



June 30, 2026

File: 1680-04 ELECT REV

DELIVERED BY EMAIL

Woody Siemens
Executive Director
BC Chicken Marketing Board
#220 - 1848 McCallum Rd
Abbotsford BC V2S 0H9
[REDACTED]

Dear Woody Siemens,

ELECTION AND APPOINTMENT RULES AND PROCEDURES: REVISIONS TO REFLECT SCHEME CHANGE

This letter is further to revisions made on June 19, 2026, to the BC Chicken Marketing Scheme (Scheme) through Order in Council (OIC) 250, with an effective date of September 1, 2026 (Scheme Change).

Before the Scheme Change, the BC Chicken Marketing Board (BCCMB) was comprised of three OIC appointed members including the chair, and two members who are registered growers elected by registered growers.

The Scheme Change revised the BCCMB composition to consist of the following:

- (a) a chair appointed by the Lieutenant Governor in Council;
- (b) three members who are registered growers, elected by the registered growers;
- and,
- (c) one member who is not a grower, appointed by the board.

The BCCMB Election Rules will need to be revised to reflect these changes and include new member appointment rules and procedures.

New Non-OIC Appointed Member

The British Columbia Milk Marketing Board, the British Columbia Cranberry Marketing Commission, and the British Columbia Vegetable Marketing Commission also have non-OIC appointed members. Their appointment rules and procedures are included in their Election Rules and can be found in **Appendix 3** to this letter, for reference.

Revisions to the election rules and procedures in BCCMB's Election Rules will need to be complete before the election of a new member can occur. However, with respect to the appointment of a non-producer member to the BCCMB and given the short timeline to the Scheme Change effective date, BCCMB may wish to consider developing a transition plan that allows sufficient time for process, including stakeholder engagement, in the development of BCCMB's appointment rules and procedures.

BCFIRB staff highly recommend that BCCMB consider the circumstance of unexpected, appointed member vacancies, when drafting its appointment rules and procedures.

Regulatory Requirements and Expectations

As you know, Election Rules are an important component of good governance. Regular review helps ensure that the Election Rules continue to provide a SAFETI¹-based approach to elections.

Section 3.02.2 (1-2) of the Scheme requires that BCCMB establish Election Rules approved by BCFIRB.

BCCMB Election Rules currently state they must be reviewed before December 31, 2026.

In order to facilitate a timely review and approval process, BCFIRB will require the following information from BCCMB:

- Election Rules revisions (indicated using track changes or other method), preferably in MS Word format.
- A clean copy of the updated Election Rules as an MS Word document.
- A rationale that clearly demonstrates that the Election Rules have been reviewed in light of the SAFETI principles, the "Guidelines for Approval of Election Rules and Procedures Submitted by Marketing Boards and Commissions" (see Appendix 1), the relevant sections of the [Natural Products Marketing Act Regulations](#) (see Appendix 2), and the [Scheme](#).
- A description of BCCMB's stakeholder consultation process and a summary of feedback received.
- Any transition plan established by BCCMB with respect to member appointments including the process BCCMB intends to undertake to develop appointment rules and procedures that will be included in BCCMB's Election Rules once complete.
- A copy of the BCCMB motion approving the revised Election Rules for submission to BCFIRB.

¹ Strategic, Accountable, Fair, Effective, Transparent, Inclusive

BCFIRB recommends that BCCMB allow several weeks for the BCFIRB approval process. If there are extenuating circumstances requiring an expedited process, such as anticipated timing of the election process for BCCMB's third producer member, please provide this context when submitting BCCMB's revised Election Rules.

If you have any questions, please contact me directly at matthew.huijsmans@gov.bc.ca.

