

## ELECTION PROCEDURE

20. The election of the Association shall be held on biennial basis between 1<sup>st</sup> of July to 30<sup>th</sup> of September.

### 21. Announcement of Elections Schedule

- (i) The election schedule of the Association shall be approved by the Executive Committee of the Association and issued by the Secretary General in the first half of July.
- (ii) Within 48 hours of its approval by the Executive Committee, the election schedule shall be:
  - (a) Displayed at the notice board of the head office and zonal offices of the Association,
  - (b) Displayed at the Website of the Association; and
  - (c) Submitted to the Regulator

### 22. Eligibility to Vote

- (i) Subject to provisions of Section 10 of the Act, the eligibility of a member of Association to vote in the elections of the Association shall be subject to following conditions;
  - (a) The member has completed two years of valid membership of the Association as on the date of announcement of election schedule by the Executive Committee of the Association; and
  - (b) The member has been fulfilling the conditions of membership and renewal thereof of the Association.
- (ii) Every member eligible to vote shall deposit with the Secretary General, the specimen signature card along with his / her photograph indicating his / her status in the firm, company or concern. The right to vote shall be allowed only to the proprietor, partner or the director of the member firm or company, or a person not below the rank of General Manager authorized by the Board of Directors of a public limited company or a multinational company, as the case may be.
- (iii) The proprietor, partner or director of the member firm or company, concern or a person not below the rank of General Manager authorized by the Board of Directors of public limited company or a multinational company shall be entitled to cast his / her vote at the time of election only if his or her name has already been registered with the Secretary General and his name appears on the list of voters. However, in the ease of Associated Bodies, Association of persons, a society or a trust etc., the member may be represented by an authorized person who is a member of its Governing Body.

### 23. Appointment of Election Commission

Simultaneously with the approval of the election schedule as provided, the Executive Committee of the Association shall appoint an election commission subject to the following conditions;

- (i) the commission shall comprise 3 members; and
- (ii) the members so appointed have submitted their consent in writing to their appointment as such;
- (iii) the members of the commission so appointed have not held any office of the Association for the preceding 2 years;
- (iv) the members of the commission shall not be entitled to cast vote or become a candidate in the election, they are conducting;
- (v) the member of the commission shall be independent, impartial and non-partisan; and
- (vi) The members of commission shall not canvass for any of the candidates or panels contesting the elections, they are conducting.

### 24. Functions of Elections Commission

The election commission shall be in-charge of all arrangements connected with conduct of elections including but not limited to:

- (i) Appointment of polling staff;
- (ii) Ensuring display of the tentative voters' list by the Secretary General for the purpose of inviting objection;
- (iii) Examination of and decision on the objections received on the voters list.
- (iv) Supervision of polling process and ensuring that the polling has been conducted in an orderly, peaceful and fair manner in accordance with the provisions of the. Memorandum and Articles of Association and instructions of the Federal Government or the Regulator in this regards; and
- (v) Counting of votes and announcement of results.

### 25. Election Procedure

(i) The election of the Association shall be conducted according to the procedure laid down in the Articles of Association subject to- the following:-

- a. The election of members of Executive Committee and the office bearers shall be held by secret ballot.
- b. On completion of the term, the retiring office bearers and the members of Executive Committee shall not be eligible to stand for election or co-option in any representative capacity for the next one year
- c. Neither postal ballot nor proxy shall be allowed; and
- d. The polling shall be held. simultaneously at the head office, zonal offices or where the number of voters exceeds 50 at the branch offices of the Association;

Provided that where for want of space in the office premises, it is not possible to establish the polling booths, the polling shall be held in a public place such as a community hall or hotel.

- (ii) Within 3 days of the announcement of the election schedule member firms desiring to change their representative shall intimate changes regarding name of representative to the Secretary General along with necessary proof of eligibility.
- (iii) The Secretary General of Association shall display, within seven days of the announcement of election schedule, the list of all members eligible to vote along with their national tax number, sales tax registration number here (where applicable), the name and the national identity card number of their representative.
- (iv) The list shall be displayed at:
  - (a) The notice board of the head office and zonal offices of the association; and
  - (b) The website of the Association.
- (v) The members who have any objection to the entries in the list of voters and send their objections in writing to the Secretary General within seven days of the issuance of the voters' list.
- (vi) The Secretary General will intimate action on the objections or changes sent by members within five days from the last day under preceding clause.
- (vii) Any person, aggrieved by the decision of the Secretary General, may make representation within 3 days to the election commission which shall decide the case within 3 days.
- (viii) Within 3 days of decision by the commission, any person aggrieved by the decision of the commission

may appeal to the Regulator who shall decide the ease within 10 days and his decision in this regard shall be final.

