

com Plan



Election regulations

Valid from
1 April 2022

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I Legal basis

Art. 1 Objective

These election regulations govern the composition and election of the Board of Trustees of comPlan.

II Composition of the Board of Trustees

Art. 2 Parity

The Board of Trustees of comPlan shall consist of 14 members. Half of these shall be representatives of the employees and half representatives of the employer.

III Right to vote

Art. 3 Employer representatives

¹ The representatives of the employer shall be appointed by the Board of Directors of Swisscom Ltd (or its successor in law).

² These appointments shall be recorded in the minutes of the meeting of the Board of Directors at which they were made.

³ As soon as they are appointed, Swisscom Ltd shall communicate the names of these representatives to comPlan.

Art. 4 Employee representatives

¹ The representatives of the employees shall be elected for a term of office lasting four years.

² Employees of firms affiliated to comPlan shall be entitled to vote if they are insured at the end of the month before the announcement of the nomination and election periods and do not leave comPlan before the start of the election period (electoral roll).

³ Voluntary members are entitled neither to vote nor to stand for election.

IV Right to stand for election

Art. 5 Conditions

¹ The Trustees must possess the knowledge and skills required to perform their duties under Art. 51a BVG.

² The Trustees must meet the (integrity and loyalty) requirements of Art. 51b BVG.

³ Active insured employees of, and representatives of trade unions / staff associations capable of demonstrating that their members are under a contract of employment with a firm affiliated to comPlan, may be elected to the Board of Trustees of comPlan.

V Election office

Art. 6 Election office

¹ The Board of Trustees shall entrust the preparation and conduct of the election to an election office. The election office shall consist of the Chief Executive of comPlan and four other persons (two each representing the employer and employees). Members of the election office may not be Trustees or be nominated as candidates for election to the Board of Trustees.

² The election office shall be self-constituting.

³ The election office shall compile an electoral roll listing the persons entitled to vote.

VI Preparation of an election

Art. 7 Nomination and election period

¹ The nomination period is the period during which eligible employees may nominate themselves for election. It lasts 30 calendar days. The active insured employees and trade unions/staff associations shall be duly called upon (by SMS, email or post) to submit nominations for election during the nomination period. They shall at the same time be provided with the personal access details for the submission or confirmation of election lists and for the confirmation of acceptance of election.

² Nominations for election shall be submitted electronically and must be entered into the digital voting tool for this purpose by no later than the last day of the nomination period. If it is not possible to conduct the election electronically, the election office shall require that nominations for election be submitted in writing.

³ Election lists may be combined. Combined lists shall be valid only for the purpose of allocating those seats not directly allocated in accordance with Art. 12 para. 6. Combined lists shall be treated as independent of each other for the purpose of the direct allocation of seats in accordance with Art. 12 para. 5. Combined election lists must be submitted to the pension fund office no later than ten days before the start of the nomination period.

⁴ The election period is the period during which the persons entitled to vote may cast their votes. It will be announced at the same time as the nomination period. The election period shall begin no earlier than 30 calendar days after the end of the nomination period. Swisscom Ltd shall also be informed of the election period.

Art. 8 Nominations for election

¹ Each list of nominees for election (list) must be confirmed electronically in the digital voting tool within the proposal period pursuant to Art. 7 para. 1 by no fewer than 100 persons who are entitled to vote. Instead of the electronic confirmation, it is possible to submit the lists of nominees for election signed personally.

² No list may contain more candidates than the number of seats available on the Board of Trustees. No candidate may be listed more than twice on one list. If a person is a candidate on more than one list, they shall be called upon to state within five days of submitting the second candidacy on which list they wish to be listed. The candidate shall then be deleted from the other lists. No more than two representatives of trade unions / staff associations may appear on any one list. Each list may be given an appropriate name.

³ In accordance with the procedure chosen under para 1., the candidates on the nominations submitted must announce electronically or in writing whether or not they would accept election.

⁴ The election office shall check that the lists comply with the requirements of Art. 5 no. 3, Art. 7 nos. 1 to 3, and Art. 8 nos. 1 to 3.

⁵ If there are fewer candidates than seats available, the active insured employees and trade unions / staff associations are to be called on to submit further candidates' names within ten days.

⁶ A list may be withdrawn by the first three electronically confirmed or written signatories to it up to five calendar days before the beginning of the election period.

Art. 9 Election lists

¹ Election lists shall be prepared by the election office. They shall contain the following information:

- a) List name (name as per list of nominees and numbering);
- b) Surname, first name, year of birth, Group company/entity and function of the nominated persons.

