



Plymouth Argyle Supporters Society Limited

2012 ELECTION RULES POLICY

1. Introduction

- 1.1. The purpose of the 2012 Election Rules Policy is to ensure that the elections for the Society Board members are conducted in a democratic and unbiased manner and the process and results are accepted as free and fair by all participants.
- 1.2. This document was adopted in draft form by the Interim Steering Committee of the Argyle Fans Trust (Plymouth Argyle Supporters Society Ltd), at its meeting of 2nd May 2011. It is based upon the draft Model Policy issued by Supporters Direct (SD) in April 2011. It was then adapted for this election by the Election Management Group.

2. Definitions

- 2.1. Member(s) means a member(s) of the Society.
- 2.2. Election Rules Policy means the terms and conditions laid out in this document.
- 2.3. Society Board means the elected Board of the Society – this is the body which will replace the ISC.
- 2.4. ISC means the Interim Steering Committee.
- 2.5. EMG means the Election Management Group.
- 2.6. Election period runs from commencement of the issue of nomination forms to three days after the declaration of results - 62 days (SD guidance is 56 days minimum).
- 2.7. IPS is an Industrial and Provident Society.
- 2.8. LRO is a Legislative Reform Order.
- 2.9. Indictable Offence means a criminal offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974) for dishonesty, fraud or dealing in drugs.
- 2.10. Rules means the rules and regulations of the Society laid out in the separate Rules document (which can be found on the AFT website)
- 2.11. Secretary means the Secretary of the Society.
- 2.12. Society means the Plymouth Argyle Supporters' Society Limited (also referred to as the Supporters' Society, and known publicly as the "Argyle Fans' Trust").

3. Election control

- 3.1. In advance of the commencement of the election, the Interim Steering Committee will ask the Secretary to form the EMG. This group shall number a minimum of three people, and shall be chaired by an independent person who is not a member of the ISC. The Secretary may be a member of this group.
- 3.2. No members of the ISC shall play any part in determining the composition of the EMG or any aspect regarding the conduct of the elections.



- 3.3. Members of the EMG shall not be eligible to nominate candidates nor be a candidate themselves and shall ensure that they are not associated closely with any candidates and have proper regard to maintaining the integrity of the election process.
- 3.4. During the election period the EMG will ensure that the election is run in accordance with this policy. This shall run from the date of the publication of the formal Notice of Election and Call for Nominations, and shall end three (3) working days after the announcement of the final result.
- 3.5. The EMG shall make the final decision as to the eligibility of candidates, nominations and valid votes. It shall conduct the count and the result, as determined by the Chair of the Group is final. Any decisions taken will be by majority vote and recorded. In the event of a tie for the last Society Board seat to be filled, the Chair of the EMG will draw lots to determine the successful candidate.

4. Timetable

- 4.1. As this is the first Society Board Election all existing seats held by the ISC members on the Society Board will be subject to election. The ISC has agreed that there will be a total of six vacancies to be contested at the election.
- 4.2. At the second and third annual full general meeting of the Society (to be held in mid-late 2013 and 2014 respectively) half of the members of the Society Board first elected by the members (to be chosen by lot) will resign from office. Thereafter the half of the members of the Society Board elected by the members who have served the longest at the date of the annual general meeting each year will resign.
- 4.3. The issuing of nomination forms on Monday 12th December 2011 shall start the election period, which will be closed by the announcement of the final result by the EMG on Tuesday 7th February 2012.
- 4.4. During this period, the EMG alone shall manage the process.

5. Nominations and eligibility

- 5.1. Any person wishing to be a candidate for election to the Society Board must be a full member of the Society by 5pm on Friday 2nd December 2011. Candidates must be nominated by at least two full members of the Society who are full members by 5pm on Friday 2nd December 2011; nominations will close at 5pm on Saturday 31st December 2011. "Full members" means paid up and over 16 years of age.
- 5.2. Current legislation does not permit under-18s to be members of the Board of Industrial & Provident Societies such as the Plymouth Argyle Supporters' Society. 16 and 17 year olds can vote in the election but cannot stand as candidates. A Legislative Reform Order will come into force on Sunday 8th January 2012, giving IPS' the ability to allow 16 and 17 year olds the opportunity to stand as candidates in future elections and serve on the Board. 16 and 17 year olds cannot operate as full members of the Board until the LRO comes into force.
- 5.3. The EMG will verify that nominations are from members of the Society. Society members can nominate as many candidates as they wish.