- (ix) Within two days of the decision of the Regulator, the final voters' list shall be:
  - (a) displayed at the notice board of the head office and zonal offices of the Association; and
  - (b) displayed at the website of the Association
  - (c) submitted to the Regulator

Provided that if no appeal has been filed to the Regulator, the final list of voters shall be displayed within 15 days of the decision of the election commission.

- (x) Within 4 days of the display of the final list of the voters any person who is eligible to contest the election for the vacant post, shall send his nomination duly proposed and seconded by a duly registered voter and signed by the candidate to the Secretary General on the prescribed form in accordance with the Articles of Association or rules of the Association.
- (xi) Within 24 hour of receipt of nomination papers, a copy of the final list of voters shall be provided to each contesting candidate.
- (xii) the nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within 24 hours of the last date of receipt of nomination papers.
- (xiii) The objections, if any to the nomination of the candidates can be filed to the election commission within 24 hours of issuance of the list of candidates, which shall be decided by the election commission within 48 hours.
- (xiv) Within two days of the decision of the commission or in case the commission fails to decide within the stipulated time, any candidate aggrieved by the decision of the election commission may file an appeal to Regulator who shall decide within 7 days and his decision in this regard shall be final.
- (xv) Within two days of the decision of the Regulator, the commission shall issue the final list of candidates;
- (xvi) Within 5 days of display of final list of candidates, the polling for election of members of Executive Committee shall be held;
- (xvii) Within 2 days of the polling, any person elected as member of Executive Committee, shall send his nomination for election as an office bearer duly proposed and seconded by an elected Executive Committee member and signed by the candidate to the election commission.

- (xviii) The nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within 24 hours of the last date of receipt of nomination papers.
- (xix) Within 2 days of display of final list of candidates, the polling for election of office bearers shall be held.
- (xx) The final result of the election of members of Executive Committee and office bearers shall be officially announced at the general meeting of the Association called for this purpose within fifteen days of the date of polling under the preceding clause but not later than 30th September;
- (xxi) The announcement of election results in the general meeting in pursuance of the preceding sub—rule shall be the material date for the purposes of paragraph (iii) of clause (f) of sub-section (2) of section 14 the Act.
- (xxii) The final election results announced in the general meeting shall be;
  - (a) displayed at the notice board of the head office and zonal offices of the Association within 48 hours;
  - (b) displayed at the website of the Association within 48 hours; and
  - (c) Submitted to the Regulator with 7 days

## 26. Conduct of Elections

- (i) The ballot papers shall have duly numbered counterfoils and the voters shall sign or affix thumb impression thereon in the presence of polling agents of the candidates and the polling officer before the issuance of ballot paper to the voter.
- (ii) It shall be the duty of the polling officer to verify the identity of the voter. The only acceptable forms of identification shall be the computerized national identify card, the original identity card issued by the Association, the passport. The polling officer shall enter the number of identification document on the counterfoil.
- (iii) After comparing the signature and photograph with the specimen signature card the polling officer shall hand over the ballot paper to the voter.
- (iv) The ballot paper shall be signed by the Secretary General or an officer of the Association duly authorized by the commission in this behalf and shall also be signed by the polling officer at the time when it is issued.
- (v) Once the ballot paper has been issued to a voter, he shall not be allowed to leave the polling

booth, before he has inserted his vote in the ballot box.

- (vi) Adequate arrangements shall be made to maintain the secrecy of the polls.
- (vii) Proper account shall be maintained by an officer designated by the commission in respect of ballot paper including used, unused, tendered, challenged and or stray ballot papers.
- (viii) The challenged votes shall be kept in a separate sealed envelope duly signed and sealed by the pooling officer.
- (ix) The commission or an officer designated by the commission shall decide about the challenged votes after verification of necessary information before the official announcement of the results.
- (x) No ballot paper shall be invalid for failure to have cast all votes on all seats contested for in the said election.
- (xi) Counting of votes shall take place immediately after the polling hours under the supervision of polling officer in the presence of candidates or their polling agents, if any, at the designated sites.
- (xii) In the event of equality of votes between two or more candidates the result shall be decided on the basis of a draw conducted by the polling officer in the presence of candidates or their polling agents and a record of the result thereof shall be made.
- (xiii) Provisional results may be declared by the commission immediately after the counting of votes is completed.
- (xiv) Having completed the counting and compilation of results, the record pertaining to the elections shall be sealed and signed by the commission or any officer designated by the commission and the Secretary General and shall be handed over to the Secretary General for safe custody.
- (xv) The record of election shall be opened for inspection upon an application made in this behalf by the candidates within seven days of the date of polling and with the approval of the Regulator.