

**Procedures for category 2 water authorities when nominating and/or electing directors, and conducting special ballots**

**Sections 598, 598A and 695(3) of the Water Act 2000**

**February 2019**

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## **1. Overview**

Nomination and special ballot voting procedures have been prepared by the Department of Natural Resources, Mines and Energy (department), for use by a category 2 water authority (authority) under the *Water Act 2000* (Act). These procedures provide for nominating, and/or, electing directors under section 598 of the Act, and, in deciding to dissolve, or, to amalgamate to form a new authority under section 695(3)(b) of the Act.

## **2. Operation of other laws and procedures**

This procedure provides the way authorities may proceed when providing suitably qualified candidates for appointments to boards of water authorities. Water authorities may use any process consistent with these policies, including voting by ratepayers, when selecting suitably qualified candidates for nomination. Additionally, this procedure also provides for special ballot ratepayer voting for any dissolution, amalgamation, or conversion decisions.

These procedures are intended to supplement and be read with the Department of the Premier and Cabinet's publication titled 'Welcome Aboard: A Guide for Members of Queensland Government Boards, Committees and Statutory Authorities', available at [www.premiers.qld.gov.au](http://www.premiers.qld.gov.au) as well as the Queensland Government's Women on Board Initiative.

These procedures ensure that authorities give regard to government initiatives allowing for the highest quality, most appropriate mix of skills and inclusion of equality and diversity principals to the appointment of board members.

## **3. Vacancies of office—timing of nominations**

Boards of water authorities must seek and give to the Minister suitable candidates when the term of office for a director will be completed or the office of a director becomes vacant for the following reasons:

- Completes a term of office and is not reappointed
- Resigns from office
- Becomes disqualified
- Is removed from Office by the Minister under s607 of the Act.

Regardless of what process is used by a water authority to select suitable candidates, they must provide to the Minister for consideration of appointment, two additional candidates to the number of vacancies on the board. For example, if the authority has four (4) board vacancies, then the water authority must provide six (6) suitably qualified candidates to the Minister for consideration of appointment to the authority's board of directors.

### **3.1. Filling casual vacancies**

If a casual vacancy arises on an authority's Board of Directors, the position may be filled in accordance with the procedures in this document.

## **4. Nomination of Directors**

Water Authorities must provide to the Minister suitably qualified candidates for appointment as director to the board of a water authority. Membership of water authority boards must include the relevant expertise and qualifications required to fulfil the role of the board. For this purpose, water authorities must:

- Analyse the authority's strategic requirements to ascertain what expertise and/or qualifications are required.
- Review the structure, size and composition required of the board compared to its current position, and, consider succession planning and the benefits of progressive refreshing of the Board to promote fresh perspectives.
- Develop a recruitment process that is open, transparent, competitive, and satisfy the Minister that the proposed appointees have the expertise and qualifications necessary to undertake their roles.
- Ensure that government objectives, gender, multicultural and youth considerations are taken into account and given opportunity to add to the expertise of authorities to which appointments are being made
- In order to achieve equality of representation on Queensland Government boards for women, have regard to the Queensland Government Women on Boards Initiative in their recommendation of candidates to the Minister.

### **4.1. Candidate eligibility**

Applicants eligible to be considered as candidates must meet the requirements of section 603, s603A, s603B, and s604 of the Act. Candidates must also have the qualifications, experience or standing appropriate to perform the functions of a director.

### **4.2. Submission of information to the Minister**

A submission to the Minister of suitably qualified candidates must include the following information and documentation:

- A report detailing processes undertaken to generate the pool of candidates. This report must also include the full results of the QRoN search and the search of the department's register.
- Expertise and/or qualifications sought as a result of the analysis and review of the authority's board.
- Confirmation of the reasons for selecting those suitable candidates for nomination for appointment to the board of directors.
- All other templates provided by departmental staff (e.g. Curriculum Vitae, Personal Particulars form, and Criminal History Check Consent form).

The water authority can forward all documentation to Natural Resource Programs, Operations Support for Ministerial consideration of the candidates. The Minister will review submitted candidates and provide final recommendation to the Premier.