- 5.4. It is the candidate's responsibility to ensure that their nomination is valid and submitted in accordance with the election timetable. In order to ensure that candidates can confirm the validity of their nominees, the EMG and Secretary shall, on request, allow candidates to check in advance whether those nominating them are fully paid-up members.
- 5.5. Decisions over the validity of nominations shall be a matter for the EMG having due regard for the Secretary's assessment of the membership status of an individual nominating a candidate. Any decision by the EMG not to accept a nomination as valid should be notified to the candidate as soon as possible in order that the situation may be rectified or an appeal heard.
- 5.6. Candidates must send their completed Nomination Form and statement in support of their nomination to the Secretary, to be received by 5pm on Saturday 31st December 2011 (see section 6 below for more details).
- 5.7. The names of those nominating candidates shall be appended to each candidate's statement.
- 5.8. By submitting a nomination, Candidates will be deemed to have accepted these election rules, the Society's Rules, and any other policies and rules adopted by the ISC and the membership and agreed to be bound by them.
- 5.9. Specifically, candidates are also self-certifying that they comply with the Society Rules and Board Membership Policy relating to eligibility to serve on the Board. In particular, no person can be a member of the Society Board who:
 - ceases to be a Member of the Society;
 - is subject to a bankruptcy order or has in place a composition with his/her creditors;
 - is prohibited from being a Director by law;
 - has been convicted on indictment for any offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974);
 - a registered medical practitioner who is treating the person gives a written opinion to the Society stating that the person has become physically or mentally incapable of acting as a Director and may remain so for more than three months;
 - by reason of that person's mental health, a court makes an order which wholly or partly prevents that person from personally exercising any powers or rights which that person would otherwise have;
 - fails to abide by any rules for the conduct of elections made by the Society Board.
- 5.10. All candidates shall leave contact details with the EMG comprising home address, mail address (if different), email address and telephone number.

6. Statements and Campaigning



- 6.1. All candidates' statements are to be sent by email or by surface mail to the EMG and must be received by the close of nominations at 5pm on Saturday 31st December 2011. These will be gathered together and issued with the ballot papers with a list of the members who have nominated them.
- 6.2. Candidate statements should be no longer than 250 words long. If a candidate's statement has more than 250 words, it will be truncated and text will be inserted below stating "The candidate's statement has exceeded the permitted amount and has therefore been truncated".
- 6.3. Candidates shall not in their statements make threats, insults or derogatory, abusive, racist, sexist or homophobic statements. The EMG will reject the candidature where in the opinion of the EMG a candidate statement breaches any of these rules.
- 6.4. No reference to other candidates shall be permitted. Where this happens, the EMG will remove the relevant sentence in full from the statement.
- 6.5. Candidate statements will be made available for publication to local media.
- 6.6. Questions of individual candidates can be asked and responded to using a Q&A service which will be provided by the EMG. This Q&A service will be open for two weeks at the commencement of the voting period. The Q&A will be posted on our website and made available to local media for publication.
- 6.7. In agreeing to be nominated and so accepting these rules, candidates shall agree to indemnify the Society from any liability that may arise out of the contents of their Statement and their responses to questions.
- 6.8. During the election neither the EMG nor any member of the ISC may provide advice to voting members as to the suitability of any candidate nor issue any voting advice to members collectively.

7. Appeals

- 7.1. Candidates or complainants shall raise matters with the EMG whose decision is final.
- 7.2. Complaints after voting has closed shall be made to the EMG not later than three working days after the result has been declared. Any complaint received after this date shall be ruled out of order.
- 7.3. If any candidate should contravene the election rules, the EMG shall judge whether a disqualification should apply and their decision is final.
- 7.4. Any appeal against the decision of the EMG shall be made through the disputes procedure as set out in the Society Rules.

8. Voting and Result

- 8.1 If there are seven or more candidates, an election shall take place through postal ballot.



- 8.2 All full members as at 5pm on Friday 2nd December 2011 shall be able to vote in the election. Ballot papers and instructions on how to vote shall be sent by surface mail to all UK resident Society Members, along with candidate statements and a pre-paid reply envelope. Ballot papers, instructions on how to vote and candidate statements shall be sent by air mail to those members outside the UK.
- 8.3 Each member will be able to record a minimum of one and a maximum of six votes on their ballot paper. The highest placed six candidates in terms of total votes cast shall be deemed elected.
- 8.4 Voting closes at 5pm on Monday 6th February 2012. The result shall be announced at 9am on Tuesday 7th February 2012. It will be disseminated on the Society's website, in an email to members and via local media.
- 8.5 On taking office, the Society Board will send out a newsletter by surface mail to all members announcing the results and giving (a minimum of fourteen days) notice of the AGM, to be held in accordance with the Society's Rules.
- 8.6 If there are six or fewer candidates, an affirmative ballot shall be held for each at the Society's Annual General Meeting, to be held in accordance with the Society's Rules. In the meantime the Interim Steering Committee shall remain in place.
- 8.7 In that instance, at the AGM:
- Each successfully nominated candidate will be put before the meeting for the approval of members.
 - Any candidate not receiving the support of more than half of those present in person and by proxy shall be deemed to have not been elected.
 - The exception shall be that should the failure to elect any of the validly nominated candidates leave the Board below the minimum required under the Rules for them to act (four, see Rule 56a), all validly nominated candidates shall be deemed elected by the EMG and this declared at the AGM.
- 8.8 Successful candidates shall become full members of the Society Board upon receipt of their signed acceptance of the Board Membership, unless the caveat set out in Para 5.2 of these Rules applies.