

NSBEP REGULATION: ELECTION TO BOARD, QUALIFICATIONS, TERMS OF OFFICE AND CONDITIONS FOR DISQUALIFICATION

[Approved by the Nova Scotia Board of Examiners in Psychology September 14, 2018]

These Regulations are made under the authority of the Psychologists Act, 2000 as amended.

Eligibility to Vote

1. A psychologist who, on the date of the election, is on the Register of Psychologists or the Register of Candidates is eligible to vote.

Number of Members Elected

2. (1) For the 2018 election, there will be elections to fill the positions of 2 Board members whose terms have ended. The current Board members who are not running for election are deemed elected until the election following the expiration of their original term provided by their APNS appointment.

(2) The total number of psychologists elected to the Board is five. The number of positions to be filled at each election each will vary between 1 and 5 depending upon when Board member's terms expire.

Terms of Office

3. The term of office of a psychologist elected to the Board is two years. A psychologist may be re-elected for up to three consecutive terms. After three consecutive terms, there then must be a minimum 12-month lapse before a psychologist may run for election again.

Election Date

4. (1) In October 2018, and every year after that when there is a vacancy, an election shall be held on a date selected by the Board.

(2) A member elected to the Board shall take office at the first Board meeting following the election.

Eligibility for Election

5. (1) Unless determined otherwise by the Board, a psychologist is eligible for election to the Board if, on the date of the election,

(a) the psychologist is currently on the Register of Psychologists and has had a minimum of five years of professional experience while being on the Register of Psychologists;

- (b) the psychologist is not in default of payment of any fees prescribed by NSBEP;
- (c) the psychologist's certificate of registration has never been cancelled;
- (d) the psychologist's certificate of registration has not been suspended or subject to a term, condition or limitation as a result of a disciplinary action in the six years preceding the election; and
- (e) the psychologist is not the subject of an outstanding complaint with NSBEP.

(2) A psychologist nominated for election to the Board, who holds an executive or board position or is on the staff of any professional psychological association involved in advocacy for the members of the profession, must undertake to resign that position before taking office.

(3) A psychologist who is also an employee of the Board may be nominated for election to the Board so long as he or she agrees that if elected, he or she will resign from their position prior to accepting office.

Notice of Election and Nominations

6. (1) No later than 60 days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure.

(2) The names of Board Members whose positions are up for election, their eligibility for re-election, and any decisions they have made at that point regarding running for re-election (if eligible) will be provided.

(3) The names of the Board Members whose positions are not up for re-election, and the names of the Public Members will also be provided.

(4) In addition to Names, the following information, taken from the their online public NSBEP directory listings will also be given for the Board Members who are psychologists:

- (a) Degree;
- (b) Date of Degree;
- (c) City;
- (d) Self-Declared Areas of Practice(s) and
- (e) Self-Declared Client Population(s)

Nomination Procedure

7. (1) The nomination of a psychologist for election as a member of the Board shall be provided to the Registrar, in the form established by the Registrar at least 30 days before the date of the election.

(2) The nomination shall be agreed to by the candidate and endorsed by at least 2 members who support the nomination and who are eligible to vote in the election.

(3) The Registrar will review nominations for eligibility as they are received.
(4) The Registrar shall approve a nomination and notify the candidate where the candidate meets the nomination criteria.

(5) The Registrar will provide potential voters with a list of all eligible candidates within 24 hours of each new candidate being approved.

(6) In addition to Names, the following information, taken from the candidates' online public NSBEP directory listings will also be provided:

- (a) Degree;
- (b) Date of Degree;
- (c) City;
- (d) Self-Declared Areas of Practice(s) and
- (e) Self-Declared Client Population(s)

(7) At least 45 days before the date of the election, the Registrar shall notify every member who is eligible to vote of the nominations received, if any, and that further nominations will be received until 20 days before the date of the election.

(8) No less than 20 days before the date of the election, a psychologist nominated for election shall provide the registrar with a biographical note and any candidate's statement he/she wishes to advance. The note and statement must be 500 words or less. This information will be made available to all voters on the NSBEP and election website and by email links.

(9) Election activities are not permitted until the close of nominations 20 days prior to the election.

(10) A candidate may withdraw his or her nomination for election to the Board by giving notice to the Registrar in writing not less than 17 days before the date of the election.

Acclamation

8. If the number of psychologists nominated for an election is less than or equal to the number of psychologists to be elected to the Board, the Registrar shall declare the candidates to be elected by acclamation.

Number of Votes

9. When the number of candidates running for election exceeds the number of positions to be filled, the number of votes that a voter may cast will equal the number of positions that are open to be filled. The candidates receiving the most votes will be deemed elected in turn until

the positions are filled.

Voting

10. Voting will be done online using election software approved by the Registrar

Registrar's Electoral Duties

11. (1) No later than 14 days before the date of an election, the Registrar shall make available to every eligible voter,

- (a) a list of the candidates;
- (b) each candidate's biographical note and statement;
- (c) an explanation of how to use the online voting election software.

(2) No later than 14 days before the election date, voting shall open in the manner approved by the Registrar.

(3) No later than 7 days following the election, the Registrar shall provide for the notification of all candidates and members of the results of the election.

Tie Votes

12. If there is a need to break a tie in an election of psychologists to the Board, the Registrar shall break the tie by lot.

Disqualification of Elected Members

13. (1) The Board may remove an elected psychologist from sitting on the Board if the Board determines by a vote of 50% plus one that the psychologist should be removed because he or she,

- (a) is found to have committed an act of professional misconduct or is subject to disciplinary action by an Investigation or Hearing Committee;
- (b) fails, without being excused by the Chair, to attend two consecutive regular meetings of the Board;
- (c) fails, without being excused by the Committee Chair, or by the Board Chair, if he or she is the Committee Chair, to attend two consecutive meetings of a committee of which he or she is a member;
- (d) ceases either to practice or reside in Nova Scotia;
- (e) continues to be or becomes a member of the executive or board or a staff member of any professional psychological association involved in advocacy for members of the profession;
- (f) has been convicted of contravening a federal, provincial or territorial law.

(2) An elected member of the Board may apply for any position of employment with the Board

so long as he or she agrees to resign his or her Board seat if his or her application for employment is successful.

(3) A psychologist who is disqualified from sitting on the Board ceases to be a member of the Board.

Filling of Vacancies

14.(1) If the seat of an elected Board member becomes vacant not more than twelve months before the expiry of the member's term of office, the Board may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Board members;
- or
- (c) direct the Registrar to hold an election in accordance with this Regulation.

(2) If the seat of an elected Board member becomes vacant more than twelve months before the expiry of the member's term of office, the Board shall direct the Registrar to hold an election in accordance with this Regulation.

(3) If a vacancy remains on the Board following a regular election, the Board may direct the Registrar to hold a second election, in accordance with this Regulation.

(4) The term of a member elected under clause (1) shall continue until the time the former Board member's term would have expired.

(5) If a term filled under Section (15) is longer than 12 months, then that term shall be considered as one of the three consecutive terms described in Section 3.

Elections Committee

15. The Board may appoint an Elections Committee to assist the Registrar with the duties described in these regulations.

Revisions: December 13, 2019; January 24, 2020