## **5. Suitability of Directors**

Membership of water authority boards must include the relevant expertise and qualifications required to fulfil the role of the board. For the purpose of identifying suitable candidates for election to the board by ratepayers, water authorities must:

- Analyse the authority's strategic requirements to ascertain what expertise and/or qualifications are required.
- Review the structure, size and composition required of the board compared to its current position, and, consider succession planning and the benefits of progressive refreshing of the Board to promote fresh perspectives.
- Develop a recruitment process that is open, transparent, competitive, and satisfy the Minister that the proposed appointees have the expertise and qualifications necessary to undertake their roles.
- Ensure that government objectives, gender, multicultural and youth considerations are taken into account and given opportunity to add to the expertise of authorities to which appointments are being made.
- In order to achieve equality of representation on Queensland Government boards for women, have regard to the Queensland Government Women on Boards Initiative in their recommendation of candidates to the Minister.

### **5.1. Candidate eligibility**

Applicants eligible to be considered as candidates for election must meet the requirements of section 603, s603A, s603B, and s604 of the Act. Candidates must also have the qualifications, experience or standing appropriate to perform the functions of a director.

### **5.2. Submission of information to the Minister**

The water authority must submit the following information and documentation about suitable candidates to the Minister for consideration:

- A report detailing processes undertaken to generate the pool of candidates. This report must also include the full results of the QRoN search and the search of the department's register.
- Expertise and/or qualifications sought as a result of the analysis and review of the authority's board.
- All other templates provided by departmental staff (e.g. Curriculum Vitae, Personal Particulars form, and Criminal History Check Consent form).

### **5.3. Election and voting procedures**

These election and voting procedures only apply where suitable candidates are to be selected by the authority's ratepayers using voting procedures.

### **5.4. Returning officer**

For an election of directors for a newly amalgamated authority, the authority's executive officer must appoint an appropriate person and may appoint an appropriate deputy returning officer.

Where ratepayers, using voting procedures, provide suitably qualified candidates for appointments to boards of water authorities, the board must appoint a returning officer, and may appoint a deputy returning officer as the board considers appropriate.

For any other election of directors not constituted under s 598, the board must appoint a returning officer, and may appoint a deputy

Nothing in these procedures precludes an authority from arranging for a responsible entity such as the Australian Electoral Commission to manage, conduct, and maintain secret balloting according to the minimum standards set out in clause 6.15.

## **5.5. Special ballot voting**

The returning officer must conduct the special ballot voting in the way stated in this procedure and may take the action and give the directions the returning officer considers reasonably necessary to ensure no irregularities happen, and may take action to remedy a procedural defect that appears to the returning officer to exist in relation to the voting procedure.

The returning officer must not influence, or attempt to influence, the outcome of an election.

If the returning officer is unable to perform the returning officer's functions, e.g. due to illness or other incapacity, the deputy returning officer or, if there is no deputy returning officer, another person that the board or, for the first election of an amalgamated authority's directors, the authority's executive or other like officer considers appropriate must perform the functions.

## **5.6. Procedures for election of directors**

An election of directors may be conducted at a meeting or by mail other than at a meeting and may include voting material being given, for example:

- handing it to the person
- sending it by mail;
- sending it by facsimile, or
- sending it electronically.



## **5.7. Election of directors by mail or at a meeting**

For a first election of directors for an amalgamated authority, or any election when there are no directors comprising an authority's board, the returning officer may conduct the election at a meeting of the authority's ratepayers rather than by mail if:

- the authority's area includes only a small number of ratepayers, and
- the ratepayers would be reasonably able to attend a meeting for the election.

For any other election of directors, the returning officer, at the board's direction may conduct the election at a meeting of the authority's ratepayers.

## **5.8. Notice of election of amalgamated authority**

If a decision is made to conduct an election or other special ballot decision at a meeting, the returning officer must send a notice about the election to each of the authority's ratepayers.

The notice for a first election of directors for an amalgamated authority must state:

- that the water authority has been established;
- that a meeting will be held to elect the directors of the authority;
- the date and place for the meeting; and
- that the ratepayer may appoint a proxy to attend the meeting. The date for the meeting must be at least 15 business days after the returning officer sends the notice.

The election or other decision making voting may be conducted at a meeting of the board being held for another purpose.

## **5.9. Appointment of proxy for election at meeting**

The appointment of a proxy is effective only if a properly completed proxy form is given to the returning officer before the returning officer calls for nominations.

A properly completed proxy form:

- states the full name of the person appointed, and
- is signed by both the person appointing and the person appointed.

