

*chapter C-26, r. 37*

***Regulation respecting terms and conditions for election to the board of directors of the Ordre professionnel des comptables en management accrédités du Québec***

*Professional Code*  
*(chapter C-26, s. 93, par. b).*

*Implicitly revoked, 2012, chapter 11, s. 25, par. 1.*

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## **DIVISION I**

### **INTERPRETATION AND SCOPE**

**1.** *In this Regulation, the word “region” means one of the regions mentioned in the Regulation dividing Québec into regions for the purposes of elections to the board of directors of the Ordre professionnel des comptables en management accrédités du Québec (chapter C-26, r. 44).*

*O.C. 141-91, s. 1.*

**2.** *Articles 6 and 7 of the Code of Civil Procedure (chapter C-25) respecting non-juridical days apply to this Regulation.*

*O.C. 141-91, s. 2.*

**3.** *This Regulation applies, with the necessary modifications, to an election held under section 63 of the Professional Code (chapter C-26).*

*O.C. 141-91, s. 3.*

## **DIVISION II**

### **DUTIES OF THE SECRETARY AND APPOINTMENT OF SCRUTINEERS**

**4.** *The secretary of the Order shall be responsible for applying this Regulation; he shall supervise voting, in particular.*

*O.C. 141-91, s. 4.*

**5.** *Where, between the 60th day preceding the date of the closing of the poll and the 10th day following that date, the secretary is a candidate for election or is unable to act due to absence or illness, or refuses to act, the board of directors shall appoint a person to replace him. That person, who shall be duly sworn, shall assume, for the purposes of the election, all the rights and obligations of the secretary he replaces.*

*O.C. 141-91, s. 5.*

**6.** *The board of directors shall appoint 6 scrutineers from among the members of the Order who are neither members of the board of directors nor employees of the Order.*

*A scrutineer shall be replaced where he is a candidate for election or unable to act on the day of the counting of votes.*

*O.C. 141-91, s. 6.*

## **DIVISION III**

### **CLOSING OF THE POLL AND DATE OF ELECTION**

**7.** *The closing of the poll shall be fixed at the last juridical day of April.*

*O.C. 141-91, s. 7.*

**8.** *The date of election for elected directors and the president, if he is elected by a general vote of the members of the Order, shall be fixed at the 15th day following the date of the closing of the poll.*

*Where the president is elected by a general vote of the elected directors, his election shall be held immediately following that of the elected directors, at the first meeting of the board of directors held after the election of the directors. The secretary shall convene the board of directors by means of a notice in writing*

*sent at least 5 days before the date of the meeting. The notice of convocation shall indicate the subject, place and time of the meeting.*

*O.C. 141-91, s. 8.*

#### ***DIVISION IV***

##### ***TIME OF TAKING OF OFFICE OF THE PRESIDENT AND ELECTED DIRECTORS***

**9.** *The elected directors and the president of the Order shall take office at the first meeting of the new board of directors preceding the annual general meeting.*

*O.C. 141-91, s. 9.*

#### ***DIVISION V***

##### ***DURATION OF TERM***

**10.** *The president and directors of the Order shall be elected for a term of 1 year.*

*O.C. 141-91, s. 10.*

#### ***DIVISION VI***

##### ***PRE-ELECTION PROCEDURES***

**11.** *Between the 90th and 60th days preceding the date of the closing of the poll, the secretary shall send to each member of the region where a director is to be elected a notice indicating the date of the closing of the poll and the conditions required to be a candidate and to vote in accordance with the Professional Code (chapter C-26) and a nomination paper similar to the one in Schedule I.*

*O.C. 141-91, s. 11.*

**12.** *Where the president is elected by a general vote of its members, the secretary shall send all members the notice described in section 11 and a nomination paper similar to the one in Schedule II.*

*O.C. 141-91, s. 12.*

**13.** *The nomination paper of a candidate shall be similar to the one in Schedule I or Schedule II, whichever is appropriate, signed by the person submitting his candidacy.*

