

# Elections Nunavut

2012-2013 Annual Report of the Chief Electoral Officer



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For more information or to obtain copies of this report in any of the Nunavut's official languages, in paper or electronic format contact:

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June 30, 2013

Hon. Hunter Tootoo  
Speaker of the Legislative Assembly of Nunavut  
Box 1200  
Iqaluit, NU  
X0A 0H0

Dear Mr. Speaker:

I am honoured to submit my annual report for the fiscal year 2012-2013, the last in the life of the current Assembly. The report is given in accordance with reporting requirements of the *Nunavut Elections Act*.

I will be prepared to discuss the contents of the report at the pleasure of the Assembly.

A handwritten signature in blue ink that reads 'S. Kusugak'.

Sandy Kusugak  
Chief Electoral Officer



## Overview

During the 2012-2013 year Elections Nunavut although focused primarily on preparations for the October 28, 2013 general election, oversaw the preparation of a bill to amend the *Nunavut Elections Act* and *An Act Respecting Constituency Names*.

Elections Nunavut administered two liquor plebiscites on behalf of the Department of Finance and continued to participate in inter-jurisdictional committee meetings and activities. Designing and coordinating the relocation of the office to a larger space was also a major activity.





# Activities April 2012 - March 2013

## Legislation

1. As of November 5, 2012, several constituency names were amended by *An Act Respecting Constituency Names and Superannuation of Certain Independent Officers of the Legislative Assembly*. The spelling of constituency names in all languages is now legally recognized as follows:

English	ᐃᐅᑦᑎᑕ	French	Inuinaqtun
Aggu	ᐱᓴ	Aggu	Aggu
Aivilik	ᐱᐃᐱᓕᑦ	Aivilik	Aivilik
Amittuq	ᐱᓂᓂᓂᑦ	Amittuq	Amittuq
Arviat North-Whale Cove	ᐱᓂᐱᓕ ᐃᐱᓕᓴᓂᑦ ᑎᓂᓂᓂᓂᑦ	Arviat Nord-Whale Cove	Arviat Tununga-Tikiraryuaq
Arviat South	ᐱᓂᐱᓕ ᓂᓂᐱ	Arviat Sud	Arviat Hivuraa
Baker Lake	ᑦᑲᐱᓂᓂᓂᓂᑦ	Baker Lake	Qamanittuaq
Cambridge Bay	ᐃᑦᑲᐅᑦᑎᐱᓂᑦ	Cambridge Bay	Iqaluktuuttiaq
Gjoa Haven	ᑭᑭᐱᓂᓂᓂᑦ	Gjoa Haven	Uqhuqtuuq
Hudson Bay	ᑕᓂᑭᓂᓂᓂᑦ	Baie d’Hudson	Tahiuyaryuaq
Iqaluit-Manirajak	ᐃᑦᑲᐅᐱᓂ-ᐱᓂᓂᓂᑦ	Iqaluit-Manirajak	Iqaluit-Manirajak
Iqaluit-Niaqunnguu	ᐃᑦᑲᐅᐱᓂ-ᓂᐱᓂᓂᓂᑦ	Iqaluit-Niaqunnguu	Iqaluit-Niaqunnguu
Iqaluit-Sinaa	ᐃᑦᑲᐅᐱᓂ-ᓂᓂᓂ	Iqaluit-Sinaa	Iqaluit-Sinaa
Iqaluit-Tasiluk	ᐃᑦᑲᐅᐱᓂ-ᑕᓂᑭᓂᓂᑦ	Iqaluit-Tasiluk	Iqaluit-Tasiluk
Kugluktuk	ᑕᑭᓴᓂᓂᓂᑦ	Kugluktuk	Kugluktuk
Netsilik	ᑕᑕᓂᓂᑦ	Netsilik	Netsilik
Pangnirtung	ᐱᓂᑕᓂᓂᓂᑦ	Pangnirtung	Pangniqtuuq
Quttiktuq	ᑕᓂᑕᓂᓂᑦ	Quttiktuq	Quttiktuq
Rankin Inlet North-Chesterfield Inlet	ᓂᓂᓂᓂᓂᓂᓂᑦ ᐃᐱᓕᓴᓂᑦ ᐱᓂᑕᓂᓂᓂᑦ	Rankin Inlet Nord-Chesterfield Inlet	Kangirliniq Tununga-Igluligaaryuk
Rankin Inlet South	ᓂᓂᓂᓂᓂᓂᓂᑦ ᓂᓂᐱ	Rankin Inlet Sud	Kangirliniq Hivuraa
South Baffin	ᓂᓂᓂᓂᓂᓂᑦ ᓂᓂᐱ	Baffin Sud	Hivuraa Qikiqtaaluk
Tununiq	ᓂᓂᓂᓂᑦ	Tununiq	Tununiq
Uqqummiut	ᓂᓂᓂᓂᓂᓂᑦ	Uqqummiut	Uqqrmiut