Appointment of a proxy:

- cannot be transferred by the holder of the appointment to another person, and
- is not irrevocable.

A ratepayer who is a proxy for another ratepayer may, in the absence of the other ratepayer, vote both in the ratepayer's own right and also as proxy for the other ratepayer. A proxy must not be exercised if the ratepayer who appointed the proxy is present at the meeting for the election.

## **5.10. Minutes of meeting**

The returning officer must ensure minutes are recorded of all meeting proceedings for the election and sign the minutes to verify their accuracy. As soon as practicable after the meeting, the returning officer must ensure a copy of the minutes is given to each ratepayer and/or voter.

## **5.11. Roll of voters**

The returning officer must compile a roll of voters in accordance with this section. The roll must state the full name and address of each voter, including where those voters are ratepayers of the authority.

If two or more ratepayers are joint owners or occupiers, the returning officer must ask them to nominate in writing an individual to represent them.

The returning officer must insert on the roll the name and address of the person nominated or, if no-one is nominated, the owner or occupier whose name appears first in the records of the returning officer or the board.

If a ratepayer is a body corporate, the returning officer must ask the body corporate to nominate in writing an individual (a nominee) to represent the body corporate. The returning officer must insert the name and address of the nominee on the roll.

The returning officer must allow an eligible voter to inspect the roll, free of charge, at the board's public office premises during business hours and, on payment of a reasonable fee, give the voter/ratepayer a copy of the roll.

A person who is an eligible voter/ratepayer whose name does not appear on the roll may apply in writing to the returning officer to have the person's name included on the roll. If the returning officer is satisfied the person is a ratepayer, the returning officer must insert the person's name and address on the roll.

If the election is held at a meeting, the returning officer must compile the roll of voters at the meeting.

## **5.12. Notice of nominations for election by mail**

The returning officer must, by notice to each person entitled to vote (a voter), call for nominations of persons eligible to be elected as directors.

The notice must state the day and time, at least 10 business days after the notice is given, when nominations close; and the day, not more than 20 business days after nominations close, when voting material will be given to voters if a ballot is necessary.

A nomination must be written, then signed by the candidate and two voters and given to the returning officer before nominations close. A candidate may withdraw a nomination by notice to the returning officer no later than one hour before nominations close.

## **5.13. Nominations for election at a meeting**

The returning officer must, at a meeting to elect directors, call for nominations of persons eligible to be elected.

A nomination:

- must be by a voter or a voter's proxy, seconded by another voter and accepted by the candidate nominated
- must be in writing (and if the candidate nominated is not present at the meeting, must be signed by the candidate prior to the meeting)
- must be given to the returning officer at the time the officer calls for nominations, and
- will only be valid if the candidate declares orally at the meeting, or in writing or by electronic mail prior to the meeting, that the candidate is willing to take office if elected.

Nominations:

- will close immediately before the agenda item for the election of that position, and
- must be submitted to the Board.

#### **5.14. Statement regarding nomination**

Any candidate may make a statement to the Board regarding their candidature.

The presentation of such a statement shall take no longer than five minutes. The order of candidates' statements shall be determined by the Officer presiding over the election using a random selection process.

A candidate who fails to be elected for a position may be nominated for a subsequent position created by board position vacancies.

A candidate may request that the statement made to the Board in respect of their candidature be recorded in the minutes of the meeting.

#### **5.15. Preparing ballot papers**

A ballot paper must:

- be made of paper that will hide a vote marked on it from view when it is folded once;
- list the names of each candidate for election once, with the surname first, followed by the candidate's other names;
- state how the voter may vote;
- state the day and time the ballot starts and the day and time it ends—this is not required if the ballot paper is for an election at a meeting; and
- state that, for the vote to be counted, the voter must fill in and sign the declaration form—this does not apply to the ballot paper for an election at a meeting.

If two or more candidates have the same surname and other names, the candidates must be distinguished in an appropriate way, for example by including the occupation of each candidate on the ballot paper.

The order of names on the ballot paper must be decided by lot.

### **6. Ballot procedures**

#### **6.1. Distributing voting material for election by mail**

The returning officer must give the following (the voting material) to each voter:

- a ballot paper initialled by the returning officer
- a ballot envelope
- a declaration form stating: 'I certify that I am the person to whom this voting material has been given and I have voted on the ballot paper enclosed'; and
- a return envelope addressed to the returning officer.

