

Proposed Amendments to the Election Regulations
(Amendments to the 2002 Regulations shown using track changes)
DRAFT: February 2011

United Synagogue

Regulations

for the election of Honorary Officers

Approved by Council on 15 July 2002

Adopted by the Honorary Officers on 22 October
2002

(Amended by Council on 21st March 2011)

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Part I: Background Note

This note is included only for background information - it does not form part of the Regulations that follow.

The following Regulations are made pursuant to paragraphs 12 and 14.4 of the Statutes of the United Synagogue adopted in April 1999 (and all references in this Background Note to the "Statutes" are to those statutes) to govern the election of Honorary Officers.

In the interpretation and application of the following Regulations reference may need to be made to the following constitutional provisions:

Subject matter	Additional provisions
Election or appointment of Council Members	Paragraph 29 to 32 of the Statutes; and the Byelaws of Member Synagogues
Procedures at Council meeting (including the Election Meeting)	The Council's Standing Orders of Procedure; and Paragraphs 33 to 39 of the Statutes.
Membership of the United Synagogue	Paragraph 6 of the Statutes.
Number and term of office of the Honorary Officers	Paragraphs 7 to 11 of the Statutes.

Part II: The Regulations

Interpretation

1. In these Regulations the following words and expressions shall, unless the context requires otherwise have the meanings set out below.

“Byelaws” means the byelaws from time to time relating to Member Synagogues;

“Campaign Rules” the rules which govern the conduct of any and all campaigning undertaken by any Candidate, as approved by the Council from time to time, a copy of which is set out in Part III of the Regulations;

“Campaign Period” the period from the date on which the election timetable is notified to Council Members in accordance with Regulation 10 until the date of the Election Meeting, or if later, the date upon which any challenge of the election procedures is finally resolved;

“Candidate” a member of the Charity who has been validly nominated for election as an Honorary Officer;

“Candidate Statement” a written statement prepared by a Candidate which may include biographical details, a manifesto statement and ‘Frequently Asked Questions’ of not more than 4 sides of A4 paper;

“Candidate List” the list of Candidates for election at an Election Meeting (including Candidates who are unopposed) setting out the following details in relation to each:-

- (a) full name;
- (b) the name of the Synagogue of which he is a member; and
- (c) the office for which he is standing;

“Charity” the United Synagogue, registered charity number 242552;

“Chief Executive” the chief executive officer of the Charity;

“Code of Conduct”	the code with which all Candidates must comply as set out in Regulations 48 to 51;
“Council Members”	persons elected or appointed to serve on the Council of the Charity pursuant to the Statutes and the Byelaws;
“Election Meeting”	a meeting at which Council Members elect persons in accordance with the Regulations;
“Honorary Officers”	the charity trustees of the Charity, namely the President, three Vice-Presidents and three Treasurers;
“Hustings”	a meeting of Council Members at which candidates for the posts of President and Vice-President may be invited to present their manifesto and/or answer questions in relation to their candidacy in accordance with the Campaign Rules;
“Nomination Forms”	a form on which Council Members are invited to nominate one or more Candidates for election, by Council Members, as Honorary Officers;
“Office”	the principal office of the Charity;
“Poll”	the casting of votes at an Election Meeting in accordance with the procedure set out in the Regulations 26 to 30;
“Register”	the register of Council Members kept by the Charity in accordance with Regulation 2;
“Regulations”	these Regulations and the Campaign Rules;
“Return Date”	the date which is 28 days before the date of the relevant Election Meeting provided that if such date is not a working day the Return Date will be the next following working day;
“Statutes”	the Statutes of the United Synagogue adopted in April 1999;
“Synagogue”	a synagogue which is a member of or which is affiliated to or associated with the Charity;

“working day” a day on which the Office is open for business.