2. In March 2013 the *Nunavut Elections Act* was amended to prohibit campaigning and making contributions by non-residents and by entities established outside Nunavut that do not have a legal presence in the territory. An exception is allowed for persons or entities from outside Nunavut to make good faith personal statements of support for a candidate and general statements on issues of public policy. The amendment ensures that in accordance with instructions from the Chief Electoral Officer, all campaign material includes the name of the candidate or other person campaigning and the name and valid contact information of the individual responsible for the content of the campaign material. In the case of the candidate, that person is the financial agent. The information required must be communicated in a way that is as easy to read, hear or see as the majority of the content of the message. Additionally the amendment provides that no broadcaster shall broadcast any campaign material that does not comply with the above.
3. *Public Service Act*. Elections Nunavut prepared a substantive response to the bill under consideration by the Standing Committee on Legislation.





## Activities April 2012 - March 2013

### Liquor Plebiscites

Elections Nunavut administered two liquor plebiscites during the reporting period.

#### December 10, 2012 Rankin Inlet

The Minister of Finance agreed to hold a liquor plebiscite in Rankin Inlet after receiving a petition signed by 32 eligible voters. The ballot question asked, “Are you in favour of replacing the current system of liquor restriction in Rankin Inlet with an unrestricted system where only the general liquor laws of Nunavut apply?”

Result                      Yes: 359 (64%)              No: 184 (34%)              Rejected: 2  
Turnout:                      545 of 1239 (44%)

Rankin Inlet liquor regulations will be repealed.

#### February 25, 2013 Kugaaruk

A plebiscite was held in Kugaaruk also in response to a petition. Voters were asked, “Are you in favour of replacing the current system of liquor prohibition in Kugaaruk with an unrestricted system where only the general liquor laws of Nunavut apply?”

Result                      Yes: 108 (37%)              No: 188 (63%)              Rejected: 4  
Turnout:                      297 of 302 (98%)

Kugaaruk liquor prohibition will remain in place.

### Electoral Assistance

On request, Elections Nunavut provided support to the City of Iqaluit at their October 15, 2012 municipal election.



## Administrative Activities

### Policy Development

In the interest of ensuring voter confidence in the fairness of the electoral process, Elections Nunavut adopted a strict conflict of interest policy. The policy is attached at the end of this report.

### Office Move

By January 2013 it became apparent that Elections Nunavut had outgrown the building we leased. We therefore worked with the contractor to design a new space and choose materials for nearby premises to be occupied in early summer. The move provided impetus to upgrade the phone system and electronic infrastructure.

### Training and Workshops

#### Website:

April 28-29. Our Information Technology consultant Tony Rose gave a workshop to staff on posting documents to and updating our recently revamped website.

#### Geographic Information System:

During 2012 Tat Ma, our GIS consultant delivered two workshops aimed at improving staff capacity to use ARC-GIS software in geo-coding data for electoral purposes.

#### Effective Writing for Social Media:

The CEO attended a 1-day workshop on social media to update her knowledge.

### Establishment of Civic Addressing

During the reporting period, the CEO visited Arviat and Igloolik to make the case for setting up a consistent street addressing system prior to the general election. Civic or street addressing is a requirement when a community is comprised of more than one constituency.



## **Document development**

### **Enforcement Manual:**

The completed Enforcement Manual was posted to the website. Public forms to support the Manual were provided on the site in each official language. The manual is a detailed guide for Elections Nunavut, the Integrity Commissioner, the RCMP and Public Prosecutions Canada.

