



ICAEW Council election regulations

Introduction

1. ICAEW Nominating Committee approved these regulations on 30 January 2020, under delegated authority from ICAEW Council.

Application

2. These regulations apply to all elections to the Council. You should read them in conjunction with the Principal Bye-laws, in particular:
 - 2.1. Section 1 - Interpretation of terms;
 - 2.2. Section 6 - The Council; and
 - 2.3. Section 16 - Notices.

Definitions

3. Words and expressions defined in the Principal Bye-laws have the same meaning in these regulations. In these regulations, the terms below have the following meanings.

Defined term	Definition
ballot -	means the arrangements for a contested election.
ballot paper -	means a webpage or a printed document on which a constituent can cast a vote or votes in a contested election.
election -	means the arrangements for the filling of a vacancy or vacancies among the elected members of Council.
election year -	means any year in which an election or elections to Council are held.
publish -	means make available online, by email or on printed paper, and 'publication' means communication made available online, by email or on printed paper.
qualifying date -	means the date on which a member must be eligible to stand, nominate or vote in any election in accordance with Regulations 10 and 11 and must be at least 10 calendar days before the date of publication of the notice of election.
returning officer -	means the ICAEW Chief Executive or their nominee.
scrutineers -	means the individual(s) or company appointed by the returning officer to administer a ballot or ballots.
sign -	includes a signature in electronic form.

Constituencies

4. The schedule to these regulations sets out:
 - 4.1. the constituencies for the purpose of elections to the Council
 - 4.2. the area or composition of each constituency; and
 - 4.3. the number of members each constituency is entitled to elect to the Council.
5. Each constituency defined in the schedule to the election regulations is entitled to at least one member to Council.
 - 5.1. A constituency of 2000 or more members with a registered address in that constituency as at the qualifying date, is entitled to elect one representative.
 - 5.2. If a constituency has 4,000 or more members with a registered address in that constituency as at the qualifying date, it may elect two members; if a constituency has 6,000 or more members with a registered address in that constituency as at the qualifying date, it may elect three members; and so on.
 - 5.3. Constituencies with less than 2000 members may be eligible to elect a member if it is deemed to be a region of strategic significance.

Timetable

6. In each election year, the returning officer must publish a timetable for elections to the Council.

Notice

7. Apart from in the circumstances described in Regulation 9, the returning officer must issue a notice of election to all members eligible to vote in an election in accordance with Regulations 10-12.
8. The notice must specify:
 - 8.1. the name of the constituency or constituencies;
 - 8.2. the number of vacancies;
 - 8.3. the reason(s) for the vacancies; and
 - 8.4. the deadline for receipt of nominations, which must be at least 28 calendar days after the date of issue of the notice.
9. If the returning officer has issued a notice of election but the deadline for nominations has not passed and an additional vacancy or vacancies then arises in the constituency or constituencies concerned, the additional vacancy or vacancies may, at the discretion of the returning officer, be filled by candidates responding to the original notice.

Eligibility

10. A member is eligible to:
 - 10.1. stand for election;
 - 10.2. nominate a member for election; and
 - 10.3. vote in a ballot;in a constituency if their registered address is in that constituency at the qualifying date.

11. A member is eligible under Regulation 10 if they have told the members' registrar by the qualifying date that they wish to use their secondary address as their address for Council elections.
12. Members joining ICAEW after the qualifying date are entitled to receive any election communication issued after their joining date. They are eligible to do those things stated in Regulation 10.
13. Members intending to stand for election or to nominate a member for election must check their eligibility with the members' registrar.