Best regards,



Matthew Huijsmans
A/Senior Manager, Sector Policy and Planning

Attachment:

- Appendix 1: BCFIRB Guidelines for Approval of Election Rules and Procedures Submitted by Regulated Marketing Boards and Commissions.
- Appendix 2: Excerpt of provisions in the Natural Products Marketing (BC) Act Regulations, BC Reg. 328/75², related to elections and membership of boards.
- Appendix 3: Examples of Appointment Rules and Procedures

cc: BCFIRB web site

² Last amended March 30, 2022 by B.C. Reg. 76/2022

Appendix 1: BCFIRB Guidelines

Approved: January 18, 2005
Revised: February 10, 2005

BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD

Guidelines for Approval of Election Rules and Procedures Submitted by Regulated Marketing Boards and Commissions

("Election Guidelines")

Introduction

In 2004, the Province of British Columbia changed the marketing schemes establishing each of the marketing boards and commissions. The former election provisions have been repealed, and consequently, the marketing boards and commissions must each establish and publish rules and procedures ("Election Rules") for the election of their members. Each marketing board and commission must obtain prior approval from the British Columbia Farm Industry Review Board (the "Provincial board") for the Election Rules to take effect.

Once the Provincial board has approved the Election Rules, the board or commission must publish its Election Rules on its website. If a website does not exist, the Election Rules are to be provided to growers or producers, as the case may be, and to the public on request.

If the marketing scheme provides discretion for a board or commission to determine the number of its elected members (i.e. "up to" a maximum number of elected members), the board or commission will establish the number of members, as well as classification of membership positions as an electoral model. The electoral model and the procedures to amend it will be set out in the Election Rules. These amendments are subject to the approval of the Provincial board.

It should be noted that the *Natural Products Marketing (BC) Act Regulations* ("NPMA Regulations") contain provisions related to elections. The NPMA Regulations prevail over the provisions contained in the marketing schemes. Boards and commissions must ensure that the Election Rules are consistent with the NPMA Regulations. A relevant extract from the NPMA Regulations is attached to these Election Guidelines.

Criteria for Election Rules:

The Provincial board will use the following criteria to assess Election Rules submitted to it for approval:

1. Are the Election Rules consistent with the NPMA Regulations and the marketing scheme?
2. Does the electoral process reflect the values of democracy and integrity? For example:
 - Has the board or commission consulted with growers/producers in developing the electoral model and the Election Rules?
 - Has the board or commission contracted with a person or firm who is independent of the board or commission and its staff, to carry out the election?

- Has the board or commission made provision to carry out its duty to maintain and update the voting register before the election, and are producers or growers given the opportunity to review and correct information which affects their standing in the register?
 - Is there provision for review of Election Rules with the growers/producers on a regular basis, i.e. every two to three years, or on request of the growers/producers?
3. Are the Election Rules practical? Are there procedures to address the following?
- frequency of elections, (i.e. staggered membership), terms of office, and the electoral model (i.e. representation by region, class of production, specialty production, etc.);
 - notice to growers or producers setting out the election timetable.
 - who is eligible to nominate, stand for election, and vote, as defined in the scheme.
 - the status of registered growers/producers as a firm, partnership or corporation.
 - voting procedures:
 - how the vote will be conducted (at general meeting, by mail-in ballot or combination);
 - submitting ballots, including voting by proxy, advance polls, etc.;
 - who will count the ballots and how they will be counted; resolving tied votes; and determining who is elected.
 - to declare a position vacant in circumstances outlined in the Regulations.
 - to fill a vacancy in the membership as determined in the Regulations, or as determined by the board or commission providing there is no conflict with the provisions in the Regulations.
 - review the offices and directorships held by an elected member, and where other offices may create conflict with the duties of an elected member, (i.e. producer associations, designated agencies) to divest themselves of such offices or directorships.
4. Are there special circumstances particular to the board or commission that must be taken into account?
5. Do the Election Rules provide notice that any changes to the Election Rules need prior approval by the Provincial board?

Submitting Rules for Approval:

Each board and commission must submit draft Election Rules for review by the Provincial board, together with a report on the results of consultations with growers/producers and the level of grower/producer support for the electoral model.