The Register and eligibility to receive notices of and vote in elections of the Council

2. In accordance with the Statutes, the United Synagogue shall keep a register of the names and addresses of all Council Members.
3. The Register shall be available for inspection by Council Members at the Office during its normal hours of business.
4. Council Members will be sent a copy of the names of Council Members on the Register together with details of the Synagogues to which they belong:-
 - 4.1 with the Nomination Forms; and
 - 4.2 as soon as possible after a request in writing to that effect is made to the Office.
5. Only those persons on the Register at 3pm on the last working day prior to an Election Meeting shall be eligible to vote in the election/s to be conducted at that Election Meeting.
6. Notices and forms required to be sent to Council Members shall be sent to Council Members whose details appear on the Register at 3pm on the working day before the dispatch of the relevant notice or form.
7. Subject to Regulation 8, if a person becomes a Council Member after the date of dispatch of any notice or form he shall endeavour to procure the notice or form from his predecessor, failing which he may request a duplicate from the Office.
8. The Chief Executive may prescribe such formalities as seem to him/her to be reasonable in relation to issue of duplicate notices or forms under Regulation 7.

Fixing the Date and Time of the Election Meeting

9. The date and time of an Election Meeting shall be determined by the Honorary Officers.
10. Not more than four months before the date of an Election Meeting Council Members shall be sent a timetable for the conduct of the election specifying the dates and times on/by which the following events will/should take place:
 - 10.1 dispatch from the Office of Nomination Forms;
 - 10.2 return of the Nomination Forms to the Office;
 - 10.3 dispatch from the Office of the Candidate List for the election;
and
 - 10.4 holding of any Hustings.

Nomination Forms

11. Nomination Forms shall:
 - 11.1 be sent to Council Members (together with the list referred to in Regulation 4) not less than 42 days before the date of the Election Meeting; and
 - 11.2 be returned to the Office by 3pm on the Return Date.
12. Nomination Forms shall be in such form as the Honorary Officers determine, provided that they must:-
 - 12.1 state the nature and number of the posts to be filled by the elections and the class of persons eligible for election to each such post;
 - 12.2 provide instructions for the completion and return to the Office of the form;
 - 12.3 state the date and time on which nominations will close; and
 - 12.4 contain a summary of the rules on valid nominations set out in Regulations 13 to 15.
13. A Nomination Form will not be regarded as valid for the purposes of the relevant election unless it:-
 - 13.1 has been completed in accordance with the instructions set out on it;

- 13.2 is signed by the nominating Council Member; and
- 13.3 is returned to the Office by the Return Date.
14. A nomination shall be invalid:
- 14.1 if it relates to a person who is not eligible to be nominated in an election to a post; or
- 14.2 the number of candidates nominated for any post on a Nomination Form exceeds the number of vacancies for that post;
- But such invalidity shall not affect any other nomination/s on the same Nomination Form.
15. No person may be a candidate for election unless he has:-
- 15.1 been proposed by at least three Council Members; and
- 15.2 indicated his willingness to stand for election and confirmed that he will comply with the Regulations by countersigning the Nomination Form of one of his proposers or otherwise indicating his consent in writing to the Chief Executive by the Return Date.
16. The Chief Executive shall check the eligibility of all nominees.
17. The decision of the Chief Executive as to:
- 17.1 the eligibility of a nominee;
- 17.2 the validity of a completed Nomination Form; and
- 17.3 the compliance by each of the Candidates with the Regulations;
- shall be final.

Material for and about Candidates and the election

18. The Chief Executive shall:-
- 18.1 in response to a written request to that effect, send (as soon as possible after the Return Date) to any person whose name appears on the Candidate List, a list of the other persons standing for election for the post for which he is standing; and
- 18.2 send to each person whose name appears on the Candidate List a copy of these Regulations.

19. Not less than 14 days before an Election Meeting the Chief Executive shall send to all Council Members:-
 - 19.1 the Candidate List;
 - 19.2 such Candidate Statements as s/he has received in respect of persons on the Candidate List; and
 - 19.3 a statement reminding Council Members of the voting procedures to apply at the Election Meeting and the times during which voting will be open.
20. If the Chief Executive, having taken professional advice, is of the opinion that any statement or comment contained in a Candidate Statement is defamatory or otherwise prejudicial to the Charity or does not comply with the Regulations, s/he may require the Candidate to revise the material in such manner as s/he shall specify in writing. If a Candidate refuses to make the revisions required by the Chief Executive, the Chief Executive may refuse to distribute the Candidate Statement and the Candidate may not distribute such Candidate Statement himself.