Nomination

14. Nominations must be on a form available on ICAEW's website or from the returning officer on request.
15. Each candidate must have the support of at least five nominators.
16. The nomination must specify the:
 - 16.1. full name;
 - 16.2. membership number;
 - 16.3. current principal practice or business appointment (if any);
 - 16.4. firm, company or employer (if any)of the candidate and each of their nominators.
17. Candidates must:
 - 17.1. confirm that they are eligible to stand for election in writing;
 - 17.2. give their consent to stand for election in writing; and
 - 17.3. sign the nomination form.
18. Each nominator must also confirm that they are eligible to nominate the candidate and sign the nomination form.
19. Candidates must submit their nomination forms to the returning officer on or before the deadline specified in the notice of election. Nomination forms must be complete and accurate in every respect. Candidates must submit with their nomination (for inclusion with any ballot paper) a personal statement using the template provided.
20. The returning officer must not accept any nomination which:
 - 20.1 is incomplete or which is received after the deadline for nominations.
 - 20.2 in the opinion of the Nominating Committee, represents a potential for conflict of interest to the extent that, in managing this conflict, the member maybe unable to fulfil the role of Council member to the standard that would be reasonably expected by the members
21. The returning officer may request any evidence they think necessary to be satisfied that the nomination is genuine.
22. Candidates may only withdraw their nomination after the deadline for nomination with the agreement of the returning officer.

Election

23. In any constituency:

- 23.1. if the number of eligible candidates does not exceed the number of vacancies, the election will be uncontested and the nominated candidates will be deemed to be elected; and
- 23.2. if the number of eligible candidates exceeds the number of vacancies, the election will be contested by ballot.

Canvassing

24. Candidates may arrange to canvass electors in their constituencies through channels provided by ICAEW for election communication. Candidates must act professionally at all times and observe the Code of Ethics to be upheld by all members.
25. Any circular or canvassing activity must be at the candidate's personal expense and should be proportionate.
26. All canvassing activity must be conducted as per rules put in place in each election year, which will take into consideration current legislation around data protection, information governance and ICAEW policies.
27. The returning officer has the authority to decide the acceptability of canvassing activity undertaken by candidates. The returning officer's decision is final and is not open to challenge.

Ballot

28. The returning officer must make every effort to notify every member eligible to vote in a ballot that the election is to be contested. Voting may be online or by post.
29. The returning officer must decide the form of the ballot paper. For each contested election the ballot paper must include:
 - 29.1. the name of the constituency;
 - 29.2. the number of vacancies to be filled;
 - 29.3. the name, current principal practice or business appointment, and firm, company or employer (if any) of each candidate;
 - 29.4. the candidate statement in the requested template;
 - 29.5. the name and current principal practice or business appointment, and firm, company or employer (if any) of each nominator;
 - 29.6. details of how the ballot paper must be completed; and
 - 29.7. the deadline by which votes must be cast (which must be at least 14 calendar days after the publication or issue of the ballot paper).
30. The returning officer must draw lots to determine the order of candidate names on the ballot paper.
31. If it appears to the returning officer that a constituent has not received the original ballot paper or has spoiled, lost, mislaid or destroyed it, the returning officer must arrange to send a duplicate ballot paper to any constituent who writes to request one.
32. For votes to be valid, the scrutineers must receive them by the deadline.
33. The scrutineers must reject any votes that they receive after the deadline for voting. They must reject any ballot paper that the member has completed incorrectly. The scrutineers may request any evidence they consider necessary to be satisfied that any vote is genuine.
34. No member may vote more than once in any contested election.

Determining terms of office

35. If there are vacancies with different terms of office, the returning officer must determine the terms of office for which the successful candidates will serve.
36. If the election is uncontested or if candidates receive the same number of votes, the returning officer must draw lots to determine the term of office that will be served by each candidate.
37. If the election is contested, the candidate(s) with the highest number of votes will be elected for the longer period.

Announcement of result

38. Following each election or ballot, the returning officer must:
 - 38.1. announce the result to the candidate(s);
 - 38.2. publish the result on ICAEW's website and on the Council community site;
 - 38.3. report the result to the next ICAEW annual meeting; and
 - 38.4. report the result to the district society or member group concerned (if any).
39. Apart from in the circumstances set out in Regulation 42, the announcement by the returning officer is final.