The Provincial board cannot guarantee that Election Rules will be approved before a specific date selected by a board or commission. To ensure that the Election Rules are approved in sufficient time to be published before the election process must begin, the Provincial Board suggests that a boards or commission allow a minimum of six weeks for the Provincial board's review.

The Provincial board may require additional information or consultation, before approval is granted.

Appendix 2: Excerpt of provisions in the [Natural Products Marketing \(BC\) Act Regulations](#), BC Reg. 328/75¹, related to elections and membership of boards

This excerpt is an office consolidation, for convenience only. Any reader who needs to rely on the legislation should obtain the King's Printer official legislative text, available from Crown Publications Inc.

Powers of the Marketing Boards

3 Except as otherwise provided in a scheme established by order in council pursuant to the Act, every marketing board or commission shall have the following subsidiary powers, duties and obligations and shall be subject to the following limitations:

...

(d) in the event of any vacancy in the membership of any marketing board or commission, where such membership consists of 3 or more members, the remaining members shall constitute the marketing board or commission until the vacancy is filled;

(e) if any member of any marketing board or commission is absent from the Province for 3 consecutive months or fails to attend to the member's duties for a like period the other members may declare the member's office vacant;

(f) any member of any marketing board or commission shall cease to hold office if the member is convicted of any offence under the Act or of the scheme established by order in council pursuant to the Act under which the member is elected or appointed, or if by notice in writing to the marketing board or commission the member resigns from office, or if the member's office is declared vacant in accordance with the next preceding paragraph;

(g) if any vacancy occurs in the membership of any marketing board or commission by reason of death or through any member ceasing to hold office as aforesaid, the remaining members, if constituting a quorum, may appoint a member to fill the vacancy, the said appointment to be subject to approval by the Provincial board;

(h) every marketing board or commission shall take all steps necessary to carry out the provisions of the scheme established by order in council pursuant to the Act under which it is constituted relative to the election of members, and except as otherwise provided in these regulations or in the said scheme shall have complete control of such elections;

(i) in the event of 2 or more candidates for election to any marketing board or commission receiving an equal number of votes, the chair of the marketing board or commission about to vacate office shall cast a ballot in favour of so many of the candidates having an equal number of votes as may be necessary to complete the election of the members and the candidate or candidates for whom such ballot is cast shall be deemed to have been duly elected;

(j) the acts of every marketing board or commission shall notwithstanding any defect or irregularity in the appointment or election or qualifications of any member thereof be as valid as if the marketing board or commission and every member thereof had been duly appointed or elected and were duly qualified;

¹ Includes amendments up to B.C. Reg. 76/2022, March 30, 2022

(k) every marketing board or commission consisting of 2 or more members shall choose a chair and vice chair and appoint a secretary. Any member shall be eligible to hold the office of secretary;

...

(o) no person shall become ineligible to be a member of any marketing board or commission or a delegate under any scheme by reason of being or having been a member or delegate under any scheme;

(p) every partnership or corporation qualified to vote under any scheme shall in writing appoint a person to vote in its behalf and shall file with the marketing board, commission or returning officer a copy of such appointment;

(q) during any period that any person or the product produced or marketed by any person is exempt by order of any marketing board or commission from regulation under any scheme that person shall not be entitled to vote under the scheme;

(r) every voters' list, register or producers' or other list or register of the names of persons entitled to vote under any scheme shall be open to inspection at all reasonable times at the head office of the marketing board or commission authorized or directed to compile the same.

Powers of Provincial board

4 (1) The Provincial board shall have a general supervision over the operations of all marketing boards, commissions or their designated agencies constituted or authorized under the Act and without limiting the generality of the foregoing may

...

(c) require any marketing board or commission to hold an election in any case where the producers or delegates have failed to elect a member or members,

(d) fill any vacancy in the membership of any marketing board or commission when the member or members do not constitute a quorum,

...

Appendix 3: Examples of Appointment Rules and Procedures

British Columbia Milk Marketing Board Election and Appointment Rules and Procedures

MIAC Appointed Member Vacancy

Temporary appointments to replace a MIAC appointed member for the remaining term shall be made in accordance with the “Milk Industry Advisory Committee Appointment” section below.