*The nomination paper shall also be signed by 5 members of the Order who, for election to the office of director in a given region, practise their profession principally in that region.*

*O.C. 141-91, s. 13.*

**14.** *The secretary shall immediately receive any completed nomination paper submitted to him at least 45 days before the date fixed for the closing of the poll. He shall then give the candidate an acknowledgment of receipt similar to the one in Schedule III as proof of candidacy. The deadline for submitting nomination papers is fixed at 6:00 p.m. on the last day that they may be received by the secretary.*

*O.C. 141-91, s. 14.*

**15.** *At the same time that the operation described in section 69 of the Professional Code (chapter C-26) is being carried out, the secretary shall send to each of its members eligible to vote in the regions where a director must be elected, the following documents:*

(1) *a brief curriculum vitae and a photograph of each candidate standing for the office of director in that region, where that candidate has attached to his nomination paper a curriculum vitae on a sheet no larger than 22 cm by 28 cm and a photograph no larger than 50 mm by 70 mm;*

(2) *a notice similar to the one in Schedule IV instructing voters on voting procedure, use of the envelopes, and the time by which the envelopes must be received by the Order.*

*Where the president is elected by a general vote of the members of the Order, the secretary shall, in addition, send to all members of the Order having the right to vote, the following documents:*

(1) *a brief curriculum vitae;*

(2) *a photograph of each candidate for the office of president, where such candidate has attached to his nomination paper a curriculum vitae on a sheet no larger than 22 cm by 28 cm and a photograph no larger than 50 mm by 70 mm.*

*O.C. 141-91, s. 15.*

**16.** *The ballot paper for the office of president, certified by the secretary, must be similar to the one in Schedule V. It must be printed on the Order's official stationery and contain the following information:*

(1) *the year of the election;*

(2) *the names of the candidates, in alphabetical order by surname.*

*The ballot paper may be certified by means of a facsimile of the secretary's signature.*

*O.C. 141-91, s. 1.*

**17.** *The ballot paper for the office of director, certified by the secretary, must be similar to the one in Schedule VI. It must be printed on the Order's official stationery and contain the following information:*

(1) *the year of the election;*

(2) *identification of the region;*

(3) *the names of the candidates, in alphabetical order by surname;*

(4) *the number of offices to be filled in the region.*

*The ballot paper may be certified by means of a facsimile of the secretary's signature.*

*O.C. 141-91, s. 17.*

**18.** *The secretary shall give a new ballot paper to a member whose ballot paper has been damaged, soiled, altered or lost, or who did not receive it and so states under oath using a form similar to the one in Schedule VII.*

*O.C. 141-91, s. 18.*

## ***DIVISION VII***

### ***VOTING***

**19.** *After voting, an elector shall insert the ballot paper in the corresponding inner envelope. He shall seal that envelope and insert it in the pre-stamped outer envelope which he shall also seal. He shall then sign his name in the space provided on the outer envelope and send it to the secretary.*

*O.C. 141-91, s. 19.*

**20.** *Upon receiving the outer envelopes sent before the closing of the poll, the secretary shall record the names of the electors. Without opening the envelopes, the secretary or one of the persons he appoints therefor in writing shall write the time of receipt and his initials on the envelopes. He shall then deposit them in a sealed ballot box.*

*O.C. 141-91, s. 20.*

## ***DIVISION VIII***

### ***PROCEDURES FOLLOWING VOTING***

**21.** *At the time fixed for the closing of the poll, the secretary shall affix the final seals to the ballot boxes where votes are not counted immediately following the closing of the poll.*

*In addition to the secretary, the scrutineers have the right to be present when affixing the seals to the ballot boxes.*

*O.C. 141-91, s. 21.*

**22.** *The secretary, the persons he appoints under section 20 and the scrutineers shall take an oath in a form similar to the one in Schedule VIII.*

*O.C. 141-91, s. 22.*

**23.** *After the closing of the poll and not later than 10 days thereafter, the secretary shall proceed, at the head office of the Order, to count the votes in the presence of the scrutineers.*