Breach of regulations/Complaints

40. A breach of election regulations could result in disqualification of candidates from participating in the election. A breach may be reported by a member of the constituency to which the candidate belongs, including other candidates contesting the election in the constituency.
41. A breach in election regulations must be reported to the returning officer who has the authority to take the necessary action as specified in these Regulations
42. If the returning officer receives a complaint within seven days of the closing date for elections, they may hold an enquiry. As a result of any enquiry, the returning officer may:
 - 42.1. declare that the complaint does not invalidate the result of the election; or
 - 42.2. declare the election invalid and order it to be re-run.
43. The returning officer's decision on complaints and breach of regulations is final and not open to challenge.

Communication and documents

44. All communication required by these regulations to and from ICAEW may be by email, by post or by a combination of the two.
45. All documents referred to in these regulations may be in printed or electronic form.

SCHEDULE

Geographical constituencies and number of elected members

The areas of the geographical constituencies for election to Council shall be as follows (the number of members which each constituency is entitled to elect to the Council is in brackets):

Africa (1)

Algeria, Angola, Benin, Botswana, British Overseas Territories of Saint Helena, Ascension And Tristan Da Cunha, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini (formerly Swaziland), Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mayotte, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Reunion, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Western Sahara, Zambia, Zimbabwe

Australia (1)

The Australian State of New South Wales and the Australian Capital Territory (ACT)

Australasia (1)

Australia (excluding New South Wales and ACT) and New Zealand, islands of the South Pacific, all of Oceania including the regions of Polynesia, Melanesia and Micronesia

Canada (1)

Canada, Greenland, Saint Pierre and Miquelon

Cyprus (1)

The constituent country of Cyprus

Europe and Eurasia (2)

Includes the Aland Islands, Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Faroe Islands, Finland, France, Georgia, Germany, Gibraltar, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Svalbard & Jan Mayen Islands, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan, Vatican City State.

Greater China (2)

China, Hong Kong Special Administrative Region, Macao Special Administrative Region.

Malaysia (1)

The country of Malaysia

Middle East (1)

Afghanistan, Bahrain, Iran, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar. Saudi Arabia, State of Palestine, Syrian Arab Republic, United Arab Emirates and Dubai

South East Asia and Pacific (1)

Brunei Darussalam, Cambodia, Democratic People's Republic of Korea, Indonesia, Japan, Laos, Myanmar, Philippines, Republic of Korea, Singapore, Thailand, Timor-Leste, Vietnam

UK, Beds, Bucks & Herts (4)

The counties of Bedfordshire (including the borough of Luton), Buckinghamshire (including the borough of Milton Keynes), less the district of Wycombe and the former district of Beaconsfield, and Hertfordshire.

UK, Birmingham & West Midlands (3)

In the former metropolitan county of the West Midlands, the cities of Birmingham and Coventry, and the boroughs of Sandwell, Solihull and Walsall, less the ward of Willenhall; in the borough of Dudley, the wards of Halesowen and Stourbridge; the counties of Worcester and Warwickshire; the unitary council of Hereford; and, in the county of Staffordshire, the borough of Tamworth and the district of Lichfield.

UK, Croydon and District (1)

In the former metropolitan county of Greater London and in the county of Surrey, the postal districts of Streatham, Norwood, South Norwood and West Norwood, the post towns of Banstead, Carshalton, Caterham, Coulsdon, Croydon, Godstone, Kenley, Mitcham, Oxted, Purley, Redhill, Reigate, South Croydon, the Sutton postal districts SM1 and SM2, Tadworth, Thornton Heath, Wallington, Warlingham and Whyteleafe.

UK, East Anglian (2)

The counties of Norfolk, Suffolk and Cambridgeshire, less the city of Peterborough; and, in the county of Essex, the borough of Colchester and the districts of Braintree, Tendring and Uttlesford.

UK, Humberside and District (1)

The former county of Humberside (including the East Riding of Yorkshire, the city of Kingston upon Hull, and the unitary councils of North and North East Lincolnshire); in the county of Lincolnshire, the former district of East Lindsey; and in the county of North Yorkshire, the borough of Scarborough.

UK, Leicestershire and Northamptonshire (1)

The counties of Leicestershire (including the city of Leicester) and Northamptonshire; the unitary council of Rutland; and, in the county of Cambridgeshire, the city of Peterborough.

