
STATUTORY INSTRUMENTS

2002 No. 1263

CHIROPRACTORS

**The General Chiropractic Council (Election of
Members and Chairman of Council) Rules Order 2002**

Made - - - - 20th March 2002
Coming into force - - 28th March 2002

At the Council Chamber, Whitehall, the 20th day of March 2002
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of section 35(2) of, and paragraphs 10 and 14(5)(a) of Schedule 1 to, the Chiropractors Act 1994 ("the Act")⁽¹⁾, and of all other powers enabling it in that behalf, the General Chiropractic Council has made the General Chiropractic Council (Election of Members and Chairman of Council) Rules 2002 as set out in the Schedule to this Order:

And whereas by sections 35(1) and 36 of the Act such Rules shall not have effect until approved by the Privy Council:

Now, therefore, Their Lordships, having taken the Rules into consideration, are pleased to, and do hereby, approve them.

This Order may be cited as the General Chiropractic Council (Election of Members and Chairman of Council) Rules Order 2002 and shall come into force on 28th March 2002.

A.K. Galloway
Clerk of the Privy Council

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SCHEDULE

The General Chiropractic Council (Election of Members and Chairman of Council) Rules 2002

The General Chiropractic Council, in exercise of its powers under section 35(2) of, and paragraphs 10 and 14(5)(a) of Schedule 1 to, the Chiropractors Act 1994⁽²⁾, and of all other powers enabling it in that behalf, hereby makes the following Rules:—

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the General Chiropractic Council (Election of Members and Chairman of Council) Rules 2002, and shall come into force on 28th March 2002.

Interpretation

2. In these Rules—

“the Act” means the Chiropractors Act 1994;

“the Council” means the General Chiropractic Council.

PART II

ELECTIONS FOR GENERAL COUNCIL

General

3.—(1) The procedure for the election of the members of the Council by fully registered chiropractors shall be as set out in this Part.

(2) In this Part “constituency” means England, Wales, Scotland or Northern Ireland, as the case may be.

Preliminary procedure and nominations

4.—(1) The Returning Officer for the holding of the first election of the 10 members of the Council referred to in paragraph 1(a) of Schedule 1 to the Act shall be the Registrar, and where any later vacancy occurs or is to occur, the Council shall appoint the Registrar, or some other person who is not a member of the Council, as the Returning Officer for the holding of an election to fill the vacancy.

(2) Where the election is held to fill vacancies arising from the expiry of the term of office of the chiropractic members under paragraph 44(7) of Schedule 1 to the Act or of elected members under paragraph 3 of that Schedule, the election shall be held before the expiry of that term and so that, so far as can be anticipated, the report referred to in rule 8(4) is received by the Returning Officer before that expiry.

(2) 1994 c. 17.

(3) The Returning Officer shall invite nominations of candidates who are eligible under paragraph 9(2) of Schedule 1 to the Act, by giving notice to each fully registered chiropractor whose registered address is in the constituency to which the vacancy relates; and any such notice may relate to more than one vacancy in the constituency.

(4) The notice under paragraph (3) shall be accompanied by a nomination paper and shall—

- (a) state the constituency to which the notice relates, and (if more than one vacancy) the number of vacancies to be filled in the constituency;
- (b) state the reason for each vacancy arising;
- (c) specify a date (being at least 21 days after the notice is issued) on or before which any nomination of a candidate must be received; and
- (d) state that further nomination papers may be obtained by application to the Returning Officer.

(5) A nomination shall not be valid unless—

- (a) it gives the name and registered address of the candidate;
- (b) it states the constituency for which he is nominated;
- (c) it is made on a nomination paper provided pursuant to paragraph (4);
- (d) it is signed by five fully registered chiropractors whose registered addresses are in the constituency concerned (and it states the names and registered addresses of those chiropractors);
- (e) the consent of the candidate is signified by the signature of the candidate on the nomination paper; and
- (f) it is received by the Returning Officer on or before the date specified under paragraph (4) (c).

(6) A nomination may be accompanied by a statement prepared by the candidate of not more than 500 words and a recent photograph of the candidate.

(7) If, after receiving a duly completed nomination form in respect of an election the result of which has not been declared, a further nomination form in respect of the same individual is received by the Returning Officer (whether in respect of the same election under this Part or the same constituency or in respect of a different election or different constituency), the Returning Officer shall disregard the further nomination form.

