



### *Public Inspection of the List of Registered Electors*

The legislation clarifies that the List of Registered Electors is available for public inspection only; copies of the list cannot be made.

### Nominations

#### *Number of Qualified Nominators*

There is now a provision that Council may, by bylaw, set the number of required qualified nominators from 2 qualified nominators up to 25 qualified nominators. However, the legislation also stipulates that even if one or more of the nominators is not qualified in accordance with S.71, a nomination is valid as long as the nomination is made by at least the minimum number of qualified nominators (the minimum number being 2).

### Candidates

#### *Intent to take Office if Elected*

Candidates must include in their nomination package a solemn declaration of their intent to take office if elected. This statement will be included in the statutory declaration section of the nomination form provided by Legislative Services to prospective candidates and nominators.

#### *Public Inspection of Nomination Documents*

There is now a provision that Council may, by bylaw, provide for public access to nomination documents until 30 days after the declaration of the election results by any manner the local government considers appropriate, including by the internet or other electronic means.

Under previous legislation, nomination documents were only available for public inspection; copies were not made, nor was the information published on the internet. A nomination document contains the names and addresses of the nominators and the name, phone number and address of the candidate. There is no provision for the Chief Election Officer to sever personal information such as addresses from the documents prior to publishing them on the Internet, or providing photo copies to those making inquiries.

### Campaign Finance

There is a significant change in this section. Campaign finance rules will also apply to election campaigns that are not run directly by candidates or elector organizations. These groups and individuals are referred to as "Campaign Organizer" in the amendments.

#### *Campaign Organizer*

The definition for a "Campaign Organizer" is as follows:

- (a) an organization, whether incorporated or unincorporated, other than an elector organization, that undertakes, or intends to undertake, an election campaign that

- (i) augments or operates in place of, or
- (ii) is intended to augment or operate in place of

the election campaign of one or more candidates or of one or more elector organizations, or both, or

(b) an individual who

- (i) undertakes, or intends to undertake, an election campaign referred to in paragraph (a), other than an election campaign for the individual as a candidate, and
- (ii) accepts, or intends to accept, campaign contributions in relation to the campaign from any other individual or any organization, whether incorporated or unincorporated.

### *Election Campaign*

Section 84, Election Campaign, has been repealed, and replaced with the following:

- (1) In relation to a candidate, an election campaign is a campaign for any of the following purposes in relation to an election, including such a campaign undertaken before the person is nominated or declared a candidate:
  - (a) to promote the election of the candidate, or to oppose the election of another candidate;
  - (b) to approve of a course of action advocated by the candidate, or to disapprove of a course of action advocated by another candidate;
  - (c) to promote an elector organization or campaign organizer or its program, or to oppose an elector organization or campaign organizer or its program;
  - (d) to approve of a course of action advocated by an elector organization or campaign organizer, or to disapprove of a course of action advocated by an elector organization or campaign organizer;
  - (e) to promote the selection of the person to be endorsed by an elector organization, or to oppose the selection of another person for this;
  - (f) to promote the selection of the person to have an election campaign undertaken or augmented by a campaign organizer, or to oppose the selection of another person for this.
  
- (2) In relation to an elector organization, an election campaign is a campaign for any of the following purposes in relation to one or more elections that are being conducted in a municipality or regional district at the same time, including such a campaign undertaken before the elector organization endorses a candidate:
  - (a) to promote the election of a candidate, or to oppose the election of a candidate;
  - (b) to approve of a course of action advocated by a candidate, or to disapprove of a course of action advocated by a candidate;

- (c) to promote an elector organization or campaign organizer or its program, or to oppose an elector organization or campaign organizer or its program;
  - (d) to approve of a course of action advocated by an elector organization or campaign organizer, or to disapprove of a course of action advocated by an elector organization or campaign organizer;
- (3) In relation to a campaign organizer, an election campaign is a campaign for any of the following purposes in relation to one or more elections that are being conducted in a municipality or regional district at the same time:
- (a) to promote the election of a candidate, or to oppose the election of a candidate;
  - (b) to approve of a course of action advocated by a candidate, or to disapprove of a course of action advocated by a candidate;
  - (c) to promote an elector organization or campaign organizer or its program, or to oppose an elector organization or campaign organizer or its program;
  - (d) to approve of a course of action advocated by an elector organization or campaign organizer, or to disapprove of a course of action advocated by an elector organization or campaign organizer;
  - (e) to promote the selection of the person to be endorsed by an elector organization, or to oppose the selection of another person for this.

*Information to be provided to the Chief Election Officer*

This is a new section added detailing the information and documents that must be delivered to the Chief Election Officer by candidates, elector organizations and campaign organizers.

*Campaign Accounts*

Section 85.1, Campaign Accounts has been repealed and replaced with a new section. A campaign account is required to be opened as soon as a candidate, elector organization or campaign organizer is ready to deposit a contribution or is about to commit to incur an expense.

Candidates, Elector Organizations, and Campaign Organizers will have to pay close attention to Division 8 – Campaign Financing, Sections 83 to 93, as there are various amendments throughout these sections.

*Public Inspection of Disclosure Statements and Supplementary Reports*

There is now a provision that Council may, by bylaw, provide for public access to disclosure statements and signed declarations under Sections 90 and 90.1 by any manner the local government considers appropriate, including by the internet or other electronic means.

Under previous legislation, disclosure statements were only available for public inspection; copies were not made, nor was the information published on the Internet.

## Voting Opportunities

### *Advance Voting*

The requirement for voters to sign a declaration of eligibility to vote at advance voting has been eliminated. This will result in one less declaration to be made by the voter, and will help streamline the advance voting process.

### *Mail Ballots*

This section was previously limited to persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity. It has now been expanded to include:

- (a) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity, and
- (b) persons who expect to be absent from the municipality on general voting day and at the times of all advance voting opportunities; and
- (c) persons who expect to be absent from the regional district on general voting day and at the times of all advance voting opportunities.

Council may, by bylaw, permit voting to be done by mail ballot, and Legislative Services will be bringing forward a report to a Council meeting in June, 2008 with a recommendation for Council's consideration in this regard.

## Final Proceedings

### *Retention and Destruction of Election Materials*

The legislation clarifies that all of the documents generated at polling places are available for public inspection only; copies cannot be made.

## Other General Information

The Ministry of Community Services has advised that it is in the process of preparing revisions to the Candidate Guide to assist Candidates with the new legislation. Revisions are also being prepared for the Voter's Guide by the Ministry. The Ministry will also be preparing a separate Campaign and Campaign Financing Guide. As soon as they are available from the Ministry, Legislative Services will provide the Guides to City Council.

## **Next Steps**

In early June Legislative Services will forward a report to Council complete with recommendations regarding the specific sections of the legislation where through a by-law adoption process Council discretion is permitted in relation to the local government elections, such as “mail voting”.

Marg Jones  
City Clerk