

Swimming WA Incorporated

General Meetings and Elections Policy

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1. Policy Overview and Purpose

Swimming WA Incorporated (SWA) Constitution (Rule 21.2) provides that:

“The Board may determine the procedures for electing Directors either at an Annual General Meeting, or through the use of electronic voting referred to in Rule 46, prior to an Annual General Meeting.”

SWA Constitution (Rules 23.2 and 24.2) provide that:

“The process for election of the President and Vice-President will be determined by the Board.”

This “General Meetings and Elections Policy” addresses the above issues.

2. Nomination of Elected Directors

2.1. Notice Seeking Nominations

The Chief Executive Officer (CEO) shall cause an election notice to be sent to all Entity Members and Individual Members at least 42 days before an Annual General Meeting, or General Meeting, at which there is an election of Director(s).

The election notice shall include:

- a) List the number of Directors for which nominations are sought.
- b) Fix the time and date for the opening and closing of nominations;
- c) Fix the time and date for the opening and closing of the ballot;
- d) Specify the accepted method of lodging a nomination;
- e) Fix a time and date for withdrawal of nominations; and
- f) Specify that a biographical and/or policy statement not exceeding 300 words in support of the nomination may be submitted with the nomination.

2.2. Timetable for Nominations

The CEO shall cause the Director’s election notice to be sent to all Entity Members and Individual Members at least 42 days before an Annual General Meeting or General Meeting at which the Director Election is to be held.

Nominations shall open at least 42 days before the Annual General Meeting and close at least 28 days prior to the Annual General Meeting, or General Meeting. Nominations received by the CEO after that time shall not be accepted.

If any of the above dates fall on a weekend or a public holiday, the relevant day shall be the CEO’s next standard working day after that date.

Nominations lodged with the CEO shall be in writing in the form set out in Appendix A and include the information detailed in **Appendix A**.

The timetable can be summarised as follows;

Steps	Day	Days from the previous step	Example
Notice seeking Director nominations	0	0	30 August 2025
Notice of AGM sent to all members	0	0	30 August 2025
Director nominations close	14	14	13 September 2025
Second notice of AGM sent to all members (including list of Director nominees, details of any motions)	14	14	13 September 2025
Information about Director candidates sent to voting members	21	7	20 September 2025
Ballot papers sent to voting Members (or electronic equivalent)	35	14	4 October 2025
Voting closes	39	4	8 October 2025
AGM	42	3	11 October 2025

2.3. Eligibility to Nominate

A nominee's eligibility to participate in the election shall be determined as at the close of nominations.

A nominee for election as a Director must meet the eligibility requirements in sections 20.2 and 20.3 of the SWA Constitution.

2.4. Defective Nominations

Where the CEO finds that a nomination is or may be defective, the CEO shall, before rejecting the nomination, notify the person concerned of the defect and where practicable, give the person the opportunity of remedying the defect or providing further information in support of the nomination, within a period of not less than three days after being notified.

Where the CEO has notified a person of a defective nomination, and where that person has remedied the defect and advised the returning officer within three days, the CEO shall accept the nomination.

Where the CEO has notified a person of a nomination defect, and where that person has not corrected the defect and advised the CEO within three days, the nomination shall be rejected.

2.5. Withdrawal of Nominations

A person nominating for the office of Director may withdraw their nomination by notice in writing to the CEO at any time before the closing time for the receipt of nominations.

3. Uncontested Election

If, after the close of nominations, the number of valid nominations received for the office of Director does not exceed the number of positions to be filled, the President shall declare elected the person or persons nominated.

4. Contested Election

4.1. Electronic Election

If, after the close of nominations, the number of valid nominations received for the office of Director exceeds the number of positions to be filled, an online election shall be held.

4.2. Returning Officer – Powers and Duties

The Returning Officer (not being a Director, an employee of SWA, or a Delegate of a Member Club), shall be appointed by the Board to conduct each election for Elected Directors.

The Returning Officer may be a commercial organisation which runs online elections and SWA may agree to pay a fee to the Returning Officer.

Where a ballot is required, the returning officer shall conduct the ballot in accordance with the provisions of these rules.

4.3. Roll of Voters

The only persons eligible to appear on the roll of voters in a ballot are those persons who, at the close of nominations, are Delegates of Member Clubs who have provided their details to the CEO in accordance with section 42.3 of the Constitution and are financial members of SWA at the time closure of nominations

Where the appointing entity has not appointed a Delegate in accordance with section 42.2 of the Constitution, the President nominated in Swim Central for the voting entity shall be the Delegate.

The Returning Officer shall request the CEO to supply the name and email address of every Delegate. The Returning Officer may also request the CEO to supply additional information which does not form the roll of voters but is to be used to ensure no irregularity occurs, and to supply the information in electronic form.

Any candidate for election as a Director and any Delegate entitled to vote in an election may inspect and obtain a copy of the roll of voters for the purposes of the election only. A copy of the roll may be provided in an electronic form.

4.4. Information to be provided to Voters

The CEO shall provide each voter with a copy of each candidate's nomination form including the skills and experience and personal statement of each candidate (personal information will be redacted).