Challenge to the Eligibility of any Candidate

21. If a Council Member wishes to challenge the eligibility of any Candidate s/he may do so in writing to the Chief Executive within five working days of the date of posting the mailing required by Regulation 19.

Appointment of a Supervising Officer

22. Not less than 14 days before the date of the Election Meeting, the Honorary Officers shall appoint either one of their professional advisers or a person nominated by the Electoral Reform Society to act as Supervising Officer for the Election Meeting. Upon appointment the Supervising Officer shall be provided with a copy of the Regulations.
23. The role of the Supervising Officer shall be to do or procure to be done all such things as are in his/her opinion necessary to secure the accurate and satisfactory conduct of the election to be conducted at the Election Meeting, including without prejudice to the generality of the foregoing:-
 - 23.1 advising the Chief Executive, as necessary, on any complaint made regarding a breach of the Campaign Rules;
 - 23.2 determining, upon such legal advice as may in his/her opinion reasonably be necessary, the validity of any challenge relating to

the conduct of the Election Meeting (other than the issue of the eligibility of a Candidate);

- 23.3 being present immediately before the opening of the Poll, to inspect the ballot boxes and seal them and certify they were empty at the time they were sealed;
- 23.4 supervising the members of staff of the Charity designated by the Chief Executive to assist in the conduct of the elections;
- 23.5 supervising the distribution of ballot papers at the Poll and the signing of the Register;
- 23.6 taking charge of the ballot boxes at the close of the Poll and ensuring that they are delivered to the scrutineers;
- 23.7 being present at the counting of votes and during any re-count;
- 23.8 announcing the close of the Poll and the election results.

Ballot Papers

- 24. Ballot papers shall be in such form as the Honorary Officers determine provided that they must include the following details in relation to each post for which there is to be an election:-
 - 24.1 description of the post;
 - 24.2 the names of the Candidates; and
 - 24.3 the number of persons that may be elected in relation to each such post.
- 25. Ballot Papers shall contain a clear statement of how the Council Member must place his vote (for example, by placing an "X" in the box).

Procedure at the Poll

- 26. Votes shall be cast by Council Members, in person, completing their ballot papers at the Election Meeting.
- 27. Only Council Members on the Register at 3pm on the last working day before the Election Meeting may vote.
- 28. On arrival at the Election Meeting, Council Members shall sign against their name in the attendance register for the meeting.
- 29. The member of staff dealing with the distribution of ballot papers shall:-

- 29.1 in the presence of each Council Member, affix a seal on the ballot paper; and
 - 29.2 invite the Council Member to vote and then place his/her ballot paper in the ballot box.
30. At the close of the Poll the Supervising Officer shall take charge of the ballot box or boxes.

Scrutineers

31. Prior to the close of the Poll at the Election Meeting, the Council Members present shall select from their number such number of scrutineers as the Supervising Officer shall consider appropriate for the Election Meeting. No person who is a Candidate shall be eligible for appointment as a scrutineer.

Counting the Votes

32. Following the close of the Poll, the scrutineers shall:-
- 32.1 supervise the opening of the ballot boxes and the removal of the ballot papers;
 - 32.2 examine the ballot papers to ensure that no papers have been spoiled;
 - 32.3 record the votes made for each Candidate; and
 - 32.4 count the votes in favour of each Candidate.
33. The Supervising Officer shall be present throughout the counting of votes and shall be the final arbiter of whether or not a ballot paper is spoiled.
34. The Supervising Officer shall take all action necessary to satisfy him/herself that the votes have been properly counted. In the event of an equality of votes affecting the outcome of any election s/he shall convene a re-count.
35. One of the scrutineers shall be designated by the Supervising Officer to prepare a report which shall set out the names of each Candidate and the number of votes cast in his favour. The report shall be countersigned by the Supervising Officer.
36. In the event of an equality of votes for a post, the Candidates having equal votes shall be invited to agree the outcome between themselves and, failing such agreement, the matter shall be decided by lot.