(8) If at any time the Council has less than 10 members able, on reasonable notice, to meet for the purposes of appointing a Returning Officer under paragraph (1), the Registrar shall be the Returning Officer.

(9) A candidate may, by notice given in writing to the Returning Officer, withdraw his candidature from the election (in which case rule 9(5) shall so far as necessary have effect).

Uncontested and contested elections

5.—(1) If the number of candidates validly nominated for any constituency does not exceed the number of vacancies in the constituency, those candidates shall become members of the Council on the vacancies having effect or on the day after the date specified under rule 4(4)(c), whichever is the later.

(2) If the number of candidates validly nominated for any constituency exceeds the number of vacancies in the constituency, a poll shall be held under rule 6.

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Holding of a poll

6.—(1) Where a poll is to be held, the Returning Officer shall appoint an Election Scrutineer for the purpose and shall issue a voting paper to each fully registered chiropractor whose registered address is in the constituency concerned.

- (2) Each voting paper shall relate only to one constituency and shall contain—
- (a) a statement identifying that constituency;
 - (b) the full names of the candidates for that constituency (in the alphabetical order of their last names) and their registered addresses;
 - (c) the number of vacancies to be filled;
 - (d) the date on or before which the voting paper must be received by the Election Scrutineer for it to be valid (being a day determined by the Returning Officer and not less than 14 days after the issue of the voting paper); and
 - (e) instructions on how to vote, including the address of the Election Scrutineer for the return of the voting paper.
- (3) The voting paper shall be accompanied by—
- (a) a reply-paid addressed envelope for the return of the voting paper to the Election Scrutineer;
 - (b) subject to paragraph (4), a copy of any statement or photograph received under rule 4(6).

(4) If in the opinion of the Returning Officer any part of a statement provided under rule 4(6) is offensive or defamatory, he may remove that part from the material to accompany voting papers pursuant to paragraph (3).

Casting of votes

7.—(1) Where a poll is held to fill a single vacancy and there are only two candidates validly nominated in respect of it—

- (a) a single vote only may be registered by the placing of a cross on the right hand side of the voting paper opposite the name of the person in whose favour it is cast; and
- (b) subject to rule 8(2), the person elected shall be the person receiving the greater number of votes cast.

(2) Except in relation to a poll to which paragraph (1) applies, the poll shall be conducted in accordance with the Schedule (concerning single transferable voting).

- (3) A vote shall be invalid if—
- (a) in the opinion of the Election Scrutineer—
 - (i) there is a failure to comply with paragraph (1) above or with paragraph 2(2)(a) of the Schedule (as the case may be), or
 - (ii) the voting paper by which it is cast is ambiguous;
 - (b) the voting paper by which it is cast is received by the Election Scrutineer after the date specified pursuant to rule 6(2)(d); or
 - (c) the voting paper by which it is cast is transmitted by facsimile or through other electronic means.

(4) Without prejudice to rule 7(3)(b), the Returning Officer shall supply to a person entitled to vote a replacement voting paper if satisfied on application in writing being made to him that a voting paper has been spoiled, lost or destroyed.

(5) Votes shall only be cast on a ballot paper provided by or on behalf of the Returning Officer, and only one ballot paper may be completed and returned by each voter.

Election Scrutineer's report

8.—(1) The Election Scrutineer shall examine voting papers and count the votes cast (treating each constituency separately), and shall prepare a report for each constituency concerned to the Returning Officer specifying—

- (a) the total number of voting papers received;
- (b) the number of voting papers rejected and the grounds of rejection;
- (c) where there are only two candidates in the election, the total number of votes validly cast for each candidate;
- (d) where rule 7(2) applies, a statement of the quota in the count and the number of votes allocated to any candidate at each stage of the count;
- (e) every person elected; and
- (f) if the election is decided under paragraph (2), a note to that effect.

(2) In the event of a tie, the election shall be decided between the candidates tying by the drawing of lots conducted by or on behalf of the Election Scrutineer.

(3) The Returning Officer shall notify the candidates of the names of those who have been elected as soon as practicable after the Election Scrutineer's report is received by him, and the Registrar shall keep a copy of the report available for inspection by any of the persons entitled to vote in the election for a period of not less than 6 months following the election.

