclosure setting out such instructions.
25. The Returning Officer shall ensure that the system of issue, return and custody of the ballot papers is such as to protect the validity, integrity and confidentiality of the election process.

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26. The ballot paper mailing shall contain three pre-printed envelopes - (1) 'Ballot Paper Only' envelope; (2) 'Declaration' envelope and (3) an addressed 'Veterinary Council Election' envelope and shall contain the following instructions in respect of the completion and return of a ballot paper –
- i. That the completed ballot paper is to be placed within the 'Ballot Paper Only' envelope, which is to be duly sealed and which shall be clear of any markings other than a pre-printed marking indicating that the ballot paper is to be placed inside it, and
  - ii. That the sealed 'Ballot Paper Only' envelope is to be placed within the 'Declaration' envelope, upon which the voter is to complete the printed declaration by, in the spaces provided –
    - a. Writing his or her name as it appears on the Register of Veterinary Nurses;
    - b. Writing his or her registration number as it appears on the Register of Veterinary Nurses,
    - c. Writing his or her registrable address as it appears on the Register of Veterinary Nurses; and
    - d. Signing and dating the declaration envelope.
  - iii. The completed sealed 'Declaration' envelope shall be placed in the pre-printed addressed 'Veterinary Council Election' envelope and returned to the Returning Officer to be received by him or her by the date and time stated on the election process timetable. Faxes, photocopies or other non-originals shall not be accepted.

### Procedure for counting of votes

27. The ballot papers received shall be counted by the scrutineers, in the presence of the Returning Officer.
28. The validity of the information on each 'declaration' envelope shall be checked against the Register of Veterinary Nurses and any discrepancies brought to the attention of the Returning Officer who shall make a ruling. The number of valid declaration envelopes will be counted.
29. The 'Ballot Paper Only' envelopes containing the ballot paper shall be set aside and counted. The ballot papers shall then be removed from these 'Ballot Paper Only' envelopes and the votes counted and recorded. Any discrepancies on the ballot paper shall be brought to the attention of the Returning Officer who shall make a ruling.
30. Each candidate shall be entitled to be present at the counting of the votes. 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 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;
- a. The total number of valid votes cast for each candidate,
  - b. The total number of ballot papers received, and
  - c. The total number of ballot papers rejected and the grounds for the rejection.
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.

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## 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-delivery, loss or miscarriage in the course of post of any document required under these Rules to be despatched by 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 papers dealt with during that count, and the Returning Officer shall re-examine and recount such papers accordingly.
38. The Returning Officer may at his or her discretion recount papers 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 ballot papers and the Returning Officer shall re-examine and recount of ballot papers 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 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.

## 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 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.

## Appeal of a decision of the Returning Officer

46. Any decision of the Returning Officer in respect of nominations, ballot papers, 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.

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