Announcement of the Results

37. The results of the election including:-
- 37.1 the number of votes cast for each Candidate; and
 - 37.2 the position on any uncontested posts
- shall be announced by the Supervising Officer at the Election Meeting as soon as possible following the close of the Poll.
38. The Election Meeting shall continue until the announcement of the election results is made unless the Honorary Officers determine to adjourn the meeting to a date not more than seven days after the date of the Election Meeting.
39. Written notice of the result of the election shall in any event be sent to Council Members by the Chief Executive within seven days of the date of the Election Meeting (or any adjournment of it).

Challenge of Election Procedures

40. Any Council Members wishing to challenge the correctness of any part of the procedure at the Poll shall raise the matter at the Election Meeting immediately after the Supervising Officer has announced that the Poll is closed.
41. Any challenge shall be referred to the Supervising Officer who shall rule upon the validity of the challenge. A statement by the Supervising Officer that the election procedures have been correctly followed shall be final. If the Supervising Officer determines that the challenge has been validly made s/he shall recommend a course of action to the Council which shall then be debated.

Retention of Ballot Papers

42. Ballot Papers shall be retained by the Charity for six years.

Appointment of Honorary Officers to fill vacancies

43. Where a vacancy arises in the Honorary Officers in accordance with the Statutes the Honorary Officers may fill such office using the procedure set out in these Regulations, save that:-
- 43.1 where the number of Candidates for an election to fill any such vacancies does not exceed the number of vacancies for a particular office, the Honorary Officers shall declare the Candidates duly elected;

- 43.2 where the number of Candidates for an election to fill a vacancy for a particular office does not exceed two, the voting may be by show of hands at the Election Meeting (unless the Honorary Officers otherwise determine).
- 43.3 If the Honorary Officers resolve that the voting shall be by ballot, the Poll shall be open for 60 minutes and scrutineers and Supervising Officer shall be appointed by the Council Members from those present.

Miscellaneous

44. All notices shall be in writing and may be sent by email or by second class mail (if the Council Member has not provided the Charity with a valid email address).
45. The accidental omission to send any of the prescribed documents to a Council Member or the non-receipt of a prescribed document by any such person shall not invalidate the proceedings of the election to which they relate.
46. All acts bona fide done in the election of Honorary Officers shall, notwithstanding that it be afterwards discovered that there was a minor defect in the procedure, be valid as if the procedure had been fully complied with. Any debate as to whether a breach is “minor” shall be referred to:-
- 46.1 the Chief Executive, in relation to any procedural defect occurring prior to the Election Meeting; and
- 46.2 the Supervising Officer in relation to any procedural defect occurring at the Election Meeting
- whose decision shall be final.
47. The Regulations may be amended in accordance with the Statutes. In the event of a conflict between the Statutes and the Regulations, the Statutes shall prevail.

Part III: The Campaign Rules

Code of Conduct

48. Each Candidate shall campaign in a fair and responsible manner so as to ensure that the election to takes place in a way which allows Council Members to receive information on the Candidates that is accurate and balanced. In particular a Candidate may not criticise or otherwise undertake any form of personal attack on any other Candidate.
49. Candidates may comment in their Candidate Statement on the publicly stated policies of an opposing Candidate, provided such comment does not constitute a personal attack on another Candidate.
50. Candidate Statements must at all times comply with the law and any decision as to such compliance shall be decided at the sole discretion of the Chief Executive having taken such advice as s/he considers appropriate.
51. Candidates shall not campaign in any way that could be defamatory or threaten or be otherwise prejudicial to the good standing and reputation of the Charity. Any defamatory statements may result in legal action being taken against the Candidate.

Hustings

52. If there is to be a contested election for the post of President or any of the Vice-Presidents then the Chief Executive will determine the number, location, date and timing of Hustings to be held prior to the Election Meeting and will notify the dates of such Hustings to the Council Members as prescribed in Regulation 10. Subject to Regulation 53 below, there shall be at least one Hustings for each post which the subject of a contested election.
53. In the event that any office is uncontested, no Hustings will be required to be held for that post.
54. Hustings may only be attended by Council Members, and such other observers (including members of the press) as may be approved by the Chief Executive.
55. The Chief Executive shall ensure that Hustings are carried out in accordance with the provisions of this Regulation 55: -
 - 55.1 an independent chairman shall be appointed by the Chief Executive to chair each Hustings, in consultation with the Candidates as appropriate;
 - 55.2 the chairman of the Hustings shall, in consultation with the Chief Executive, agree the format of each Hustings and shall notify the format of the Hustings to the Candidates concerned at least five working days before the date fixed for the Hustings;