UK, Liverpool (2)

The former metropolitan county of Merseyside (including the boroughs of Halton, Knowsley, St Helens, Sefton, Warrington and Wirral); the city of Liverpool; in the former metropolitan county of Greater Manchester, the borough of Wigan; the county of Cheshire, less the boroughs of Congleton and Macclesfield; in the county of Lancashire, the district of West Lancashire; the former county of Clwyd (including the boroughs of Conwy and Wrexham and the counties of Denbighshire and Flintshire); and the unitary authorities of the Isle of Anglesey and Gwynedd. The Isle of Man. Northern Ireland.

UK, London and District (18)

The former metropolitan county of Greater London, less the boroughs of Barking & Dagenham, Havering, Newham, Redbridge and Waltham Forest, and less the postal districts of Streatham, Norwood, South Norwood and West Norwood, and less the post towns CR4, SM1, SM5 and SM6 and areas within post towns CR0, CR2, CR3, SM2 and SM7; in the county of Surrey, the boroughs of Elmbridge, Epsom and Ewell, Runnymede, and Spelthorne, and in the district of the Mole Valley, the parishes of Ashted, Great and Little Bookham, Fetcham, Headley, Leatherhead, and Mickleham, and in the borough of Reigate and Banstead, the postal districts of KT17 and KT18; and the Channel Islands.

UK, Manchester (2)

The former metropolitan county of Manchester (including the boroughs of Bolton, Bury, Oldham, Rochdale, Stockport and Tameside, the city borough of Manchester, and the city of Salford), less the borough of Wigan; in the county of Cheshire, the borough of Macclesfield; and, in the county of Derbyshire, the borough of High Peak.

UK, North West (1)

The county of Lancashire (including the boroughs of Blackburn with Darwen and Blackpool), less the district of West Lancashire; and, in the county of Cumbria, the borough of Barrow-in-Furness and the district of South Lakeland.

UK, Northern (1)

The counties of Northumberland, Durham, and Cumbria, less the borough of Barrow in Furness and the district of South Lakeland; the former metropolitan counties of Tyne and Wear (including the boroughs of Gateshead and North and South Tyneside, the city of Newcastle-upon-Tyne, and the city borough of Sunderland) and Cleveland (including the boroughs of Darlington and Stockton-on-Tees, and the unitary councils of Hartlepool, Middlesbrough, and Redcar and Cleveland); and, in the county of North Yorkshire, the districts of Richmondshire and Hambleton, except for that part of the district of Hambleton which is south of the A61 road and the A170 road. Skipton-on-Swale, Carlton Miniott, Thirsk and Sutton-under-Whitstonecliffe are not in the area.

UK, Nottingham, Derby and Lincoln (1)

The county of Nottinghamshire (including the city of Nottingham), less the district of Bassetlaw; the county of Lincolnshire, less the former district of East Lindsey; in the county of Derbyshire, the borough of Erewash, the districts of Amber Valley and South Derbyshire, and the city of Derby; and, in the county of Staffordshire, the borough of East Staffordshire.

UK, Scotland (1)

The UK constituent country of Scotland.

UK, Sheffield (1)

The former metropolitan county of South Yorkshire (including the boroughs of Barnsley, Doncaster and Rotherham, and the city of Sheffield); in the county of Derbyshire, the borough of Chesterfield, the districts of Bolsover and North East Derbyshire, and the former district of West Derbyshire; and, in the county of Nottinghamshire, the district of Bassetlaw.

UK, South Eastern (5)

The county of Kent (including the unitary council of Medway); the counties of East and West Sussex (including the borough of Brighton and Hove); and, in the county of Surrey, the boroughs of Guildford, Surrey Heath, Waverley and Woking; the district of Mole Valley, less the parishes of Ashted, Great and Little Bookham, Fetcham, Leatherhead, Headley and Mickleham; in the district of Tandridge, the parishes of Burstow, Crowhurst, Felbridge, Horne, Lingfield and Nutfield, less the post towns of Oxted, Godstone and Redhill.