(4) Subject to rule 10 (appeals), upon the receipt by the Returning Officer of the Election Scrutineer's report (or, if later, on the vacancies concerned having effect) the persons duly elected shall become members of the Council.

(5) The Registrar shall, when the period for appealing under rule 10 has expired or, in respect of any constituency in relation to which there is an appeal, when the outcome of the appeal and any consequent election or further count is known, publish the names of those duly elected by such means as he may determine.

Supplementary matters

9.—(1) The accidental omission of the Returning Officer to give notice under rule 4(3), to issue a voting paper under rule 6(1) or to notify under paragraph (4) below shall not render an election conducted under this Part invalid.

(2) Any notice given under rule 4(3) or voting paper issued under rule 6(1) may be sent by first-class post addressed to the chiropractor's registered address, and shall be deemed to have been given and issued for the purposes of these rules at the time it is so posted, whether or not it is received.

(3) A notification under rule 8(3) may be sent by first-class post addressed to a candidate's registered address.

(4) In the event of any serious disruption to postal services, the Returning Officer may postpone any date specified pursuant to rule 4(4)(c) or 6(2)(d) ("the original date"), and he shall notify those entitled to nominate or to vote (as the case may be) of the postponement in such manner as appears to him to be appropriate (and may do so after the original date has expired).

(5) Where, at any time before the Election Scrutineer's report is received by the Returning Officer under rule 8, a candidate dies, withdraws or ceases to be eligible for election—

- (a) if the number of remaining candidates does not exceed the number of vacancies in the constituency concerned, those candidates shall become members of the Council forthwith

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(or if later, on the vacancies having effect), and no further steps in relation to the election shall be taken; or

- (b) if the number of remaining candidates exceeds the number of vacancies in the constituency concerned, the election shall continue and any steps taken in relation to it shall be effective, but (where voting papers have been issued) the Election Scrutineer shall alter any preference expressed in a voting paper to which Schedule 1 applies by adjusting upwards any preference subordinate to the person who has died, withdrawn or ceased to be eligible.

(6) A person—

- (a) who becomes a fully registered chiropractor on or after the day on which notice is first given under the provisions of rule 4(3) in an election, or
- (b) whose registered address changes on or after that day from one outside the constituency concerned in an election to one inside the constituency,

shall not be entitled to receive a notice under those provisions in that election.

(7) A person—

- (a) who becomes a fully registered chiropractor on or after the day on which voting papers are first issued under the provisions of rule 6(1) in an election, or
- (b) whose registered address changes on or after that day from one outside the constituency concerned in an election to one inside the constituency,

shall not be entitled to receive a voting paper under those provisions in that election.

Appeals

10.—(1) Within the period of 14 days beginning with the day on which notification of the result of the election was sent to candidates by the Returning Officer under rule 8(3), any candidate may by notice given to the Returning Officer challenge the result in the constituency in which he was a candidate on the ground that there has been a material error or irregularity in the election (specifying the error or irregularity), and require the matter to be referred to a committee of the Council consisting of the Chairman of the Council and two other members of the Council determined by the Chairman, or if the Chairman is a person who is subject to re-election in that constituency in the election, consisting of three members of the Council appointed by the Privy Council.

(2) Such a notice shall be in writing and signed by the candidate giving it, and upon it being duly given no person elected in the constituency concerned shall, during the period that the Committee considers it, be treated as a member of the Council by virtue of the election.

(3) The Committee shall so far as practicable first meet within the period of 21 days after the notice is given, and shall as soon as practicable, after hearing any relevant evidence, declare whether or not in its opinion there has been a material error or irregularity, and if so whether it affected the outcome of the election.

(4) If the Committee declares that in its opinion there has been a material error or irregularity in the conduct of the election which has affected the outcome of the election, the result of the election previously notified under rule 8(3) shall be treated as ineffective for the purposes of this Part in the constituency concerned and a further election in that constituency or a further count of the affected votes (as directed by the Committee) shall be held as soon as practicable thereafter.

(5) If the Committee declares that in its opinion there has not been such a material error or irregularity, the persons elected in the constituency concerned shall resume as or become (as the case may be) members of the Council upon the declaration of that opinion or, if later, upon the vacancies concerned having effect.