- 55.3 if the form of Hustings provides for the Candidates concerned to deliver formal presentations, the chairman shall ensure that each Candidate is permitted to speak for an approximately equal period of time;
 - 55.4 if Hustings are to be of a more informal nature, such as a question and answer session, the chairman will regulate the amount of time allotted to each Candidate to answer each question so as to ensure that each Candidate is afforded a reasonable and equal opportunity to answer any question raised.
56. Each Candidate may distribute copies of his Candidate Statement at the Hustings (at his own cost) but no posters or other promotional materials may be displayed or distributed at the Hustings.

Candidate Statements

57. Each Candidate shall be entitled to prepare a Candidate Statement which must:-
- 57.1 comply with any guidelines set out by the Chief Executive from time to time;
 - 57.2 be supplied to the Chief Executive for his review and confirmation that the Candidate Statement does not contravene Regulation 20 prior to distribution; and
 - 57.3 comply with the Campaign Rules; and
 - 57.4 comply with the Code of Conduct.
58. The Chief Executive shall procure that any permitted Candidate Statement is distributed in accordance with Regulation 19. Save for his Candidate Statement, no Candidate may (and shall ensure to the best of his ability that none of his supporters) prepare, produce or distribute any other campaigning literature or other related written materials.
59. No Candidate may use any database of the Charity, whether held centrally by the Charity or locally by each Synagogue, to distribute his Candidate Statement.
60. Candidate Statements prepared in accordance with Regulation 57 may be made available by the Charity on the Charity's website from the date on which statements are sent out pursuant to Regulation 19.2.
61. On the date on which statements are sent out pursuant to Regulation 19.2, the Charity shall send by email the Candidate Statements to the chairman of each Synagogue instructing them to display the Candidate

Statements on the Synagogue notice boards in a way that affords comparable prominence to each Candidate Statement.

62. Candidates may distribute copies of their Candidate Statement in person at Hustings and elsewhere during the Campaign Period provided that the Candidate Statement has first been received and approved by the Chief Executive, save that no Candidate Statement or any other campaigning material may be distributed on the day of the Election Meeting.

Campaigning via the internet

63. The Charity may, if it considers it is in its interests to do so, facilitate on its website:

- 63.1 a blog by each Candidate;

- 63.2 an election forum for debating issues about or with the Candidates; and

- 63.3 a question and answer facility whereby each Candidate may be asked questions by visitors to the website;

and will prescribe rules for each such facility with which the Candidates must comply.

64. No Candidate may campaign using his own website or via a social networking site or other internet based forum.

Disciplinary and complaints procedure

65. Any complaint that a Candidate has breached any Campaign Rule must be made in writing and submitted to the Chief Executive within five working days of the alleged breach. In addition the Chief Executive may of his own volition examine the conduct of any Candidate.

66. Any Candidate in material breach of these Campaign Rules may in the absolute discretion of the Chief Executive be disqualified from standing as a Candidate.

67. In the event that the Chief Executive considers that disqualification of a Candidate may be the appropriate course of action, the Chief Executive shall before making a determination on the point:

- 67.1 take appropriate advice (as required);

- 67.2 notify the relevant Candidate with full details of the complaint;

- 67.3 allow the Candidate to attend a meeting with the Chief Executive and/or the Supervising Officer and to make representations;

- 67.4 consider all relevant matters including any representations made by the Candidate; and
- 67.5 decide whether the Candidate is in breach of the Regulations.
- 68. Upon making a determination as to whether or not to disqualify a Candidate the Chief Executive shall:
 - 68.1 notify the Candidate of the final decision within two working days of making his/her determination; and
 - 68.2 (if s/he has decided to disqualify a Candidate) notify the Council Members and the Chairman/Senior Warden of all Synagogues that the Candidate is no longer running for office.