*The secretary shall convene the scrutineers for that purpose, by means of a notice in writing sent at least 3 days before the date fixed for counting the votes.*

*O.C. 141-91, s. 23.*

**24.** *The secretary shall reject, without opening them, outer envelopes that he considers do not comply with this Regulation or the law or that were sent by persons who were not members of the Order 45 days before the date fixed for the closing of the polls.*

*O.C. 141-91, s. 24.*

**25.** *If the secretary receives several outer envelopes from the same elector, for election to the same office, he shall accept only the first envelope received and reject the others.*

*O.C. 141-91, s. 25.*

**26.** *The secretary shall open each outer envelope considered correct and remove the inner envelope on which the words “BALLOT PAPER—DIRECTOR” appear as well as the name of the Order and, where applicable, those on which the words “BALLOT PAPER—PRESIDENT” and the name of the Order appear.*

*The secretary shall reject, without opening them, any inner envelopes bearing a mark identifying the elector and ballot papers that are not inserted in the inner envelopes.*

*O.C. 141-91, s. 26.*

**27.** *After examining all of the inner envelopes, the secretary shall open those found correct and shall remove the ballot papers.*

*He shall reject any ballot paper:*

*(1) that bears more marks than the number of offices to be filled;*

*(2) that has not been certified by the secretary or has not been furnished by him;*

*(3) that bears a mark by which the elector could be identified;*

*(4) that has been marked elsewhere than in the boxes provided for voting;*

*(5) that has not been marked;*

*(6) on which the elector voted in a manner other than that provided in section 71 of the Professional Code (chapter C-26);*

*(7) that has been damaged, soiled or altered.*

*O.C. 141-91, s. 27.*

**28.** *A ballot paper shall not be rejected for the sole reason that a mark has been extended outside of the box provided for voting.*

*O.C. 141-91, s. 28.*

**29.** *The secretary shall take into consideration any objection that a scrutineer may raise as to the validity of a ballot paper and make a decision forthwith.*

*O.C. 141-91, s. 29.*

**30.** *After counting the ballot papers, the secretary shall draw up and sign a statement similar to the one in Schedule IX for the election of directors and, where applicable, for the election of president. He shall declare those candidates who have obtained the most votes in each region elected to the offices of director; taking into account the number of offices to be filled, and where applicable, declare elected president the candidate who has obtained the highest number of votes for the office of president.*

*In the event of a tie-vote, the secretary shall immediately proceed to draw lots to determine which candidate or candidates are elected.*

*O.C. 141-91, s. 30.*

**31.** *As soon as the candidates are declared elected, the secretary shall deposit in separate envelopes, ballot papers that are held to be valid, ballot papers that are rejected and those that are unused and all the envelopes, including those that are rejected in accordance with this Regulation.*

*The secretary shall then seal the envelopes. The secretary and the scrutineers shall initial the seals.*

*The envelopes shall be kept for 1 year, after which the secretary may dispose of them.*

*O.C. 141-91, s. 31.*

**32.** *The secretary shall send a statement of the poll to each candidate. In addition, he shall submit a copy of the statement to the first meeting of the board of directors and to the annual general meeting of the members following the election.*

*O.C. 141-91, s. 32.*

**33.** *This Regulation replaces the Regulation respecting terms and conditions for election to the Bureau of the Ordre professionnel des comptables en management accrédités du Québec (R.R.Q., 1981, c. C-26, r. 24).*

*O.C. 141-91, s. 33.*

**34.** *(Omitted).*

*O.C. 141-91, s. 34.*



**SCHEDULE I**

(ss. 11 and 13)

NOMINATION PAPER FOR ELECTION OF A DIRECTOR IN THE \_\_\_\_\_ REGION.

We, the undersigned, members in good standing of the *Ordre professionnel des comptables en management accrédités du Québec*, practising our profession principally in the \_\_\_\_\_ region, nominate:

(name) \_\_\_\_\_

(address) \_\_\_\_\_

as candidate for the next election to be held in that region.