PART III

ELECTION OF CHAIRMAN OF GENERAL COUNCIL

General

11.—(1) The election of a Chairman under paragraph 14(1) of Schedule 1 to the Act shall be conducted in the manner set out in this Part.

(2) The election shall take place at a meeting of the Council (in this Part referred to as “the relevant meeting”).

(3) In the case of the election of the Chairman to succeed the person appointed under paragraph 48 of Schedule 1 to the Act, the relevant meeting shall be the first meeting of the Council, held after the members first elected under paragraph 1(a) of that Schedule take office, with respect to which the period of notice required by rule 12(1) can practicably be given to those members.

Nominations

12.—(1) At least 28 days before the relevant meeting, the Registrar shall give notice to the members of the Council inviting nominations for the office of Chairman.

(2) A nomination shall not be valid unless—

- (a) it is in writing and received by the Registrar before the beginning of the period of 14 days ending with the day on which the relevant meeting is held;
- (b) it is seconded in writing by another member of the Council, and that seconding is received by the Registrar before the beginning of that period;
- (c) the person nominated has before the beginning of that period indicated his willingness to serve in writing to the Registrar.

(3) If only one person is validly nominated before the beginning of the period mentioned in paragraph (2)(a), at the relevant meeting the Registrar shall declare the nominee elected.

(4) If more than one person is validly nominated before the beginning of that period, a ballot shall be conducted by the Registrar at the relevant meeting in accordance with rule 13.

(5) A notice under rule 12(1) may be given by sending it by post to a member’s last known place of residence or (where the member is a registered chiropractor) to his registered address.

Ballots

13.—(1) A ballot held for the purposes of rule 12(4) shall be conducted in accordance with this rule.

(2) Each member present at the meeting at which the ballot is conducted shall be issued with a voting paper by the Registrar, showing—

- (a) the names of those nominated in compliance with rule 12, in alphabetical order of their last names;
- (b) whether each person so nominated is an elected or appointed member;
- (c) in the case of an elected member so nominated, whether he is elected by fully registered chiropractors in England, Wales, Scotland or Northern Ireland;
- (d) in the case of an appointed member so nominated, the person or body which appointed him;
- (e) the date on which the office of each person so nominated as a member of the Council will expire; and
- (f) the date on which each person so nominated will attain the age of 70.

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(3) Unless the number of candidates is two, the count shall be conducted in accordance with the Schedule, treating references to the Election Scrutineer as references to the Registrar and with all other necessary modifications.

(4) If the number of candidates is two, the person elected shall be the person receiving the greater number of votes cast, indicated by the placing of a cross on the right hand side of the voting paper opposite the name of the person in whose favour the vote is cast.

(5) If the ballot results in a tie, the election shall be decided between the persons tying by the drawing of lots conducted by the Registrar at the relevant meeting.

(6) Upon the conclusion of the election, the Registrar shall declare the person who is duly elected.

SCHEDULE

SINGLE TRANSFERABLE VOTING

Rules 7(2) and 13(3)

Interpretation

1. In this Schedule—

“continuing candidate” means any candidate not yet either excluded or treated as elected;

“deferred surplus” means a surplus deferred under paragraph 4(1);

“first preference” means the preference indicated as described in paragraph 2(2)(a);

“invalid voting paper” means a voting paper which is invalid under rule 7(3);

“next available preference” means a second or subsequent preference (if any) recorded in consecutive numerical order for a continuing candidate or candidates, passing over preferences for candidates already excluded or treated as elected;

“the present value” of a voting paper shall be 1 when it has not previously been transferred under this Schedule, and shall at any time thereafter be its value on the last occasion before that time on which it was transferred to a continuing candidate;

“the quota” means the value calculated under paragraph 3(3);

“stage”, in relation to a count, means—

(a) the distribution of the surplus of a candidate who has been treated as elected, or

(b) the exclusion of a candidate, or two or more candidates at the same time, and the distribution of their transferable votes to continuing candidates;

“surplus” means the amount by which the value of a candidate’s vote held by him exceeds the quota;

“the total active vote” means the sum of the values of the votes held by all continuing candidates and of any votes awaiting transfer;

“the transfer value” of a voting paper shall be its value to the candidate to whom it is transferred, calculated under paragraph 5(4);

“transferable voting paper” means a voting paper which, having been taken into account in establishing the vote of a candidate who has been eliminated or treated as elected, shows a next available preference for a continuing candidate (and “non-transferable voting paper” means a voting paper which does not show such a next available preference).

