



**Safety Institute of Australia Limited**  
**(ACN 151 139 329)**  
**ELECTIONEERING RULES - 2019**

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**The following guidelines have been developed for the upcoming election of Directors for the Safety Institute of Australia Ltd. They have been developed to ensure that there is a level of fairness and equity attached to the electoral process and to ensure that there is a clearly understood framework for the conduct of the election.**

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**ELECTIONEERING RULES**

For the purposes of these Electioneering Rules:

**“Campaigning”** or **“Electioneering”** is any action seeking or canvassing for votes, requesting support in a forthcoming election, Distribution of any Electioneering Material, or any other actions intended to promote any individual’s candidacy for election as a Member Elected Director;

**“Distribute”** or **“Distribution”** means to distribute, publish, disseminate, copy, reproduce, email, SMS text message, release or otherwise give or provide in any manner whatsoever (including but not limited to electronic, digital or hard copy form) any Electioneering Material to Members, where the Electioneering Material is intended to be circulated to more than twenty (20) Members;

**“Electioneering Material”** includes any literature, poster, leaflet, flyer, booklet, letter, email, SMS text message, advertisement, editorial, press release, release to Members, photographs, pictures, or any other material in any form whatsoever (including but not limited to electronic, digital or hard copy form) intended to promote the candidacy of an individual for election as a Member Elected Director and/or influence the vote of any Member in any way in an election for Member Elected Director;

**Introduction**

The Company supports fair and democratic elections and will take all reasonable steps to ensure that all candidates are afforded equal opportunities to promote their candidacy in accordance with these Electioneering Rules in order to promote an informed Membership prior to elections.

**1. Statements of candidature**

Each nominee as a candidate for election as a Member Elected Director of the Company is required to submit a biography in the form prescribed by the organisation.

A Statement is defective if, in the opinion of the Returning Officer, it is defamatory, libelous or indecent, will bring the Company into disrepute, or is otherwise contrary to the interests of the Company, any provision of the Constitution, the Company’s By-Laws, or any applicable law.

Where a Statement is found to be defective, the Returning Officer will notify the nominee by telephone, email or other means and will determine a period in which the nominee may remedy the defect. Should the defect not be remedied at the end of that period, the Returning Officer shall delete the defective parts of the Statement.

Statements must not claim that the candidate intends, if elected, to support or campaign for issues or to take any actions, or to take any position on any issue, which are not within the authority of the organisation and/or Board of the Company to address.

A Statement may not be submitted or modified after the close of submission date for statements except by the Returning Officer as described in this clause 1.

The Returning Officer will distribute a copy of the Statements for all candidates with the ballot materials and/or post them on the Company's website.

## **2. Electioneering Material**

No Electioneering Material may be distributed to any Member or other person unless it has been prior approved, in accordance with these Electioneering Rules, by the Returning Officer.

All Electioneering Material must be fair, truthful and not contain any misrepresentations, misleading statements or any material that is defamatory, libelous or indecent, will bring the Company into disrepute, or is otherwise contrary to the interests of the Company, any provision of the Constitution, the Company's By-Laws, or any applicable law.

Electioneering Material must be submitted to the Returning Officer for pre-approval prior to Distribution to any Member.

In considering whether Electioneering Material should be approved, the Returning Officer shall consider whether the material complies with these Electioneering Rules, is defamatory, libelous or indecent, will bring the Company into disrepute, or is otherwise contrary to the interests of the Company, any provision of the Constitution, the Company's By-Laws, or any applicable law.

Before disallowing any Electioneering Material, the Returning Officer may (in his or her discretion) seek and be guided by the opinion of the Company's solicitor (not being a candidate) as the Board determines appropriate from time to time.

Without limiting any other provision of these Electioneering Rules, no Electioneering Material or 'how to vote' material prepared and Distributed by or on behalf of a candidate shall be approved by the Returning Officer which shows a method of voting which would, if followed, lead to an informal or invalid vote.

## **3. Use of Electioneering Material**

No Electioneering Material is to be displayed or distributed in, near or around the Company office.

All persons who Distribute Electioneering Material or otherwise engage in any campaigning activities in relation to a candidate must:

- (a) have the prior authorization of the candidate or candidates; and
- (b) be a Member.

## **4. Prohibited Practices**

In connection with an election of Member Elected Directors, candidates, members, Directors, Branch Presidents and employees, agents and officers of the Company, must not engage in any practice, which would generally impede the orderly and proper conduct of the election and without limiting the generality of the foregoing, must not:

- (a) Distribute any Electioneering Material which is not prior approved by the Returning Officer in the form so Distributed;
- (b) offer gifts, prizes, entertainment or financial inducement of any kind as an inducement to vote, or not to vote, or to vote in any particular way;
- (c) respond in kind to another candidate's improper conduct or activities; or
- (d) communicate with, attend or visit any Company offices, meetings of Members or Members events or functions (including events or functions arranged by, hosted or sponsored by the Company or the Branches, for purposes including electioneering or campaigning activities and must only communicate with or visit to perform necessary functions in the candidate's capacity as a Member or Director (as applicable).

Officers, employees and agents of the Company must ensure that they do not use Company offices, Intellectual Property, resources, personnel or funds to:

- endorse candidates or conduct any electioneering or campaigning activities without the prior written consent of the Returning Officer (who may consult and be guided by the Company's solicitor, not being a candidate, as the Board determines from time to time), and such consent may be withheld in the sole discretion of the Returning Officer.

The normal performance of duly assigned Company activities will not be considered to be a violation of these Electioneering Guidelines.

Should a candidate become aware of any campaigning or electioneering activities contravening any of these Electioneering Rules, the candidate must immediately inform the Returning Officer.

## **5. Endorsement of Candidates**

Company offices, Intellectual Property, resources, personnel and/or funds must not be used for the purposes of electioneering, campaigning or endorsement of any candidates other than as authorised by the Returning Officer pursuant to these Electioneering Rules.

## **6. Communication with Members**

Members may gain additional information about candidates or their Statements or candidacy by making contact with the candidate through the contact details provided in the candidates' Statement.

The Company will not provide Member details, including the whole or part of the Company's Membership List, to anyone, including candidates, Members, or Branch Committee members that are not already freely available in the public domain.

No nominee, candidate, Member, or employee, agent or officer of the Company may access, provide to any other person, or use the whole or part of the Company's Membership List for the purposes of contacting Members for electioneering or campaigning, without the prior written consent of the Returning Officer, who may impose such conditions on use of Member details as the Returning Officer considers appropriate. Before allowing use of any Member details for the purposes of electioneering or campaigning, the Returning Officer may (in his or her discretion) seek and be guided by the opinion of the Company's solicitor (not being a candidate) as the Board determines appropriate from time to time.

All nominees, candidates, Members, Directors, Branch officials, employees, agents or officers of the Company must comply with the Company's Privacy Policy and all applicable laws relating to the use and/or disclosure of Member details including but not limited to the *Privacy Act 1988* (Cth).

## **7. Consultation if in doubt**

Candidates and Members shall consult with the Returning Officer if they have any doubts, concerns or queries about the conduct of an election including but not limited to permissible electioneering and campaign practices.

Consultation can be made by any of the following methods:

By telephone to the Returning Officer, David Segrott on **0417 252 215**

In person or by post to:

**David Segrott**  
**Safety Institute of Australia Limited**  
**PO Box 2078**  
**Gladstone Park Vic 3043**

Or email to [companysecretary@sia.org.au](mailto:companysecretary@sia.org.au)