

# **ELECTION BY- LAWS**

**Community Broadcasting Association Of  
Australia Limited**

**(ACN 003 108 030)**

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Ref: VMVS/3470679

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## 1 Definitions and Interpretation

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### 1.1 Definitions

In these By-Laws, unless the context otherwise requires:

- (a) A term that is defined in the Constitution has the same meaning in these By-Laws;
- (b) **By-Laws** means these election by-laws;
- (c) **Company** means Community Broadcasting Association Of Australia Limited (ACN 003 108 030);
- (d) **Constitution** means the constitution of the Company;
- (e) **Women and Gender Diverse People's Representative** means the the person elected, pursuant to these By-Laws, to that position under clause 27.2(e) of the Constitution; and

### 1.2 Interpretation

The interpretation provisions of the Constitution apply to these By-Laws, except with all references to the Constitution being references to these By-Laws.

## 2 Method of Ballot

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### 2.1 Constitution

Clause 19.4(b) of the Constitution provides that if a ballot is held for the election of Member Elected Directors, it shall be held in such usual and proper manner as the Board may direct from time to time. In this **clause 2**, the Board sets out the usual and proper manner of the ballot.

### 2.2 Method of Ballot

- (a) The ballot shall be held using the gender equity voting method, which is described in this **clause 2.2**.
- (b) Under the gender equity voting method, where at least two (2) Member Elected Director positions are to be elected, and at least one (1) nominee identifies as male and at least one (1) nominee identifies as female, then:
  - (i) the male-identifying candidate who receives the most votes using the first-past-the-post method shall be elected; and
  - (ii) the female-identifying candidate who receives the most votes using the first-past the post method shall be elected.
- (c) If there are more than two (2) Member Elected Directors positions to be elected in a ballot, then once the process in **clause 2.2(b)** has occurred, the remaining nominees who received the most votes (regardless of gender identity) using the first-past-the-post method shall be elected, up to the number of positions to be filled.

### **3 Notices of Meeting**

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#### **3.1 Biographies**

- (a) If an election is to be held or announced at an annual general meeting, then each nominee shall have the opportunity to:
- (i) submit a candidate statement, up to 150 words in length.
  - (ii) That candidate statement shall be included in the notice of meeting for that annual general meeting.
  - (iii) Participate in a video produced by the CBAA that provides them an opportunity to speak to their candidacy. The video will be published online.

#### **3.2 Attributes and Competencies**

In the notice of meeting for an annual general meeting at which an election is to be held, the Board may include a list of attributes and competencies which it is desirable for Directors to possess.

### **4 People's Representatives**

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#### **4.1 Constitution**

Under clause 27.2(e) of the Constitution, the Board is permitted to invite any person to attend Board meetings for the purpose of observing or advising.

#### **4.2 Women and Gender Diverse People's Representative**

- (a) Using its power in clause 27.2(e) of the Constitution, the Board appoints a Women and Gender Diverse People's Representative, as an observer to Board meetings.
- (b) For the avoidance of doubt, the Women and Gender Diverse People's Representative does not have the ability to command or instruct the Board, nor to vote on any Board resolutions.