Manner of voting

- 2.—(1) Each person exercising a vote shall have one transferable vote only.
- (2) Each such person, in recording his vote on the voting paper in respect of a transferable vote—
 - (a) must place on the voting paper for that vote the figure 1 opposite the name of one candidate for whom he wishes to vote and wishes to give first preference; and
 - (b) may indicate the order of his preference for as many other candidates as he pleases by placing against their respective names the figures 2, 3 and so forth, the figure indicating the order of preference.

The start of the count

3.—(1) The count shall begin by the Election Scrutineer examining the voting papers and sorting them into parcels according to the first preference recorded for each candidate, rejecting any that are invalid.

(2) The Election Scrutineer shall then count the papers in each parcel and shall credit each candidate with a value of votes equal to the number of valid papers on which a first preference has been recorded for that candidate.

(3) The quota for the election shall then be determined by dividing the total number of valid votes on which a first preference has been recorded determined under sub-paragraph (2) by one more than the number of places to be filled, the result being rounded up if not exact to the next whole number above.

(4) Any candidates who are credited with a value of votes equal to, or exceeding, the quota shall be treated as duly elected in descending order of votes, so far as the number of candidates so elected does not exceed the number of vacancies to be filled.

(5) Where the number of candidates duly elected under sub-paragraph (4) are less than the number of vacancies to be filled, the Election Scrutineer shall proceed to defer or transfer the surpluses of those candidates (if any) under paragraph 4 and, so far as necessary after any such surpluses have been deferred or transferred, to exclude candidates under paragraph 6.

Transfers of surpluses

4.—(1) If one or more candidates have surpluses above the quota (including any previously deferred under this sub-paragraph awaiting transfer), and the total value of such surpluses does not exceed either—

- (a) the difference between the value of votes held by the candidate with the smallest value of votes and the value of votes held by the candidate with the next smallest value of votes, or
- (b) the difference between the total value of votes held by the two or more candidates with the smallest value of votes who could be excluded pursuant to paragraph 6 and the value of votes held by the candidate with the next smallest value of votes,

the transfers of such surpluses shall be deferred.

(2) Otherwise, if one or more candidates have surpluses (including any previously deferred surpluses awaiting transfer), the largest surplus shall be transferred in accordance with paragraph 5.

(3) If the two or more candidates with the largest surpluses have equal surpluses, the surplus of the candidate who holds the largest value of votes at the earliest stage at which they had an unequal value of votes shall be transferred; or if such two or more candidates held the same number of votes at all stages of the count, the matter shall be determined by lot (to be drawn by the Election Scrutineer).

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(4) After a transfer under sub-paragraph (2) or (3), subject to paragraph 8(2), sub-paragraphs (1) to (3) above shall be applied consecutively to any further surpluses in descending order of the amount of the surpluses, the distribution of each surplus comprising a separate stage.

Calculation of transfer values of surpluses

5.—(1) In the case of a surplus arising by virtue of a candidate being duly elected under paragraph 3(4) upon the counting of first preference votes, all the voting papers received by the candidate shall be examined by the Election Scrutineer.

(2) In the case of a surplus arising at a later stage consequential on the transfer of another surplus or from the exclusion of a candidate or candidates, only the last parcel of voting papers transferred to the candidate duly elected which gave rise to the surplus shall be examined by the Election Scrutineer.

(3) The voting papers to be examined shall be sorted into sub-parcels according to next available preferences for continuing candidates, any voting papers on which no next available preference is expressed being set aside as non-transferable.

(4) If the total present value of all the transferable voting papers examined under sub-paragraph (1) or (2) at the current stage exceeds the surplus, the transfer value of each such voting paper shall be equal to an amount found by dividing the surplus by the number of such voting papers to two decimal places, ignoring any remainder beyond that (except that the value of any individual voting paper may not increase at any stage of the count); and in any other case the transfer value of each voting paper shall be its present value.

