



January 17, 2019

File: 1680-04 BHEC ELRUL

DELIVERED BY EMAIL

Jim Collins
Chair
BC Broiler Hatching Egg Commission

Dear Mr. Collins:

BC BROILER HATCHING EGG COMMISSION SPECIAL APPOINTMENT – APPROVAL REQUEST

The BC Broiler Hatching Egg Commission (Commission) has an elected registered producer position vacant on the Commission due to a member resignation on December 13, 2018.

Section 20 of the Commission’s Rules and Procedures for Elections states that an elected member position can be left vacant until the next annual election. The Commission also has the option of seeking a temporary appointment. Under the Natural Products Marketing (BC) Act Regulations, subsection 3(g), “if any vacancy occurs in the membership of any marketing board or commission (...) the remaining members, if constituting a quorum, may appoint a member to fill the vacancy, the said appointment to be subject to approval by the Provincial board”.

Given “...numerous and significant issues needing to be addressed...between now and June 2019” the Commission determined it would proceed with the option of appointing a temporary member.

In reaching its appointment recommendation, the Commission invited all interested registered hatching egg producers to apply for the temporary appointment opportunity.

On January 11, 2019, the Commission recommended Calvin Breukelman fill the remaining 18-month term based on the following reasons:

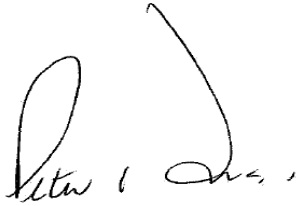
- 1) His recent experience with the board means he is able to step in and get up to speed on current issues;
- 2) His past experience serving on the national Canadian Hatching Egg Producers agency is an asset; and
- 3) He is a well-qualified and respected member of the industry.

Jim Collins
January 17, 2019

Based on the rationale provided by the Commission, I approve the appointment of Calvin Breukelman to fill the current vacancy on the Commission until the 2020 annual election.

BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD

Per:

A handwritten signature in black ink, appearing to read "Peter Donkers". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Peter Donkers
Chair

Attachment: BHEC Election Rules and Procedures May 2016

cc: BCFIRB website

**RULES AND PROCEDURES
FOR THE ELECTION OF ELECTED COMMISSION MEMBERS PUBLISHED BY THE
BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION**

1. The Commission consists of a chair appointed by the Lieutenant Governor in Council and 4 members who are registered producers elected by registered producers.
2. Except for members elected or appointed to fill vacancies, the term of office of an elected member is 3 years from the election or until a successor is elected. Terms will be sequenced so at least one member is elected each year.
3. The term of office of a member elected or appointed to fill a vacancy shall be equal to the balance of the remaining term.
4. The Commission will hold an election once a year in the month of May or June.
5. The Commission will appoint an Independent Elections Officer (IEO) to carry out the election and to certify the results. The IEO will be a person who is independent of the hatching egg industry and of the Commission.
6. For the purposes of these Rules and Procedures, a “Voting Producer” means:
 - a) An individual who is a registered producer; OR
 - b) An individual who has been appointed by a registered producer that is a partnership, firm or corporation to vote on its behalf in accordance with section 3(p) of the *Natural Products Marketing (BC) Act Regulations*. Appointments must be made in writing and filed with the Commission either: when applying for annual Producer license OR before the deadline set by using the appointment form provided by the IEO.
7. Only Voting Producers may vote to elect a member to the Commission.
8. The Commission will at all times maintain a current and accurate Register of Producers (Register) setting out the names and addresses of all registered producers. The Register will be open to inspection at all reasonable times at the Commission’s head office. The IEO will compile a list of Voting Producers from the Register and the written Voting Producer appointments filed with the Commission by partnerships, firms and corporations that are registered producers. The list of Voting Producers will be made available for inspection at the Commission office. The IEO will review with the Commission any appeals regarding eligibility to vote and the IEO will then determine eligibility to vote.
9. Election materials will be mailed to each Voting Producer to their latest address on record with the Commission. Registered producers are responsible for ensuring the Voting Producer mailing address is current. Failure of a Voting Producer to receive the election materials does not invalidate the election.
10. Inadvertent omission to mail a notice, ballot or other thing required to be mailed in respect of an election does not invalidate the election.

