

BOARD ELECTION

H A N D B O O K

2024

Table of Contents

INTRODUCTION	3
THIS GUIDE.....	3
ELIGIBILITY CRITERIA	4
WHERE TO GO FOR HELP	4
THE NOMINATION FORM	5
Where to Get the Nomination Form	5
How to Complete the Nomination Form	5
How to Submit the Nomination Form	5
Don't Forget to Include a Personal Profile with Your Nomination Form.....	6
Deadline for Submission	6
WHERE TO FIND MORE INFORMATION	9
Returning Officer	9
NAPWHA President	9
APPENDIX 1: ABOUT NAPWHA	10
Who We Are	10
What We Do	10
NAPWHA's Vision	10
NAPWHA's Mission	10
NAPWHA's Roles and Functions	10
NAPWHA's Principles	11
APPENDIX 2: 2024 BOARD ELECTIONS KEY DATES	13
APPENDIX 3: NAPWHA's MEMBERS	14
Full (Voting) Members	14
Associate Members	14
Affiliate Members	14

INTRODUCTION

The Rules of Incorporation ('the Rules') of the National Association of People With HIV Australia (NAPWHA) establish arrangements for the governance of the Association, including in relation to the Board of Directors ('the Board').

In accordance with those Rules:

- The Board is comprised of eight (8) Directors (who are also known as 'office bearers'), consisting of:
 - a President
 - a Vice-President
 - a Secretary/Treasurer, and
 - five (5) Ordinary Directors.
- Each Director must be:
 - a person living with HIV; and
 - a member of one of the State or Territory-based PLHIV organisation's in Australia which are NAPWHA's members.

Board Directors are elected by NAPWHA's full members through an election process conducted each year in the lead up to the Annual General Meeting (AGM) of the Association. Election results are formally declared and new Directors are appointed at the AGM.

To ensure governance continuity of the Association, only half of the Director positions are subject to the election process each year, with the other half elected the following year.

Once elected a Director serves a two-year term. At the end of their two-year term a Director must vacate their position, however, they may seek re-election for further two year terms. There is no limit established by the Rules to the number of terms a Director may serve if elected.

Director positions subject of elections in 2024 are:

- Vice-President, and
- Three (3) Ordinary Directors.

THIS GUIDE

This guide is designed to explain the NAPWHA Board election process and to assist any person intending to nominate for election to comply with the formal nomination requirements.

This guide includes information on:

- the essential criteria for a person living with HIV to be eligible to nominate;
- the nomination process and the formal requirements;
- key dates and deadlines in the election process;
- the allocation of votes and how results are determined; and
- where to go for more information on NAPWHA or the election process.

ELIGIBILITY CRITERIA

To be eligible for election as a Director of NAPWHA, a person must be:

- living with HIV; and
- a member of one of the State or Territory-based people living with HIV ('PLHIV') organisation's which are NAPWHA's full members.

They must also:

- Be nominated by two people, each of whom must also be a member of one of the State or Territory-based PLHIV organisation's which are NAPWHA's full members;
- complete a nomination form and submit that form by the nomination deadline;
- include a personal profile with their nomination which must not exceed two A4 size pages in length.

Eligibility of every person who nominates for election is reviewed by the Returning Officer prior to the election.

The Returning Officer is an independent person appointed to oversee the election and to declare the result.

To ensure fairness, election eligibility criteria are strictly applied by the Returning Officer. Where a person is determined to not be eligible for election, that determination is final and the person is excluded from the election.

It is vitally important that if you wish to nominate for election as a NAPWHA Director you are careful to ensure you meet the eligibility criteria and nomination requirements.

If you are unsure, ask! It is better to ask for guidance or advice than to miss your opportunity for election because of an error on your nomination form or because you have misunderstood the process.

WHERE TO GO FOR HELP

The independent Returning Officer appointed to oversee the NAPWHA Board Elections in 2024 is:

Ashley Ognenovski
Solicitor
HIV/AIDS Legal Centre (HALC)
(02) 9492 6540
ashley@halc.org.au

If you are unsure of the nomination requirements or have questions you should contact the Returning Officer to seek clarification and guidance.

No late nominations will be accepted – so give yourself plenty of time.

THE NOMINATION FORM

Where to Get the Nomination Form

A nomination form can be obtained by:

- visiting the NAPWHA website at napwha.org.au and navigating to the 2024 Election Information page, or
- contacting the NAPWHA Secretariat on (02) 8568 0300 or on Freecall 1800 259 666.
- contacting NAPWHA Executive Director Aaron Cogle at aaron@napwha.org.au .

How to Complete the Nomination Form

Each blank field included on the nomination form must be filled with the information required for you to nominate for election.

The information you will need to complete the form is:

- Your name;
- The name of the PLHIV organisation of which you are a member;
- The names of each of the two people who are nominating you;
- The name of the PLHIV organisation of which each of the people nominating you are members; and
- The position being sought by you in the election (that is in 2024, either Vice-President, or one of three (3) Ordinary Directors.)

