

Regulations for the election of Teachers to the Council for the Teaching Profession in Malta

Preliminary

In these regulations:

“the Act” means the Education Act Chapter 327 of the Laws of Malta

“ballot material” means the ballot papers, the candidates, election statements and the envelopes for the despatch and return of ballot papers;

“candidate” means a teacher who has been validly nominated to stand for election to the Council;

“the Council” means the Council for the Teaching Profession in Malta;

“election” means the procedure by which the elected members of the Council are elected in accordance with these regulations;

“electoral roll” means the roll of teachers formed in accordance with article 1 of these regulations;

“registered teacher” means a person who has been granted a warrant to practise the teaching profession in Malta;

“warrant” means the permanent warrant issued by the Minister for Education.

References to the singular include the plural and vice versa;

1. Electoral Roll

1.1 The Electoral Commission shall form a roll of electors on or before the **24th May 2021** comprising the names, addresses, I.D. card number and warrant number of all teachers in possession of a permanent warrant.

1.2 The Electoral Commission may, before the **24th May 2021** make additions or alterations to, or deletions from, the electoral roll.

1.3 A teacher who, on the **24th May 2021** is registered as a teacher but is not practising the profession of teacher, is entitled to vote in the elections.

2. Notice of Election

2.1 The Electoral Commission shall, by not later than **Friday 28th May 2021**, publish a notice of election.

2.2 The notice of election shall specify:

- (1) the number of teachers to be elected to the Council for each section;
- (2) an address (including a website address) from which a nomination form may be obtained;
- (3) an address (including a website address) from which the regulations governing this election may be obtained;
- (4) the address where the nomination forms shall be returned;
- (5) the latest date and time by which the completed nomination forms and election statements shall be received;
- (6) the date by which the ballot papers for the election shall be distributed;
- (7) the date and time by which the ballot papers for the election shall be received by the Electoral Commission;
- (8) the date by which the result of the election shall be announced.

2.3 The notice of election shall be published on the website of the Ministry for Education and on the Council's website.

3. Eligibility to stand for Election and to vote in the Elections

3.1 Registered practising teachers provided that they have practised for not less than eight years and provided further that they shall be teaching at primary or secondary level, shall be eligible to stand for election to the Council provided that by **Monday 24th May 2021** their name appears on the register of teachers and are in possession of a permanent warrant.

3.2 Registered teachers shall be eligible to vote in the election, provided that by **Monday 24th May 2021** their name appears on the register of teachers and are in possession of a permanent warrant.

4. Nomination

4.1 Candidates shall be supported in writing on the nomination form by:

- (1) a proposer who is a registered teacher and
- (2) a seconder who is a registered teacher and

each of whom must appear on the register of teachers.

- 4.2 Nominations shall be made on the nomination form provided by the Electoral Commission and may be obtained from the address (including website address) specified in the Notice of Election.
- 4.3 One teacher only shall be nominated on each form.
- 4.4 Any person having the requisite qualifications for nominating or supporting a candidate may nominate or support any number of candidates.
- 4.5 The completed nomination paper shall include:
- (1) the full name of the proposed candidate;
 - (2) the grade and warrant number of the proposed candidate;
 - (3) the years of teaching experience of the proposed candidate;
 - (4) the full postal address of the proposed candidate;
 - (5) the full names and warrant numbers of the proposer and seconder supporting the nomination;
 - (6) a contact telephone/mobile number and an e mail address for the proposed candidate.
- 4.6 Incomplete and/or incorrect nomination forms shall be invalidated by the Electoral Commission.
- 4.7 The nomination form shall indicate the address of the Electoral Commission and time and date where it is to be submitted .
- 4.8 The nomination form shall also be signed and dated by the proposed candidate stating that:
- (1) they are eligible and willing to stand for election in accordance with these regulations;
- 4.9 The nomination form shall be signed by the proposer and seconder who are supporting the proposed candidate's nomination.
- 4.10 Any nomination form received after **four o'clock in the afternoon (4:00pm) of the third (3rd) day of June 2021** shall be invalidated by the Electoral Commission
- 4.11 A candidate shall provide the Electoral Commission with a soft copy typed election statement, to be circulated to all teachers entitled to vote in the election. The electoral statement, and an original police conduct certificate (issued within

the last month) shall be attached to the nomination form subject to the approval of the Electoral Commission.

5. Invalid nominations

- 5.1 Where, in the opinion of the Electoral Commission, a teacher's nomination is considered as invalid, the Electoral Commission shall not later than **Friday 11th June 2021**, notify the teacher to that effect in writing, stating the reasons why the nomination is considered invalid.
- 5.2 Any question arising as to the validity of a teacher's nomination shall be determined by the Electoral Commission and such decision shall be final.

6. Conduct of the Election

- 6.1 In the event that there is only one nomination from any one sector contested, the Electoral Commission shall immediately declare the nominee to be elected without ballot.
- 6.2 The ballot paper shall include the following information:
 - (1) the surnames and forenames of the candidates listed in alphabetical order by sector;
 - (2) instructions on how to vote;
- 6.3 By the **25th June 2021** the Electoral Commission shall post to each eligible teacher whose name appears on the electoral roll:
 - (1) a ballot paper;
 - (2) an election statement document for the election;
 - (3) a pre-paid envelope addressed to the Electoral Commission for the purpose of returning the completed ballot paper.

7. Election System and Count

- 7.1 Each voter shall have one single vote for each sector and shall place a mark (x) against the name of one of the candidates in each sector on the ballot paper.
- 7.2 Each voter shall return the completed ballot paper **by post** in the reply envelope provided so that it shall be received by the Electoral Commission **by the 6th July 2021**.
- 7.3 After the last date for the receipt of ballot papers the Electoral Commission shall determine the validity of each ballot paper received and shall proceed to conduct the election in accordance with these regulations.

- 7.4 A valid paper shall be one on which the preferred candidate in any one or all of the sectors being contested is clearly marked (x) and which is received by the deadline for the receipt of ballot papers. **Late votes will not be accepted.**
- 7.5 By not later than the **16th July 2021**, the Electoral Commission shall publish a report specifying the following particulars:
- (a) the total number of ballot papers distributed;
 - (b) the total number of valid ballot papers received;
 - (c) the total number of invalid ballot papers received;
 - (d) the names of the candidates who have been elected in each sector;
 - (e) an ordered list of the non-elected candidates for each sector in which the name of the first runner-up appears at the top of the list and the name of the last runner-up appears at the bottom of the list for the purpose of filling casual vacancies in accordance with the Education Act.
- 7.6 The report shall be signed by all the members of the Electoral Commission and shall be accompanied by a result sheet for each sector detailing the votes credited to each candidate.

8. Postal disruption

- 8.1 In the event of a significant disruption to postal services at any stage the Electoral Commission may extend the deadline by which ballot papers shall be received. Notice of any such extension will be placed on the Ministry's and CTP's website and other media as necessary.

9. Powers of the Electoral Commission

- 9.1 Any questions arising with regard to the validity of a nomination or a ballot paper or otherwise in connection with the election shall be determined by the Electoral Commission.
- 9.2 An unsuccessful candidate may, within 3 working days after the day the Electoral Commission publishes the results of the election, appeal to the Electoral Commission. The decision of the Electoral Commission shall be final.
- 9.3 The electoral campaign is to be conducted in full respect of the Teachers' Code of Ethics and Practice¹ and serious breach of the Code may lead to appropriate actions taken by the Commission.

¹ Subsidiary Legislation 327.02

9.4 The electoral commission may take any appropriate action including suspension of the elections.

Council for the Teaching Profession
Electoral Commission
Elections 2021