11. An individual is not eligible for nomination, election or office as an elected member unless:
 - (a) the nomination is endorsed in writing by not less than 5 registered producers;
 - (b) the individual consents in writing to be nominated as a candidate for election;
 - (c) the individual is a registered producer or is the person appointed to vote on behalf of a partnership or corporation.
 - (d) the individual, or the partnership, firm or corporation of which the individual is a partner or representative, is in good standing with all applicable orders made by the Commission.
12. An elected member may stand for re-election.
13. At least 45 days before the date to be fixed for holding the election, the Commission will set the date for elections and name the IEO.
14. At least 40 days before the date fixed for the election, the IEO will mail to every registered producer the following:
 - (a) an Election Timeline
 - (b) a nomination form, associated instructions and deadline for close of nominations;
 - (c) the Election Rules and Procedures;
 - (d) a Voting producer appointment form to permit registered producers that are partnerships, firms or corporations to appoint or change the appointment of a Voting Producer and the deadline for filing the appointment form with the Commission.
15. If there is only one valid nominee for election, that person will be elected by acclamation as of the date fixed for the holding of the election.
16. Unless a member is elected by acclamation, the IEO will proceed with the voting process as follows:
 - (a) The IEO will send to each Voting Producer an election package advising Voting Producers on their voting options and related procedures. The package will include the names of those individuals validly nominated and each nominee's biography if provided by the nominee to the IEO in sufficient time for inclusion in the election package.
 - (b) Voting Producers will have the option of voting by mail-in ballot or, provided the Commission has approved an online voting system that meets appropriate on-line voting security, safety and ease of use requirements, by online voting.
 - (c) If both voting options are available, each Voting Producer choosing to vote by mail-in ballot must advise the IEO of their choice in accordance with the instructions provided

by the IEO. If the IEO is not advised of a Voting Producer's choice to vote by mail in ballot, that Voting Producer must vote by online ballot.

(d) Voting Online

- Each Voting Producer voting online will be sent an individual email from the IEO by the deadline in the Election Timeline. The email will include:
 - a web link to the online voting site, and
 - a one time use individual access code.
- Voting Producers must complete and submit the on-line ballot in accordance with the instructions provided by 4:30pm on the deadline specified in the Election Timeline.

(e) Voting by Mail In Ballot

- Each Voting Producer voting by mail in ballot will be sent:
 - A paper ballot
 - One small envelope marked "Ballot envelope" and
 - One envelope addressed to the IEO
- Voting Producers must complete and submit the mail in ballot in accordance with the instructions provided by the deadline specified in the Election Timeline.

(f) Election Results

- Ballots received after the deadlines in the Election Timeline or determined to be spoiled by the IEO will not be counted.
- The IEO will open the online voting results page and will receive, validate and count all mail in ballots.
- The Chairman will serve as the witness/ scrutineer and in his absence a staff member from the Hatching Egg Commission may be appointed by him.
- The candidate(s) receiving the highest number of votes will be elected to the Commission.
- In the event of a tied vote, the Chair of the Commission will cast the deciding vote.
- The IEO will contact all candidates to notify them of the election results, and submit a written report to the Commission and the BC Farm Industry Review Board when the election is completed.
- All ballots will be kept by the IEO until the Commission passes a motion for destruction.

17. In the event of any vacancy in the membership of the Commission, where such membership consists of 3 or more members, the remaining members will constitute the Commission until the vacancy is filled.
18. If a member of the Commission is absent from the Province for 3 consecutive months or fails to attend to their duties for a like period, the other members may declare the office vacant.
19. A member of the Commission will cease to hold office if convicted of an offence under the *Natural Products Marketing (BC) Act* or the British Columbia Broiler Hatching Egg Scheme, or if they resign their office by notice in writing delivered to the Commission, or if their office is declared vacant in accordance with paragraph 18 above.

20. If a vacancy occurs in the membership of the Commission by reason of death or for one of the reasons set out in paragraph 19 above:
- a member may be elected at the next annual election to fill the vacancy for the balance of the remaining term; OR
 - the remaining members, if constituting a quorum, may appoint a member to fill the vacancy for the balance of the remaining term, the said appointment to be subject to approval by the Farm Industry Review Board.
21. The British Columbia Farm Industry Review Board may fill any vacancy in the membership of the Commission when the member(s) do not constitute a quorum.
22. The Rules and Procedures will be reviewed at the request of a registered producer, and in any case every three years with the next such review to be completed no later than December 31, 2019. No change may be made to the Rules and Procedures except with the prior approval of the British Columbia Farm Industry Review Board.
23. These Rules and Procedures come into effect upon approval by the British Columbia Farm Industry Review Board and replace all previous Rules and Procedures for the election of elected Commission members.

Effective Date

BC Broiler Hatching Egg Commission – Approved: April 25, 2013

BC Broiler Hatching Egg Commission – Amendments Approved: May 3, 2013

BC Broiler Hatching Egg Commission – Amendments Approved: May 5, 2016

Approved by BCFIRB on May 6, 2016



Member, BCFIRB