The form will also need to be:

- Signed by yourself; and
- Signed by each of the two people nominating you for election.

How to Submit the Nomination Form

Completed nomination forms must be in writing on the approved form.

Completed nomination forms must be addressed to the Returning Officer, and sent:

- **By post to:**

NAPWHA Board Election Returning Officer
C/- HIV/AIDS Legal Centre
414 Elizabeth Street
Surry Hills NSW 2010

- **By email to:**

NAPWHA Board Election Returning Officer
ashley@halc.org.au

- **By hand to:**

NAPWHA Board Election Returning Officer
C/- HIV/AIDS Legal Centre
414 Elizabeth Street
Surry Hills NSW 2010

Don't Forget to Include a Personal Profile with Your Nomination Form

A personal profile should outline the reasons why you wish to be elected as a Director of NAPWHA, and should detail all the skills, qualifications, experience and other attributes you believe qualify you for the role.

A copy of your personal profile will be provided to each of NAPWHA's full members and will inform their voting decision.

Your personal profile can be in MSWord or PDF format, but **MUST NOT** exceed two A4 size pages in length.

Like other nomination criteria, this criteria will be strictly applied and any person who submits a personal profile longer than two A4 size pages will be excluded from the election.

Deadline for Submission

The deadline for submission of your nomination form and personal profile for the 2024 NAPWHA Board elections is:

5pm, Friday, 27 September 2024

Other key dates relevant to the 2024 NAPWHA Board elections are listed at Appendix 2 to this Guide.

WHO VOTES AND HOW IS THE ELECTION DECIDED?

In accordance with the Rules of NAPWHA, only the State or Territory-based PLHIV organisations who are Full Members of NAPWHA are entitled to vote in NAPWHA Board Elections.

NAPWHA has eight (8) Full Members each of which is entitled to two (2) votes at a Board election resulting in a total of sixteen (16) votes which determine the election result.

Each Full Member must determine in advance of the election who from amongst their members will be appointed to vote on their behalf. It is up to each Full Member to determine the process used to reach this decision.

Each Full Member may decide:

- to appoint two (2) people from amongst their members, each of who will be entitled to one (1) vote; or
- to appoint one (1) person from amongst their members, who is entitled to both of the two (2) votes.

A list of NAPWHA's Full Members is included at Appendix 3.

Special Arrangements for the Northern Territory and the Australian Capital Territory

In accordance with the Rules, the full member of NAPWHA in each of the Northern Territory ('NT') and the Australian Capital Territory ('ACT') are construed to be PLHIV (NT) and PLHIV (ACT) or 'the whole community of people with HIV in the NT/ACT'.

This construct was established because at the time the Rules of NAPWHA were drafted there was no stand-alone PLHIV organisation established in either the NT or ACT, and this remains the case.

The construct was included in the Rules to ensure representation of people with HIV in the NT and the ACT.

In consideration of present-day PLHIV representation structures in the NT and the ACT, special arrangements have been established to ensure votes in NAPWHA Board elections are allocated in a way which best ensures the whole community of people with HIV in the NT and the ACT are represented.

Those arrangements are:

- the two (2) votes entitled to be cast on behalf of people with HIV in the NT are determined by the Northern Territory AIDS and Hepatitis Council (NTAHC); and
- the two (2) votes entitled to be cast on behalf of people with HIV in the ACT are determined by Meridian ACT.

Special Arrangements for Tasmania

In accordance with the Rules, the full member of NAPWHA in Tasmania is construed to be PLHIV (Tas) or 'the whole community of people with HIV in Tasmania'.

This construct was established because at the time the Rules of NAPWHA were drafted there was no stand-alone PLHIV organisation established in Tasmania.

The construct was included in the Rules to ensure representation of people with HIV in Tasmania within NAPWHA.

In consideration of present-day PLHIV representation structures in Tasmania special arrangements have been established to ensure votes in NAPWHA Board elections are allocated in a way which best ensures the whole community of people with HIV in Tasmania are represented.

Those arrangements are:

- the two (2) votes entitled to be cast on behalf of people with HIV in Tasmania are divided one each to a person determined by:

- Positive Lives Tasmania, and (PLTAS)
- Tasmanian Council on Aids, Hepatitis and Related Diseases (TasCAHRD)

The Voting Process

Ballot papers are sent to each person appointed to vote on behalf of each of NAPWHA's Full Members.

Ballot papers are sent at the opening date for voting in each year's election and must be completed and returned by the closing date of voting for the election.

The voting process is managed independently of NAPWHA by the Returning Officer who is appointed to oversee and conduct each election.

Ballot papers are returned directly to the Returning Officer at the end of the voting period and are opened only by the Returning Officer.

