

## **16.4 PROCEDURES FOR CONDUCTING APERIODIC CONSTITUTIONAL AMENDMENT BALLOTS**

The following rules are adopted by the International Board of Directors to govern the procedures for conducting aperiodic ballots for Constitutional amendments – i.e. ballots carried out in between the normal cycle of international officer elections.

Throughout these rules, unless otherwise specified, all dates will correspond with Coordinated Universal Time, all starting times will be 00:01 UTC on the date in question, and the time of all deadlines will be 23:59 UTC on the date in question.

### **DEFINITIONS:**

Throughout these rules, the following terms have the meanings indicated:

“Constitutional Ballot Committee (CBC)” means the persons appointed to manage the ballot to approve the Constitutional amendments.

“DIM” means Direct International Member. “IBD” means the International Board of Directors.

“Independent Ballot Supervisory Agency” means a commercial company expert in conducting electronic balloting and supervising referenda.

“MWJ” means *Mensa World Journal*.

“national chair” means the member with chief executive authority within a

national Mensa Committee.

“national Mensa Committee (NMC)” means the governing body (the board) of a national Mensa group.

“national Mensa group (NM)” means a Full National Mensa, a Provisional National Mensa, or an Emerging National Mensa.

“NCIE” means “national coordinator for international elections.” This is the person within a national Mensa responsible for managing the amendment ballot and interacts with the CBC on behalf of the national Mensa. By default, it is the national Mensa chair or permanent proxy, unless a different person is specifically appointed,

“publish” means distribution to the entire Mensa membership of the entity doing the publishing (e.g., to all members of a national Mensa, or to all DIMs, or to the entire worldwide membership), whether electronically (via email or the like) or in print or both.

“votekey” means a unique identifier used to associate an electronic vote with the voter who cast it.

“voting period” is the period during which votes may be cast

### **INTRODUCTION**

These procedures will apply to the process for balloting the membership on proposed Constitutional amendments that are conducted at a time other than in conjunction with the elections of the international officers. They will also apply if Constitutional amendments are planned to coincide with

the international elections but all 4 officers are elected unopposed, thereby negating the need for a ballot for those positions.

The outline process is as follows:

- ◇ The amendments are drafted and sent to GPAC for scrutiny in accordance with bylaws 16.1 Amendments proposed by NMs and 16.2 Amendments proposed by the IBD.
- ◇ Pro and Con statements are sought. The most appropriate statements and the voting period for the ballot are decided by IBD.
- ◇ The national Mensas appoint a national coordinator for international elections (NCIE) and inform the CBC. This can be the national chair, an appointee or an employee.
- ◇ The CBC collates and checks the amendment texts and accompanying statements approved by the IBD and creates a ballot in consultation with the Independent Ballot Supervisory Agency. The CBC sends the final ballot containing the proposed amendments and the accompanying statements to the Agency and to the national Mensas.
- ◇ The Independent Ballot Supervisory Agency will distribute vote keys electronically, using the email addresses provided. National Mensas have the option of sharing their entire record of member e- mail address with the Agency. Otherwise, the registered e-mails on Mensa.org will be used to distribute vote keys to their members.
  
- ◇ The amendment materials, or a link to these, will be distributed along with the vote keys.
- ◇ The voting period opens and closes on the decided dates.
- ◇ The Independent Ballot Supervisory Agency tallies the electronic votes and sends the ballot results to the international Executive Director, who informs the International Chair.
- ◇ The International Chair (*or the Executive Director*) notifies the IBD and the wider Mensa membership of the results.

As outlined above, there are a number of decisions that are required by the IBD in order to permit the ballot to go ahead:

1. A decision to hold the aperiodic Constitutional amendment ballot.
2. The appointment of the Independent Ballot Supervisory Agency. (This could be decided as part of the decision to hold the ballot, or devolved to the CBC.)
3. The appointment of the Constitutional ballot committee (CBC).
4. The approval of the wording of the amendment(s).
5. The dates for the ballot process. (These could be approved as part of the decision to hold the ballot.)