The voting material must be given not more than 20 business days after nominations close, to arrive, if practicable, no later than the last working day before the ballot starts.

If a voter gives the returning officer notice that the voter will be at a different address from the address stated on the roll when voting material is to be given, the returning officer must give the voter the material at the address stated in the notice.

Before giving voting material to a voter, the returning officer must mark a ballot number on:

- the roll against the voter's name
- the declaration form, and
- the return envelope.

The ballot numbers must be consecutive starting with a number chosen by the returning officer.

After giving the voting material, the returning officer must obtain a lockable ballot box and keys and keep them in a safe place.

## **6.2. Distributing ballot papers for election at meeting**

The returning officer must give a ballot paper to each voter.

After giving a ballot paper, the returning officer must note against the voter's name on the roll of voters that the ballot paper has been given.

## **6.3. How long ballot for election by mail is open**

A ballot for election by mail must remain open for at least 10 business days.

## **6.4. Voting in election by mail**

A voter may vote only once in each election.

A voter may vote by completing the following steps:

- marking a tick or a cross on the ballot paper in the squares opposite the names of up to the number of candidates (or against the information pertaining to the authority's dissolution or restructuring decision to be made)
- putting the ballot paper in the ballot envelope
- sealing the ballot envelope
- filling in and signing the declaration
- putting the declaration and the ballot envelope in the return envelope, and
- sealing the return envelope and returning the return envelope to the returning officer before voting closes by:
  - posting it to the returning officer; or
  - putting it in the ballot box.

If a voter satisfies the returning officer that voting material given to the ratepayer has been lost, stolen or destroyed, the returning officer must give the voter duplicate voting material. A person who is not on the roll of voters must not vote in an election.

## **6.5. Voting at meeting**

A voter may vote only once in an election or other decision making under this procedure. A voter may vote by:

- a) marking a tick or cross on the ballot paper in the squares:
  - opposite the dissolution/restructuring decision to be made; or
  - for an election, opposite the names of up to the number of candidates that may be elected by the voters for the area to constitute the board, and
- b) putting the ballot paper in the ballot box.

At the time the voter puts the ballot paper in the ballot box, the returning officer must note, against the voter's name on the roll, the fact that the voter has voted.

If a voter satisfies the returning officer that the ballot paper given to the voter has been incorrectly marked, damaged or is otherwise no longer suitable for voting, the returning officer must give the voter a duplicate ballot paper.

A person who is not on the roll of voters for the election under section 598 of the Act, or for a special resolution restructuring decision of the board for the purposes of section 695 of the Act, may not vote in the election.

The returning officer must provide a voter who wishes to vote at a polling booth an unoccupied voting compartment in which to vote in private.

## **6.6. When secret ballot must be held**

If, after nominations for an election of directors have closed, the number of candidates is not more than the number to be elected, the returning officer must declare the nominated candidates as proposed appointees for submission to the Minister.

However, if the number of candidates is more than the number to be elected, the returning officer must conduct a secret ballot.

## **6.7. Secret balloting**

Special arrangements, as described below, or that otherwise may be decided by a majority of the authority's board, must be in place to ensure secrecy.

- All voters will be given a ballot and a secret ballot envelope.
- The returning officer must have a lockable ballot box and keys at the meeting.
- The returning officer will be present at the time and place stated in the voting notice and will conduct the vote.
- Scrutineer representatives (no more than two) appointed by the voters may be present to ensure proper conduct of the vote.
- The ballot will be identical to the one shown on the notice of vote.
- The ballot will be marked in privacy, by marking 'X' in the square indicating the voter's choice, and the ballot should then be folded.

After the ballot has been marked by the voter, the voter will:

1. Fold the ballot and seal it in the unmarked secret ballot envelope provided; and
2. Place the envelope directly into the ballot box.

Upon completion of the balloting, the ballot box is sealed and returned to the authority's office where it will be counted at a later date in the manner described below.

**Secret balloting by mail or hand delivery:** Notwithstanding any other provisions providing otherwise in this procedure, the returning officer may decide and arrange for the locked ballot box to be located at the authority's office and the secret ballots mailed or delivered to the authority's office and placed into the locked ballot box.

The returning officer will retain the keys to the locked ballot box away from the authority's office.