...

The selection process for a member appointed by MIAC is as follows:

- The individual appointed must be someone who is not a licensed producer;*
- A general description of the position will be advertised in commodity and other periodicals;*
- A selection committee consisting of the MIAC chair, a producer representative from MIAC recommended by the British Columbia Dairy Association, a processor representative from MIAC, and a consultant will review all applications;*
- A shortlist of applicants selected for interviews will be provided to all MIAC members prior to the interviews;*
- The selection committee will use a pre-determined set of questions for the interviews and provide MIAC with its recommendations after all interviews have been completed;*
- Upon approval by MIAC, the successful candidate will be notified; and,*
- Once the successful candidate has accepted the position, MIAC will appoint the successful candidate as a member of the BCMMB and notify the BCMMB and BCFIRB.*

British Columbia Cranberry Marketing Commission Election and Appointment Rules and Procedures

3) Vacancies

...

Appointed Member Vacancy

- c) Temporary appointments to replace an appointed independent member shall be made in accordance with section 4.*
- d) A member appointed to replace an independent member who vacated office before their term expired, shall be appointed for a term of up to, but not more than, three years, as determined by the Commission.*

4) Appointment of Independent Member

- a) Upon the request of the Commission, the Cranberry Industry Advisory Committee (“CIAC”) will recommend one or more candidates for the position of independent*

member. The criteria to be considered by the CIAC in the candidate selection process will include, but not be limited to

- (i) A candidate's qualifications, interest and willingness to devote time to the work of the Commission;*
- (ii) A candidate's familiarity with agricultural issues; and,*
- (iii) A candidate's understanding of board governance and ability to develop policies consistent with the Orders and rules of the Commission.*

Upon receiving the names of recommended candidates from the CIAC, the Commission will make the appointment from the recommended candidates or request that the CIAC make additional recommendations.

Once the successful candidate has accepted the position, BCFIRB will be notified, and an announcement made in the next published Cranberry Newsletter.

- b) An Independent Member whose term is expiring is eligible for reappointment subject to a positive evaluation of the Commission. The evaluation will include:*
 - (i) Active participation by the member at Commission and pertinent committee meetings;*
 - (ii) Significant contribution of the member to key priorities of the Commission; and*
 - (iii) Confirmation that the member will continue to devote their time and talents to the work of the Commission.*

British Columbia Vegetable Marketing Commission Election Rules and Procedures

Merit-Based Selection Process

The merit-based selection process is applied to administer the selection of independent members by the Commission. The Governance Committee is responsible to establish an Appointment Schedule and manage the process. Key competencies that provide the skill set / knowledge base required by the Commission are to be identified by the Committee. A Notice of Position (NOP) document is to be developed and will include information regarding the terms of reference and skill matrix. The NOP is to be advertised for a minimum of 15 working days and two weekends, with the deadline for submissions being one week prior to interviews. Candidates will be assessed against the terms of reference and skill matrix.

Elements of the candidate appointment process:

- i. The Governance Committee and the Commission Chair meet to assess applicants against the NOP and determine shortlisted candidates to be interviewed.*
- ii. A conflict of interest disclosure form is completed by shortlisted candidates and reviewed by the Governance Committee and the Commission Chair prior to conducting interviews.*
- iii. Interviews are conducted by the Governance Committee.*
- iv. Interviews are conducted by the Commission Chair, who will check references.*
- v. The Commission Chair reports to the Governance Committee on interview assessments and reference checks.*

- vi. *After consulting with the Commission Chair, the Governance Committee develops a recommendation and ranking on independent member candidates.*
- vii. *A shortlist of candidates (being a minimum of one more than the number of positions being appointed), together with a recommendation on the preferred choice, are provided by the Governance Committee to the Commission for consideration.*
- viii. *The Commission may accept, amend, or remit back for reconsideration, the recommendations made by the governance committee.*
- ix. *The Commission issues a decision on the appointment(s).*