UK, South Essex (1)

The London boroughs of Barking and Dagenham, Havering, Newham, Redbridge and Waltham Forest; and the county of Essex (including the boroughs of Southend and Thurrock), less the borough of Colchester and the districts of Braintree, Colchester, Tendring and Uttlesford.

UK, South Wales (1)

The former counties of Dyfed, Gwent, Powys, and of South, West and Mid-Glamorgan (including the county boroughs of Blaenau Gwent, Bridgend, Caerphilly, Merthyr Tydfil, Neath Port Talbot, Newport, Rhondda Cynon Taff, Torfaen and Vale of Glamorgan, the cities and counties of Cardiff and Swansea, and the counties of Carmarthenshire, Ceredigion, Monmouthshire, Pembrokeshire and Powys).

UK, South Western (1)

The counties of Cornwall (including the Isles of Scilly), Devon (including the city of Plymouth and the borough of Torbay) and Somerset, less the district of Mendip.

UK, Southern (2)

The counties of Dorset (including the boroughs of Bournemouth and Poole) and Hampshire (including the cities of Portsmouth and Southampton and the unitary council of the Isle of Wight); and, in the county of Wiltshire, the district of Salisbury.

UK, Staffs, Salop & Wolverhampton (1)

In the former metropolitan county of West Midlands, the boroughs of Wolverhampton and Dudley, less the wards of Halesowen and Stourbridge, and in the borough of Walsall, the ward of Willenhall; the county of Shropshire (including the unitary council of Telford and Wrekin); the county of Staffordshire (including the city of Stoke-on-Trent), less the boroughs of East Staffordshire and Tamworth, and the borough of Lichfield; and, in the county of Cheshire, the borough of Congleton.

UK, Thames Valley (3)

The former county of Berkshire (including the boroughs of Bracknell Forest, Slough, Reading, and Windsor and Maidenhead, and the unitary councils of West Berkshire and Wokingham); the county of Oxfordshire; and, in the county of Buckinghamshire, the district of Wycombe and the former district of Beaconsfield.

UK, West of England (2)

The former county of Avon (including the city of Bristol and the unitary councils of Bath and North-East Somerset, North Somerset and South Gloucestershire); the counties of Gloucestershire and Wiltshire (including the borough of Swindon), less the district of Salisbury; and, in the county of Somerset, the district of Mendip.

UK, West Yorkshire (2)

The former metropolitan county of West Yorkshire (including the boroughs of Calderdale and Kirklees, the city of York, and the cities of Bradford, Leeds and Wakefield); and the county of North Yorkshire, less the borough of Scarborough, the district of Richmondshire, and that part of the district of Hambleton which is north of the A61 road and the A170 road. Skipton-on-Swale, Carlton Miniott, Thirsk and Sutton-under-Whitestonecliffe are in the area.

USA (East Coast) and the Caribbean (1)

US States on the East Coast [*New Jersey, New York, Pennsylvania, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, District of Columbia*], Caribbean Islands [*Anguilla, Aruba, Cuba, Dominica, Grenada, Haiti, Martinique, Montserrat, Saint Martin, Saint-Barthelemy, Sint Maarten, Antigua and Barbuda, Bahamas, Barbados, Boniare, Sint Eustatius and Saba, British Virgin Islands, Cayman Islands, Dominican Republic, Jamaica, Puerto Rico, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, Turks and Caicos Islands, US Virgin Islands, Curacao, Guadeloupe*], and the British Overseas Territory of Bermuda

USA (Central, South and West Coast) and Central and South America (1)

US States in Central, South and West Coast [*Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming, Washington, Oregon, California, Alaska, Hawaii, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Indiana, Michigan, Ohio, West Virginia, Alabama, Kentucky, Mississippi, Tennessee*]; and Central and South America [*Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Falkland Islands, French Guiana, Guatemala, Guyana, Honduras, Nicaragua, Mexico, Paraguay, Panama, Peru, Suriname, Uruguay, Venezuela*]