### **Judicial Recount Manual and Kit:**

Judicial Recount Kits were prepared to accompany the Judicial Recount Manual. Together they provide a step-by-step guide for all the participants at a judicial recount. The Manual and its forms were posted to [www.elections.nu.ca](http://www.elections.nu.ca).

### **Communications Handbook:**

Elections Nunavut created a Communications Handbook to guide the daily work of the staff in creating professional documents with a consistent look and feel.



## **Activities April 2012 - March 2013**

### **Preparation for October 28, 2013 General Election**

#### **Procurement**

The IT consultant and the CEO finalized a plan for procurement of computer hardware and supporting software that would be cost-effective and appropriate to the needs of Elections Nunavut.

#### **Meetings with Partners – March 2013**

The CEO met with the Executive Director of the Nunavut Disabilities Association to share plans for and get advice on electoral communication with the disability community in Nunavut.

During the same week, the CEO also met with the Assistant Deputy Minister of the Department of Family Services to consolidate plans to communicate timely electoral information to students receiving financial support from the Government of Nunavut.

#### **Election Officer Recruitment and Training**

With our IT consultant, the CEO developed detailed plans for recruitment and training of election officers using web-based technologies to augment in-person instruction.



## Activities April 2012 - March 2013

### Coordination with other Electoral Agencies

#### **Advisory Committee of Electoral Partners:**

November 22-23. The CEO attended the annual meeting of ACEP. Participants of the Committee include the Vital Statistics Council of Canada, the Federation of Canadian Municipalities, the Canadian Council of Motor Transport Administrators as well as the CEOs of all provincial and territorial electoral agencies.

#### **Conference of Canadian Election Officials:**

April 3-4, 2012. The CEO participated in the CCEO E-Voting Committee meeting aimed at defining the conditions under which e-voting in any form would be advisable in Canada. It was agreed that any new technology used in the voting process would have to meet the following fundamental principles:

- Accessibility. The electoral process is available and usable.
- Fairness and impartiality.
- Integrity and verifiability. Trust and confidence are maintained and can be demonstrated.
- One voter – one vote
- Privacy – information is used only for electoral purposes
- Secrecy. Electors have the right to cast their vote in private and voters remain secure throughout the voting process
- Transparency. Information on the electoral process is available in a timely manner and open to scrutiny.

April 22 – 24, 2012. The CEO attended the Alberta provincial election program focused on the election of Senate nominees.

July 23-25. Elections Nova Scotia hosted the annual meeting of the CCEO.

September 3-5. The CEO took part in the Quebec provincial election program.

#### **Canadian Elections Resource Library:**

Elections Nunavut continues to make an annual pro rata contribution for the maintenance and improvement of CERL. Sharing information on CERL helps to advance the work of electoral administrators.



## Coordination with other Electoral Agencies

### **Register for Elections NUnavut – RENU:**

September 18-19. Elections Alberta hosted a user-group meeting of the system known in Nunavut as RENU. RENU is a web-based system for Nunavut's address/voter database. It also provides support for a several election administrative functions. By sharing information about projects completed and projects planned individual jurisdictions have made improvements to their own systems at very little cost.



# Plans April 2012 - March 2013

## October 28, 2013 General Election

For the upcoming election, in addition to well-established election preparation procedures Elections Nunavut will:

- Research and implement low-cost “inquiry log” function
- Upgrade the computer-based financial return
- Develop skill with web-based training initiatives
- Evaluate recruiting and training methods
- Implement emergency management/disaster recovery plan
- Create fillable election officer application forms for the website
- Update digitized maps
- Create instructional videos to support election officer training
- Coordinate the bulk address move from RENU to Elections Nunavut’s website to enable street address look-up for Iqaluit, Rankin Inlet, Arviat and Igloolik.





# Elections Nunavut - Conflict of Interest Policy

## Scope

1. This Policy applies to Elections Nunavut and to the following persons when exercising or performing powers, duties or functions under the *Nunavut Elections Act* or the *Plebiscites Act*:
  - (a) all elections officers;
  - (b) all staff employed by Elections Nunavut; and
  - (c) all contractors working for Elections Nunavut.
2. The Chief Electoral Officer shall inform everyone to whom this Policy applies of its requirements.