The Returning Officer is then responsible for determining whether each vote has been validly cast in the election and for excluding any votes determined to be invalid.

The Returning Officer then conducts a count of the valid votes to determine the outcome of the election.

The nominees who receive the most votes are determined to have been elected Board Directors and an announcement is made of the outcome of the election.

Election results are then formally declared at the Annual General Meeting of NAPWHA held shortly thereafter.

Circumstances Where A Vote Is Not Required

A vote of NAPWHA's Full Members is not required in circumstances where the number of nominees equals the number of positions vacant for the election.

That is, if in 2024:

- if only one person nominates for the position of Vice-President, that person is declared elected as Vice-President; and
- if only three people nominate for the three Ordinary Director positions, all three are declared elected as Ordinary Directors.

WHERE TO FIND MORE INFORMATION

For more information about NAPWHA or the process undertaken each year to elect NAPWHA Board Directors you may choose to contact any of the following:

Returning Officer

Ashley Oggenovski
Solicitor
HIV/AIDS Legal Centre (HALC)
(02) 9492 6540
ashley@halc.org.au

NAPWHA President

You may choose to contact the current NAPWHA President to seek more information about NAPWHA or the election process.

The NAPWHA President is:

Scott Harlum
0404 20 30 40
president@napwha.org.au

APPENDIX 1: ABOUT NAPWHA

Who We Are

Founded in 1989, the National Association of People With HIV Australia (NAPWHA) is Australia's peak non-government organisation representing community-based groups of people with HIV.

Our members are community-based organisations of people with HIV in Australia, as well as New Zealand, Timor-Leste and Papua New Guinea. Key populations of people with HIV are represented within NAPWHA by our national networks.

What We Do

We provide policy, health promotion, representation, outreach, advocacy, and champion the meaningful involvement of people with HIV at all levels of the Australian HIV response.

NAPWHA's Vision

NAPWHA's vision is of a world in which people with HIV live our lives to our full potential, in good health, free from stigma, discrimination and criminalisation, whilst fully exercising our central role in responding to the HIV epidemic.

NAPWHA's Mission

NAPWHA's mission is to provide national advocacy, leadership and representation across the diverse needs of all people living with HIV in Australia.

NAPWHA's Roles and Functions

NAPWHA achieves our vision and mission by:

- Working in partnership with people with HIV, our members, national networks, community and sector partners, governments, researchers, clinicians, consumer health, disability and aged-care organisations, and the pharmaceutical industry to achieve the best outcomes for people with HIV.
- Representing people with HIV and maintaining our meaningful involvement in every aspect of the national HIV partnership and response.
- Advocating to government and others to ensure that health and social policy enhances our lives, that the best treatments for HIV are developed and accessible, and that research is responsive and relevant to our needs.
- Developing the leadership capability of people with HIV, our members and communities.
- Leading national initiatives, including best-practice peer-based health promotion, peer navigation, development of models of quality management and care, quality accreditation, and workforce education.
- Educating providers and advising on the design and delivery of services and support for people with HIV so they meet our needs.

NAPWHA's Principles

In everything we do NAPWHA is guided by and embraces values of:

- **Working** with compassion, integrity, and shared respect.
- **Building** partnerships, consensus, and coalitions.
- **Promoting** inclusion, visibility and the centrality of people with HIV.
- **Utilising** the diversity of experience of people with HIV to advance our advocacy and to reduce the impact of HIV.
- **Performing** an active role in realising a partnership approach to the challenges of HIV.

APPENDIX 2: 2024 BOARD ELECTIONS KEY DATES

Nominations Open	Friday, 20 September 2024
Nominations Close	5pm, Friday, 27 September 2024
Voting Opens	Monday, 7 October 2024
Voting Closes	Monday, 14 October 2024
Election Result Announced	Monday, 21 October 2024
Election Result Formally Declared by Returning Officer at AGM	Friday, 1 November 2024

APPENDIX 3: NAPWHA's MEMBERS

NAPWHA's membership of national networks and State and Territory-based PLHIV organisations reflects the diverse make-up of the community of PLHIV and enables NAPWHA to confidently represent the positive voice in Australia.

Full (Voting) Members

Positive Life NSW (PLNSW)
Queensland Positive People (QPP)
Living Positive Victoria (LVP)
Positive Organisation Western Australia (POWA)
Positive Life South Australia (PLSA)
People Living with HIV (ACT) (PLHIV(ACT))
People Living with HIV (NT) (PLHIV(NT))
People Living with HIV (Tas) (PLHIV(Tas))

Associate Members

Positive Women Victoria (PWV)
PozHet
Positive Lives Tasmania (PLTas)
Bobby Goldsmith Foundation (BGF)
Body Positive New Zealand
Estrela+ Timor Leste
IGAT Hope PNG
Positive Women (NZ)

Affiliate Members

Tasmanian Council on AIDS, Hepatitis & Related Diseases (TasCAHRD)