## **6.8. How returning officer must deal with voting material for election by mail**

The returning officer must put each return envelope received before voting closes into the ballot box. If the returning officer receives a return envelope after voting closes, the returning officer must:

- mark the envelope 'received by the returning officer after voting closed'; and
- keep the envelope separate from return envelopes received before voting closed.

## **6.9. Scrutiny and counting notification**

Before voting by mail closes, the returning officer must give each candidate notice of when and where votes are to be collected, examined and counted.

A candidate, in an election by mail or at a meeting, may before voting closes, appoint one scrutineer to observe, with or without the candidate, the collection, examination and counting of votes. The candidate must give the returning officer notice of the appointment.

When a scrutineer arrives for the collection, examination and counting, the scrutineer must show the returning officer a copy of the notice of appointment or other suitable identification.

The failure of a candidate or scrutineer to attend the scrutiny of votes does not affect the validity of the election.

## **6.10. Initial scrutiny of voting material for election by mail**

As soon as possible after voting closes, the returning officer must take the ballot box to the place notified to the candidates as the place where votes are to be counted and deal with the votes in the way stated in this procedure in the presence of the candidates and scrutineers at the place.

The returning officer must:

- open each return envelope and take the declaration and ballot envelope out of the return envelope
- put the declaration and the ballot envelope into separate containers if the returning officer is satisfied about the following matters:
  - the ballot number on the declaration corresponds with the ballot number marked beside the name of a voter on the roll, and

- the person who filled in and signed the declaration is the voter to whom the declaration was given, or is a voter who has not previously voted in the election and has a reasonable explanation for using someone else’s voting material.
- note the acceptance of the explanation on the declaration where required, and
- record the correct ballot number on the roll against the name of the voter who signed the declaration, if not already recorded.

If the returning officer is not satisfied about a matter, the returning officer must:

- keep the unsatisfactory voting material separate from the satisfactory voting material, and
- note against the voter’s name on the roll the fact that the voter has voted

### **6.11. Counting votes**

The returning officer must:

- count the votes in accordance with this procedure;
- after separating the declaration forms and ballot envelopes, do the following in order:
  - a) seal the container holding declaration forms
  - b) open the ballot envelopes
  - c) take the ballot papers out of the ballot envelopes
  - d) examine the ballot papers for votes
  - e) separate the formal and informal votes, and
  - f) count the formal votes.
- not include an informal vote in the count (noting a vote is not informal if the voter’s intention is clear).

### **6.12. Secrecy during ballot count**

When the ballot box is opened, the folded ballots are removed from the secret ballot envelopes and are returned to the ballot box.

The ballots will then be counted by the returning officer in the presence of the scrutineers in the manner previously described.

### **6.13. Where votes for two or more candidates are equal**

If the votes for two or more candidates are equal, the returning officer must submit both candidates for Ministerial consideration on the declaration form.

### **6.14. Majority of votes**

Where suitable candidates are nominated through an election process, the highest votes achieved by the number of candidates required to fill the positions would be selected, ahead of and when compared with, those who have nominated for election for the position who have received a lesser number of votes.

A majority of affirmative votes is not required.

### **6.15. Substantial compliance and scope for alternative procedures**

The validity of a ballot is not affected if there has been substantial compliance with these procedures.

All elections and ballots conducted through a responsible entity must be conducted according to the following minimum standards:

- The ballot will be secret.
- An election or ballot is conducted in its entirety by one returning officer from announcement to declaration.
- Voters will be informed of the event concerned.
- Each voter will have one vote, subject to the rules of the Board concerned.
- Voters will be provided with a reasonable opportunity to vote.
- There will be provision for the appointment of scrutineers.
- The names on the roll of voters are only available for viewing by candidates and scrutineers under supervision.
- The ballot material will be retained by the closing officer until the close of the period of any challenge.

## **6.16. Conversion to alternative institutional structures**

In accordance with this procedure and section 695 of the Act:

- the board, by special resolution (ballot), may resolve to make a request to convert to alternative institutional structure, and
- where there is not a closed water activity agreement for the authority area, at least a majority of the ratepayers in the area must agree by special ballot to the authority making the request.

## **6.17. Majority and special resolution decisions**

At a board meeting in accordance with the Act and for the purposes of this procedure:

- a quorum is the number of directors equalling one-half the number of directors on the board plus one (1) or, if the number is not a whole number, the next highest whole number
- a question is decided by a majority of the votes of the directors present and voting
- each director present has a vote on each question to be decided and, if the votes are equal, the chairperson has a casting vote, and
- a special resolution means a resolution that is passed by a two-thirds majority at a meeting of the board.