Decisions/Actions for the Constitutional ballot committee:

1. The formal notice of the ballot.
2. The format of the ballot paper (with agreement of the Independent Agency).
3. The issuing of votekeys (either directly, or arranging for them to be issued by the Independent Agency).
4. The checking and issuing of all amendment ballot materials to national Mensa NCIEs.

5. Acknowledgement of confirmation from national Mensas of dispatch of paper ballots to the Independent Ballot Supervisory Agency.

6. Publication of Amendment Ballot Results.

### ***RULE 1 – NOTICE OF AMENDMENT BALLOT***

**1.1** The usual practice, as laid out in these Bylaws, is to combine a ballot on proposed Constitutional amendments with the election of international officers. However, there will be occasions when it is necessary or highly desirable to seek amendments to the international Constitution in the intervening period. When the IBD has approved the intention to hold an aperiodic ballot, the CBC will issue a notice announcing the amendment ballot. This notice will be published in the international electronic newsletter and in all national Mensa publications, or circulated by other appropriate means, in order to ensure that the notice reaches all members at least two months before the ballot starts. The notice is also to be published on the mensa.org web site and via any other appropriate electronic channels.

**1.2** As soon as the ballot has been announced, the processes set out in paragraphs “16.1 Amendments proposed by NMs” or “16.2 Amendments proposed by the IBD” as appropriate will begin, except that the dates associated with a ballot in conjunction with the election of international officers will not apply; the dates for the aperiodic approval of amendment texts and accompanying statements will be announced by IBD along with the notice of the ballot.

### ***RULE 2 – BALLOT PROCESS***

**2.1** Voting procedure for aperiodic Constitutional amendment ballots will be similar to those for the election of international officers and are as shown in Rules 3 and 4.

**2.2** National Mensas are required to ensure that all their members have the opportunity to vote. The NCIE of each national Mensa must submit evidence to the CBC of actions taken to meet with this requirement, such as copies of official publications or other national ballot correspondence. Deadline for submitting this will be announced by the CBC for each ballot.

**2.3** For each individual proposed amendment, voters will be provided the full text of the proposed amendment, together with a detailed explanation of the reason for the amendment, plus supporting statements for and against the amendment. The voters will have the option to record a vote for or a vote against; there is no option to abstain.

### ***RULE 3 – E-VOTING***

**3.1** The centralized voting procedure is purely electronic and is defined as the CBC, or the International Ballot Supervisory Agency acting on behalf of the CBC, distributing vote keys to those members for which they have received e-mail addresses.

**3.2** National Mensas may choose to share their membership list, with e-mail addresses, with the International Ballot Supervisory Agency in order to maximize the number of members who will receive a vote key. Deadline for doing this will be announced for each ballot. Only members in good standing as at 00.00 on a defined date to be announced for each ballot shall be included in this list; the deadline relates to the time zone where the membership would normally be administered or registered. The CBC will arrange for national Mensas to be able to share these lists in a way that is compliant with common data privacy laws.

**3.3** Members of national Mensas that do not share their membership list with the Independent Ballot Supervisory Agency must register on the international website mensa.org in order to receive a vote

key. The CBC will extract these e-mail addresses and share them with the Independent Ballot Supervisory Agency, who will create the final list of members who will receive individual votekeys.

**3.4** National Mensas that do not share their membership list with the Independent Ballot Supervisory Agency must inform their members that, in order to vote electronically, they must be registered at the international website [www.mensa.org](http://www.mensa.org) and submit an e-mail address. **Deadline for informing the members of this will be specified for each ballot and notified in good time to ensure that the registration process may be accomplished prior to the cut-off date specified in accordance with Rule 3.4.**

**3.5** The amendment ballot materials and the electronic ballot form will be prepared by the Independent Ballot Supervisory Agency and approved by the CBC before use.