(5) Each continuing candidate shall then be credited with the transfer value of any voting papers examined under sub-paragraph (1) or (2) with respect to which he is indicated as the next available preference, and any candidate who in consequence holds a value of votes equal to or exceeding—

- (a) the quota, or
- (b) the total active vote divided by one more than the number of vacancies remaining to be filled,

shall be treated as duly elected (subject to paragraph 8(3)).

(6) The surpluses arising at the current stage in respect of the candidates duly elected under sub-paragraph (5) shall be dealt with in accordance with paragraph 4.

Exclusion of candidates

6.—(1) If, at the end of any stage, all surpluses falling to be transferred or deferred under paragraph 4 have been so transferred or deferred, and one or more vacancies remain to be filled, then the candidates falling within sub-paragraph (2) shall be excluded, and the present value of the voting papers of all the excluded candidates falling within that sub-paragraph shall be dealt with together under paragraph 7.

(2) The candidates to be excluded shall be—

- (a) the candidate holding the smallest value of votes (“the bottom candidate”), and
- (b) in ascending order of votes, such other candidates (if any) above the bottom candidate as have, taken together with all the other candidates to be excluded, a total value of votes which, when added to the value of any deferred surpluses, does not exceed the value of votes held by the candidate with the next smallest value of votes above them;

save that no candidate shall be excluded if the exclusion leaves insufficient continuing candidates to fill the number of vacancies remaining.

(3) If two or more candidates hold the same value of votes, and in applying the rules in sub-paragraph (2) not all of them could be excluded if the sub-paragraph were applied to each in turn (and assuming that sub-paragraph (2)(a) could only apply to one of them), then the candidates (equal

in number to the number of candidates which could be so excluded) who had in order the smallest value of votes at the earliest stage at which they held an unequal value of votes shall be excluded, or if such two or more candidates held the same value of votes at all stages of the count so that the matter cannot be determined, then the matter shall be determined by lot (to be drawn by the Election Scrutineer).

Transfers on exclusion of candidates

7.—(1) Where a candidate or candidates have been excluded under paragraph 6, the voting papers held by the excluded candidate or candidates in question shall be arranged together in parcels in descending order of present value.

(2) The parcel containing the voting papers which are of the highest individual present value shall be sorted into sub-parcels according to next available preferences for continuing candidates, any voting papers on which no next available preference is expressed being set aside as non-transferable.

(3) Each continuing candidate shall be credited with the present value of any voting papers with respect to which he is indicated as the next available preference.

(4) Any candidate who now holds a value of votes equal to or exceeding—

(a) the quota, or

(b) the total active vote divided by one more than the number of vacancies remaining to be filled,

shall be treated as duly elected (subject to paragraph 8(3)).

(5) Any remaining parcels of voting papers shall be sorted and transferred in turn in descending order of present value in the same way, and candidates treated as duly elected where appropriate.

(6) Upon that being completed, the surpluses arising in respect of the candidates duly elected under sub-paragraph (4) shall then be dealt with in accordance with paragraph 4.

Termination of count

8.—(1) If at any stage, as a result of the proposed exclusion of one or more candidates, the number of continuing candidates would be equal to the number of places remaining to be filled, such continuing candidates shall be treated as duly elected.

(2) If at any stage the number of candidates duly elected is equal to or exceeds the number of vacancies to be filled, no further transfer of voting papers shall be made, and the remaining continuing candidate or candidates shall be treated as excluded.

(3) If at any stage where candidates are treated as duly elected two or more candidates have the same value of votes credited to them, and there are not sufficient remaining vacancies for each of them to be elected, the candidates deemed to be elected shall be those who had in order the greatest value of votes at the earliest stage at which they had an unequal number of votes, or if the candidates have been credited with the same value of votes at all stages of the count, the matter shall be determined by lot (to be drawn by the Election Scrutineer).

(4) Upon the circumstances in sub-paragraph (1), (2) or (3) arising, the count is concluded.

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Given under the common seal of the General Chiropractic Council this 13th day of March 2002.

L.S.

Ian Hutchinson
Anthony Metcalfe
MemberMember

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Chiropractors Act 1994, approves Rules made by the General Chiropractic Council (“the Council”) which provide for the procedure both for the election of registered chiropractors as members of the Council for the period following the end of the transitional period mentioned in paragraphs 43 and 44 of Schedule 1 to the Act and for the election of a Chairman of the Council.