4.5. Ballot

The order of names on the ballot paper shall be determined by lot drawn by the Returning Officer.

The ballot shall be conducted under the multiple preferential voting system as detailed in **Appendix B**.

4.6. Declaration of Results

The Returning Officer shall declare the result of the election by giving notice of the result in writing to the CEO at the registered office.

The CEO shall advise the President, the Directors, and the successful candidates.

The President will announce the result of the election at the Annual General Meeting, or General Meeting.

5. Election of President and Vice President

5.1. Term of President and Vice President

The term of the President and Vice-President ends when their current term as a Director ends. For Elected Directors their term will end at the AGM, and for Appointed Directors their term will end at the first Board Meeting after the AGM.

When the President's or Vice-President's term as a Director ends the office of President or Vice-President becomes vacant and an election to fill the relevant office shall be held at the first Board Meeting after the AGM (if the President or Vice-President is an Elected Director), or the second Board meeting after the AGM (if the President or Vice-President is an Appointed Director).

If the President or Vice-President resigns, or becomes ineligible to be a Director, then an election shall be held for the position of President or Vice-President at the next Board Meeting after that event.

If the President or Vice President is re-elected as a Director at the AGM, or reappointed as a Director at the first meeting after the AGM, they can stand for re-election and will continue as acting President or Vice-President between their date of re-election or re-appointment as a Director and the start of the Board Meeting at which the election for President or Vice-President is held

5.2. Election Process

The CEO shall seek nominations for the position of President and/or Vice-President from the existing Directors not less than 2 weeks prior to the Board Meeting at which an election for that position is to be held. Nominations will close 1 week prior to the Board Meeting at which the election will be held.

The CEO will advise the Directors of the nominees for the position of President and/or Vice-President 1 week prior to the Board Meeting at which the election will be held;

Directors may self-nominate, or be nominated by another Director;

Where only 1 nomination is received by the closing date for nominations, the nominee will be declared as elected at the Board meeting at which the election was to be held;

Where more than 1 nomination is received by the closing date for nominations, the CEO will act as the returning officer for a secret ballot to select the President and/or Vice-President at the Board Meeting at which the election will be held. The ballot will be held using the standard preferential system. Candidates may vote in this election.

Each of the nominees may address the Board prior to the vote being taken.

The CEO will announce the results of the election to the Board.

6. Related Documents

Related SWA documents include the following:

- SWA Constitution

7. Version Control

Version	Issue Date	Approved By	Approval Date	Review Date
1.0	24 August 2023	Board	August 2023	August 2025
2.0	23 April 2024	Board	June 2024	August 2026
3.0	19 June 2025	Board	June 2025	August 2026

Appendix A: Elected Director Nomination Form

This form may be provided in electronic form online.

NOMINATION FORM – ELECTED BOARD MEMBER	
Candidate information	
Name	
Signature	
Address	
Phone Number	
Email Address	
SWA Membership	Yes or No?
Nomination	
Nominator's name	
Signature	
SWA Membership	Yes or No?
Candidate's information	
Skills and experience	In 500 words or less, please summarise your skills, experience and qualifications on how you meet the required skill sets.
Personal statement	In 500 words or less, please provide details of why you are applying for this role on the SWA Board, what has prompted you to nominate for the Board and what you feel you can contribute.

Appendix B: Multiple preferential voting system

Under this system, voters are required to number all candidates on the ballot paper.

Votes are classified into two categories:

1. Preferences marked on a ballot paper up to the number of candidates to be elected are called *primary* votes. They have equal value and are credited to the candidate for whom they are cast, whether they are marked 1, 2, 3 etc. up to the number of candidates to be elected
2. All preference votes beyond those *primary* votes are called *secondary* votes and rank according to their numerical number.

The total number of *primary* votes for each candidate is counted and the candidate having the fewest number of *primary* votes is excluded from the count and his/her preferences are distributed among the continuing candidates.

Ballot papers on which an excluded candidate has obtained a *primary* vote are examined and distributed to continuing candidates according to the first of the *secondary* votes expressed on each ballot paper. For example if there are three candidates to be elected, the vote of an excluded candidate will be distributed to number four on the ballot paper. When the distribution of those *secondary* votes has been completed and new progressive totals obtained for each remaining candidate, the candidate then having the fewest number of votes is next excluded and his/her preferences distributed.

All ballot papers in the possession of a candidate at the time of his/her exclusion are transferred to continuing candidates according to the next available preference. This process of exclusions is continued until one more than the number to be elected remain in the count. The lowest ranked of those continuing candidates is then excluded and the remaining candidates are declared elected.

At all times care must be taken to ensure that a ballot paper is not transferred to any continuing candidate more than once.

Election Results in a Tie

If the results of the election result in a tie across either one or multiple directors, the following treatment will be carried out.

1. Compare the number of 1st preferences that each of those candidates polled
2. If they continue to tie with the same number of 1st, to compare the numbers of 2nd preferences, and so on.
3. This will continue until the tie is broken