## **6.18. Declaring a result**

As soon as practicable after a decision making result is decided, the returning officer must:

- give each candidate a signed declaration of the result
- if the election or decision making occurred at a meeting—announce the result at the meeting.

If the election involved a ballot, the declaration must state the following:

- how many voters were on the roll when voting closed
- how many ballot papers were printed
- how many ballot papers were issued
- how many duplicate ballot papers were issued



- how many ballot papers were returned
- how many ballot papers were returned as unclaimed mail
- how many ballot papers were not returned
- how many ballot papers were rejected during scrutiny or counting and the reasons for rejection\*
- how many ballot papers were counted
- the percentage of voters who voted.

\*Examples of reasons for rejection are where:

- the declaration form was not returned
- the voter did not sign the declaration form

A scrutineer may countersign the declaration.

## **6.19. Board meetings**

Unless otherwise prescribed under a regulation and as set out in this procedure, the board may conduct its meetings as it considers appropriate.

## **7. Explanatory notes**

### **7.1. Applying the procedure**

This procedure applies to assist water authorities in effecting and complying with director appointments and dissolution, amalgamation, and conversion procedures under the Act.

### **7.2. Review**

This procedure will remain in force until reviewed or replaced by a further procedure approved by the chief executive or by regulation in accordance with the Act.

## **8. Contact for enquiries**

Natural Resource Programs

Operations Support

Department of Natural Resources, Mines and Energy

Email: [StatutoryAuthorities@dnrme.qld.gov.au](mailto:StatutoryAuthorities@dnrme.qld.gov.au)

# Attachment 1

## **Section 598 of the *Water Act 2000*—Composition of board for water authorities**

### **EXCERPT:**

- (1) As soon as practicable after a new water authority is formed on an amalgamation under section 690, the chief executive must publish a notice in the gazette stating:
  - (a) the number of directors comprising the authority's board; and
  - (b) whether the directors are to be elected by the authority's ratepayers or nominated and, if they are to be nominated, by whom they are to be nominated.
- (2) Directors that are to be elected must be elected:
  - (c) in the way prescribed by regulation; and
  - (d) to the extent the way is not prescribed by regulation—in the way approved by the chief executive.

## **Section 598A of the *Water Act 2000*—Changing composition of a board**

- (1) Subsection (2) applies for a proposed change in the composition of the board of a water authority.
- (2) The chief executive must publish notice of the proposed change—
  - (a) in the gazette; and
  - (b) in another way the chief executive considers appropriate having regard to the intended audience for the notice.

The notice must state the following—

- (a) the proposed change;
  - (b) that written submissions on the proposed change may be made to the chief executive;
  - (c) the day, at least 20 business days after the notice is published, by which submissions may be made;
  - (d) where the submissions may be made.
- (4) The chief executive must consider each properly made submission about the proposed change before publishing a notice in the gazette amending the notice published under section 598.
- (5) Subsection (2) does not apply if the change—
  - (a) merely corrects a minor error in the notice published under section 598; or
  - (b) is not a change of substance.

## **Section 695 of the *Water Act 2000*—Water authority may request its dissolution**

### **EXCERPT:**

- (1) A water authority may request its dissolution to enable it to convert to an alternative institutional structure if:
  - (e) its board, by special resolution, resolves to make the request; and
  - (f) for an authority with an authority area—
    - (i) there is a closed water activity agreement for the authority area; or
    - (ii) there is not a closed water activity agreement for the authority area but at least a majority of the ratepayers in the area, by special ballot, agree to the authority making the request.
- (2) The request must be given, in writing, to the chief executive and must state the particulars of the proposed conversion.
- (2A) Before conducting the special ballot, the water authority must give all ratepayers details of the possible consequences for the ratepayers of the proposed conversion.
- (3) The special ballot must be conducted:
  - (g) in the way prescribed by regulation; and
  - (h) to the extent the way is not prescribed by regulation—in the way approved by the chief executive
- (3A) The chief executive may require the authority to provide further particulars of the proposed conversion.
- (4) In this section, special resolution means a resolution that is passed by a two-thirds majority at a meeting of the board.