Member's full name	Permit no.	Date	Member's signature

I, \_\_\_\_\_ practise my profession principally in the \_\_\_\_\_ region, and nominated herein, agree to stand as a candidate for the office of director in that region.

Please find enclosed:

- my curriculum vitae (on paper no larger than 22 cm × 28 cm);
- my photograph (no larger than 50 mm × 70 mm).

In witness whereof, I have signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

(Signature)

O.C. 141-91, Sch. I.

**SCHEDULE II**

(ss. 12 and 13)

**NOMINATION PAPER FOR ELECTION OF THE PRESIDENT**

We, the undersigned, members in good standing of the *Ordre professionnel des comptables en management accrédités du Québec*, nominate:

(name) \_\_\_\_\_

(address) \_\_\_\_\_

as a candidate for the election of president of the *Ordre professionnel des comptables en management accrédités du Québec*.

Member's full name	Permit no.	Address where member principally practises his profession	Date	Member's signature

I, \_\_\_\_\_ nominated herein, agree to stand as a candidate for the office of president of the *Ordre professionnel des comptables en management accrédités du Québec*.

Please find enclosed:

- my curriculum vitae (on paper no larger than 22 cm × 28 cm);
- my photograph (no larger than 50 mm × 70 mm).

In witness whereof, I have signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

(Signature)

O.C. 141-91, Sch. II.

**SCHEDULE III**

(s. 14)

*ACKNOWLEDGMENT OF RECEIPT OF NOMINATION PAPER FOR THE OFFICE OF PRESIDENT OR DIRECTOR OF THE ORDRE PROFESSIONNEL DES COMPTABLES EN MANAGEMENT ACCRÉDITÉS DU QUÉBEC*

(Date) \_\_\_\_\_

Mr \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Mr \_\_\_\_\_

*We acknowledge receipt of your nomination paper for election for the office of \_\_\_\_\_ of the Ordre professionnel des comptables en management accrédités du Québec.*

*The closing of the poll is fixed at (time) \_\_\_\_\_ the \_\_\_\_\_ day of April 20\_\_\_\_\_*

*Respectfully,*

\_\_\_\_\_

*Signature*

*Secretary*

*O.C. 141-91, Sch. III.*

**SCHEDULE IV**

(s. 15)

*NOTICE TO INSTRUCT ELECTORS ON:*

*VOTING PROCEDURE AND USE OF ENVELOPES*

*TIME BY WHICH ENVELOPES MUST BE RECEIVED BY THE ORDER*

(Date) \_\_\_\_\_

*TO ALL MEMBERS OF THE ORDRE PROFESSIONNEL DES COMPTABLES EN MANAGEMENT  
ACCREDITÉS DU QUÉBEC*

*Sir,*

*Madam,*

*As mentioned in section 15 of the Regulation respecting terms and conditions for election to the board of directors of the Ordre professionnel des comptables en management accrédités du Québec (chapter C-26, r. 37), you will find enclosed the curricula vitae and photographs of candidates for the office of \_\_\_\_\_ of the Order and the ballot paper and envelopes required for the election.*

*After voting, insert your ballot paper in the envelope marked “BALLOT PAPER—PRESIDENT” or “BALLOT PAPER—DIRECTOR”. Then, place the envelope(s) inside the pre-stamped envelope marked “ELECTION” and finally, sign the last envelope in the space provided.*

*It is very important:*

*— that all your envelopes be sealed or they will be rejected;*

*— that only your ballot papers are enclosed in the envelopes since those that are rejected will not be opened.*

*We remind you that the closing of the poll is fixed at (time) \_\_\_\_\_, on the \_\_\_\_\_ day of April 20\_\_\_\_\_. The counting of votes will take place at (time) \_\_\_\_\_ on (date) \_\_\_\_\_*