² Persons who are already trustees shall be described as such.

³ Election lists shall be numbered after the pension fund office has received the correctly formatted election lists.

Art. 10 Delivery of election material

¹ The election material shall be delivered in an appropriate form (by SMS, email or post) to every person entitled to vote no later than the beginning of the election period.

² The lists of candidates shall also be published in an appropriate form (e.g. on the comPlan website).

Art. 11 Content of the election material

¹ The election material shall comprise:

- a) the personal access details for the electronic voting;
- b) instructions on the voting procedure (which shall include the dates of the election period);
- c) information about the publication of the election lists and their candidates on the intranet or on the comPlan website.

² Anyone not in possession of the election material by the beginning of the election period should request it from the election office.

³ Candidates shall be given the opportunity to introduce themselves to the persons entitled to vote by means of a brief profile on the intranet or on the comPlan website.

VII Conduct of the election

Art. 12 Voting

¹ The election office shall ensure that only persons entitled to vote under Art. 4 take part in the election.

² The votes for employee representatives shall be cast electronically using the prescribed digital voting tool. If it is not possible to conduct the election electronically, the election office shall require that votes be cast in writing.

³ No person entitled to vote shall vote for more than one list. Persons entitled to vote may, however, delete candidates from the list and/or replace them with others from other lists. No candidate, though, may be named more than twice on any one election list. Unchecked places on the list shall be counted as votes for the list.

⁴ The election office or a company acting on its behalf and under its supervision shall determine the result of the election (by counting the votes and establishing the result).

⁵ Seats shall be allocated in proportion to the votes cast for the election lists (proportional representation). This involves the number of valid votes being divided by the number of seats available on the Board of Trustees plus one. The next-higher whole number is the allocation number. Each list is allocated as many seats on the Board of Trustees as the number of votes cast in favour of the list by the allocation number.

⁶ If not all the seats on the Board of Trustees have been allocated, the remainder shall allocated in accordance with the following rules:

- a) The number of votes cast for each list shall be divided by the number of seats already allocated to it plus one.
- b) The next seat shall be allocated to the election list with the highest quotients.
- c) Where the same quotient is shared by more than one list giving the same entitlement to the next seat, the seat shall be allocated to whichever list achieved the highest remainder in the division according to Art. 12 no. 5.

⁷ On each list, the candidates with the highest number of votes are elected. In the event of a tied vote, the person higher up the list shall be elected.

⁸ No more than two seats are allocated to trade union / staff association representatives elected by persons entitled to vote. If more than two such representatives are elected, those with the fewest votes shall drop out.

⁹ The election office shall produce a record of the election. This shall state the number of active insured members entitled to vote; the votes received, both valid and invalid; the number of votes for each list (list votes); and the number of votes cast for each individual candidate (candidate votes)[].

¹⁰ The election office shall inform the candidates elected, and, immediately thereafter, the persons entitled to vote, of the results of the election in an appropriate form.

Art. 13 Invalid voting

¹ Votes cast shall be invalid

- a) if they are not cast during the election period;
- b) if the vote as cast contains defamatory remarks or the person for which it is cast cannot be identified beyond doubt.

² Should it not be possible to conduct the election electronically and the election office has required that it be conducted in writing, votes cast shall also be invalid if evidence of entitlement to vote is absent, if there are deletions, alterations or additions other than by hand, where handwriting is illegible or where multiple election lists or lists other than those provided by the election office have been used.

Art. 14 Substitute members

¹ Should an employee representative step down from the Board of Trustees during his/her term of office, he/she shall be replaced by the first substitute member eligible for election.

² Should no such substitute member be available, one shall be designated by the trade union/staff association of the representative who has stepped down or by the first three persons named on the election list. If the trade union/staff association is unable to appoint a substitute member within one month of the employee representative standing down from the Board of Trustees, or if the employee representative who has stood down or is not a member of a trade union or staff association, a substitute member shall be appointed pursuant to Art. 4 by the employee representatives on the Board of Trustees. If even this is not possible, a by-election shall be held to fill the vacant position.

VIII Final provisions

Art. 15 Revision clause

The Board of Trustees may amend these regulations at any time subject to the provisions of the law and of the trust deed.

Art. 16 Loopholes

Should loopholes be found in these regulations, the Board of Trustees shall find an appropriate solution that takes account of the Fund rules and of the provisions of binding law.

Art. 17 Entry into force

These regulations were approved at the meeting of the Board of Trustees on 31 March 2022 and enter into force on 1 April 2022.

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