#### ***RULE 4 – PAPER BALLOTS***

*Note: The provisions of Rule 4 apply only to those national Mensa groups that have decided to offer paper ballots for members, which shall be a way to vote without using the Internet.*

#### **Preparation of ballot materials.**

**4.1** Each national Mensa must inform the CBC of the person nominated to be that national Mensa's NCIE, no later than a specified date to be announced for each aperiodic ballot process.

**4.2** The CBC will provide a master copy of the paper ballot and other ballot materials to the NCIE of each national Mensa group, to the IBD, to the Mensa International office, by a specified date to be announced for each aperiodic ballot process. The NCIE of each national Mensa group will be responsible for distribution of the amendment ballots to the members of the national Mensa group concerned by publication in the group newsletter to ensure that it will reach members by a specified date to be announced for each aperiodic ballot process.

**4.3** National Mensas that offer voting by paper ballot are required to provide their members with all ballot materials on paper along with the ballots to be submitted. This is necessary if they have members that wish to vote without using the Internet.

**4.4** The cost of printing and distributing amendment materials is not reimbursed by Mensa International.

**4.5** Only members in good standing as at 00.00 on a date to be specified for each referendum ballot shall be eligible to vote; the deadline relates to the time zone where the member's membership would normally be administered or registered.

**4.6** Failure of any national Mensa group to arrange for a timely distribution of ballots may result in the loss of voting privileges for the members of that national Mensa group, but will not affect the validity of the ballot. The ballot form must be published in English and must be identical in content and style to the ballot supplied by the CBC. The ballot forms must be printed in A4 or US letter size and may not be reduced in size to fit a smaller format national magazine. For each amendment, the ballot will show the text of the amendment, a detailed explanation of the reason for the amendment, plus supporting statements for and against the amendment. There will be only two options: a vote for or a vote against.

**4.7** Other ballot material to be published with the ballot will include:

(a) Instructions for voting, including clear instructions for what is required on the outside of the envelope if a ballot is to be valid. Also included should be the deadline for return of ballots, which is

that all ballots (paper and electronic) must be received no earlier than a date to be specified for each ballot.

(b) The address to which the completed ballot must be returned.

**4.8** In all Mensa International referenda conducted by mail ballot, postage for mailed ballot returns shall not be provided. Voters must pay their own postage if they choose to return a ballot by mail.

#### **Return of Paper Ballots**

**4.9** After voting, each member voting on a paper ballot must place the ballot in an envelope that must be sealed and marked "International Mensa Ballot", in the upper left corner of the front side of the envelope. On the outside of the envelope, each member must write his/her name in block letters as it appears in Mensa records, plus his address and Mensa membership number. An envelope lacking the member's name, address, or membership number will be deemed invalid and the enclosed ballot will be invalid.

**4.10** If the ballot and referendum materials are printed as part of a national publication, and, if two or more members in one family receive one issue of the national publication, each additional member may copy the ballot, vote, then place the ballot in a separate envelope marked and sealed in accordance with Rule 4.9 above.

**4.11** In each national Mensa group, the NCIE will designate the address to which ballots must be returned. This address will be published with the ballots (Rule 4.7.b). All completed ballots must be mailed or otherwise delivered to this address.

#### **Validation of Ballot Envelopes for Paper Ballots**

**4.12** The NCIE of each national Mensa group will have the responsibility to determine the validity of each ballot envelope returned to the designated address, following these guidelines

(a) If more than one envelope is received from the same member, only the first ballot sent (postmarked) from that member may be considered valid (if it meets all other requirements); all subsequent paper ballots from that member must be declared invalid.

(b) Any ballot envelope submitted by a person not a member in good standing, must be declared invalid.

**4.13** If a national Mensa fails to have sent said information to the Independent Ballot Supervisory Agency by the date specified for the referendum ballot, all ballot envelopes of that national Mensa must be declared invalid.