*Respectfully,*

---

*Signature*

*Secretary*

*O.C. 141-91, Sch. IV.*

***SCHEDULE V***

*(s. 16)*

***BALLOT PAPER FOR THE OFFICE OF PRESIDENT***

***BALLOT PAPER***

*Year: 20* \_\_\_\_\_

*Candidates nominated for the office of PRESIDENT*

\_\_\_\_\_   
\_\_\_\_\_   
\_\_\_\_\_

*Closing of poll: (time) \_\_\_\_\_ the \_\_\_\_\_ day  
of April 20 \_\_\_\_\_*

---

*(signature)*

*Secretary*

\_\_\_\_\_  
*O.C. 141-91, Sch. V.*

**SCHEDULE VI**

(s. 17)

*BALLOT PAPER FOR THE OFFICE OF DIRECTOR FOR THE \_\_\_\_\_  
REGION*

*BALLOT PAPER*

*Year: 20\_\_\_\_\_ Region: \_\_\_\_\_*

*Candidates nominated for the office of DIRECTOR*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Closing of the poll: (time) \_\_\_\_\_ the \_\_\_\_\_ day  
of April 20\_\_\_\_\_*

---

*(signature)*

*Secretary*

\_\_\_\_\_  
*O.C. 141-91, Sch. VI.*

**SCHEDULE VII**

(s. 18)

*OATH ATTESTING THAT A BALLOT PAPER HAS BEEN DAMAGED, SOILED, LOST OR HAS NOT BEEN RECEIVED*

(Date) \_\_\_\_\_

*I, the undersigned, \_\_\_\_\_, member in good standing of the Ordre professionnel des comptables en management accrédités du Québec, swear that my ballot paper for the election for the office of (president or director) of the Ordre professionnel des comptables en management accrédités du Québec has been damaged, soiled, lost or not received and that I have been given another ballot paper by the secretary of the Order.*

*In witness whereof, I have signed at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.*

\_\_\_\_\_ or; \_\_\_\_\_

*(Member's signature)*

*(Member's signature)*

*Sworn at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_*

*Commissioner for Oaths for the judicial district of*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(signature)*

*Secretary*

\_\_\_\_\_  
*O.C. 141-91, Sch. VII.*

**SCHEDULE VIII**

(s. 22)

**OATH OF OFFICE AND DISCRETION**

I, the undersigned, \_\_\_\_\_, swear that I will carry out the duties of my office honestly, impartially and fairly and that (other than the salary I am entitled to be paid by the Ordre professionnel des comptables en management accrédités) I will receive no sum of money or consideration for what I have done or may do in the performing of the duties of my office to favour any particular candidate directly or indirectly.

I further swear that I will not disclose or make known, unless so authorized by law, the name of the candidate for whom a person has voted, should such information come to my knowledge in the counting of the vote.

In witness whereof, I have signed at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_ or; \_\_\_\_\_

(Member's signature)

(Member's signature)

Sworn at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioner for Oaths for the judicial district of

(signature)

Secretary

\_\_\_\_\_  
O.C. 141-91, Sch. VIII.



**SCHEDULE IX**

(s. 30)

**STATEMENT OF THE POLL**

*Election to the office of (president or director) of the Ordre professionnel des comptables en management accrédités du Québec*

*Region (where applicable)* \_\_\_\_\_

*Number of electors* \_\_\_\_\_

<i>Number of valid ballot papers</i>	
<i>Number of ballot papers rejected</i>	
<i>Number of outer envelopes rejected</i>	
<i>Number of inner envelopes rejected</i>	
	<i>TOTAL</i>
<i>Number of ballot papers cast for</i>	
<i>Number of ballot papers cast for</i>	
<i>Number of ballot papers cast for</i>	
<i>Number of ballot papers cast for</i>	

*Signature of scrutineers:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Signed at* \_\_\_\_\_ *this* \_\_\_\_\_ *day of*  
\_\_\_\_\_ 20 \_\_\_\_\_

(signature)

*Election secretary*

\_\_\_\_\_  
*O.C. 141-91, Sch. IX.*

**UPDATES**  
*O.C. 141-91, 1991 G.O. 2, 1019*  
*S.Q. 2008, c. 11, s. 212*