**4.14** Any ballot envelope that does not have all required information (Rule 4.9) must be declared invalid.

**4.15** Any ballot envelopes postmarked prior to the start date for the referendum will be deemed as received during the ballot period.

**4.16** Immediately after the end of the voting period, the Independent Ballot Supervisory Agency shall compile lists of member numbers that have voted electronically based on used votekeys, for each national Mensa group; and, by the end of the day following the end of the voting period, it shall send the lists to the CBC for forwarding to the appropriate national groups for use in the validation process. The forwarding by the CBC to the national groups is to take place no later than three days after the end of the voting period.

### **Forwarding of Paper Ballots**

**4.17** Within seven days of the end of the voting period, the NCIE must sort all ballot envelopes into valid and invalid groups. None of these envelopes will be opened. The NCIE will write a note on each envelope that was declared invalid indicating why it was declared invalid.

**4.18** No later than seven calendar days after the end of the voting period both the valid and invalid unopened ballot envelopes will be sent in bulk by courier or express mail to the Independent Ballot Supervisory Agency, where they must be received by no later than **14 calendar days from the end of the voting period**; only ballots received by the Independent Ballot Supervisory Agency within **14 calendar days of the end of the voting period will be counted**. The ballots must be accompanied by a statement from the NCIE, certifying:

- (a) The number of ballot envelopes being forwarded.
- (b) That all forwarded valid ballot envelopes are from members in good standing.
- (c) That all valid ballot envelopes were received no later than the end of the voting period, and only those, are being forwarded.

**4.19** Each NCIE is to inform the CBC when it has sent the ballots to the Independent Ballot Supervisory Agency. The CBC is to send acknowledgement of the notification back to the NCIE. The Independent Ballot Supervisory Agency is to notify the CBC when it has received ballots from a national Mensa. The CBC is to acknowledge receipt of the notification back to the Independent Ballot Supervisory Agency and to the national Mensa.

**4.20** If the ballots of a national Mensa group are not received by the Independent Ballot Supervisory Agency in time to be counted, i.e., if they are not received on or before 14 calendar days after the end of the voting period, then that national Mensa group will not qualify for reimbursement of the cost for sending paper ballots to the Independent Ballot Supervisory Agency.

### ***RULE 5 – INDEPENDENT BALLOT SUPERVISORY AGENCY***

**5.1** The CBC will appoint an Independent Ballot Supervisory Agency for aperiodic Constitutional amendment ballots. This agency will have the following duties:

- (a) To provide the on-line voting means.
- (b) To tally the electronic votes and any paper ballots for the individual amendments and to report the results to the international Executive Director.

**5.2** The agency shall not make the electronic material or results available to any Mensa member or any other third party, unless directed to do so by the CBC.

### ***RULE 6 – PUBLICATION OF RESULTS***

**6.1** A Constitutional amendment passes, only under the following conditions:

“provided that, of the members from whom completed ballots are received, more than one-half vote in favour of the amendment and the amendment is favoured by the voters in at least one-third of the national Mensas.” (Constitution XIII.A)

**6.2** The announcement of the results will, therefore, show the totals of votes received for and against each proposed amendment, together with whether the conditions have been met for that amendment to pass. Full tallies of the votes cast will also be provided.

**6.3** The Independent Ballot Supervisory Agency will tally votes and inform the international Executive Director.

**6.4** The international Executive Director will give notice of the final vote count to the International Chair in the shortest practical timescale after receiving the results from the Independent Ballot Supervisory Agency. The international Chair (*or the executive director*) will inform the IBD and the News Team.

**6.5** The detailed results, including a full breakdown of votes received by country will be published in the international electronic newsletter and on mensa.org.

**6.6** The approved amendments to the Constitution will become effective immediately upon the publication of the results, unless a date is otherwise specified in the text of the amendment.

***RULE 7 - MISCELLANEOUS***

**7.1** All national groups, national offices, NCIEs, and national chairs must cooperate with the CBC and follow its directives regarding the conduct of such Constitutional ballots.