## Interpretation

3. In this Policy, the following definitions apply:

"Acts" means the *Nunavut Elections Act* and the *Plebiscites Act*;

"child" means a person's natural or adopted child;

"conflict of interest" has the meaning set out in sections 5 and 6;

"election" means an election of a member to the Legislative Assembly;

"election officer" means

- (a) the Chief Electoral Officer,
- (b) any person acting as the Chief Electoral Officer,
- (c) a returning officer,
- (d) an assistant returning officer,
- (e) a supervisory deputy returning officer,
- (f) a deputy returning officer,
- (g) a poll clerk, and
- (h) a registration clerk;

"grandchild" means a person's natural or adopted grandchild;

"interest" includes any personal, professional, legal and financial interest;

"plebiscite" means a plebiscite under the *Plebiscites Act*;

"related person", in respect of a person, means

## Elections Nunavut - Conflict of Interest Policy

- (a) a spouse of the person;
- (b) any former spouse of the person;
- (c) anyone who is living with the person;
- (d) any child or grandchild of the person;
- (e) any child or grandchild of a person referred to in paragraph (a) or (b);
- (f) any parent or grandparent of the person;
- (g) any brother or sister of the person whether by birth or adoption;
- (h) any brother-in-law or sister-in-law of the person whether by birth or adoption;
- (i) any employer of the person;
- (j) any corporation in which the person is officer or director;
- (k) any private corporation in which the person owns or is the beneficial owner of shares;
- (l) any partnership in which the person is a partner; or
- (m) any partnership in which one of the partners is a person referred to in paragraphs (a) to (j).

"spouse" has the same meaning as in the *Family Law Act*, which is either of a man and a woman who

- (a) are married to each other;
- (b) have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under the *Family Law Act*; or
- (c) have cohabited outside marriage, if they
  - (i) have cohabited for a period of at least two years, or
  - (ii) have cohabited in a relationship of some permanence and are together the natural or adoptive parents of a child.

### Duty to Avoid Conflicts of Interest

4. Every person must avoid having or creating a conflict of interest when exercising or performing his or her powers, duties or functions.

### Conflicts of Interests

5. A conflict of interest exists when there is a credible risk that the exercise or performance a person's powers, duties or functions, and in particular the person's oath of office and duty of impartiality, would be adversely affected by
  - (a) the person's own interest;
  - (b) the interest of a related person;
  - (c) the person's relationship to a related person.

## Elections Nunavut - Conflict of Interest Policy

6. Subject to sections 7 and 8, a person is deemed to have a conflict of interest whenever the exercise or performance of his or her powers, duties or functions involve the making of a decision in respect of a related person.
7. The deemed conflict of interest rule in subsection 6 does not apply to
  - (a) registration clerks;
  - (b) poll clerks;
  - (c) supervisory deputy returning officers;
  - (d) deputy returning officers.
8. The Chief Electoral Officer may waive the deemed conflict of interest rule in subsection 6 in the case of a person's spouse or former spouse if satisfied that
  - (a) they are living separate and apart;
  - (b) their legal obligations to each other have been legally and finally resolved; and
  - (c) their relationship presents no credible risk of an adverse effect on the exercise or performance a person's powers, duties or functions, and in particular the person's oath of office and duty of impartiality.

### Use of Information

9. No person shall knowingly take advantage of, or benefit from, information that is obtained in the course of their duties that is not available to the public.
10. No person shall use information gained during the course of exercising or performing his or her powers, duties or functions to further
  - (a) the person's own interest; or
  - (b) the interest of any related person.
11. Section 9 applies for a period of two years after the person ceases to exercise or perform his or her powers, duties or functions.

### Duty of Integrity and Impartiality

12. A person shall act with integrity and impartiality when exercising or performing his or her powers, duties or functions.
13. No person shall
  - (a) assist anyone in their dealings with Elections Nunavut where this would result in preferential treatment;



## **Elections Nunavut - Conflict of Interest Policy**

### **Enforcement**

21. The Chief Electoral Officer shall take all reasonable steps to enforce this Policy pursuant to his or her powers under the Acts and any other applicable laws or policies, which may include suspending or terminating the employment or services of a person who breaches this Policy.
22. If the Chief Electoral Officer has a conflict of interest, the Legal Counsel for Elections Nunavut shall perform the role of the Chief Electoral Officer under this Policy for the period of time necessary for the conflict of interest to be avoided.





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**Nunavut Maligaliurvia**  
**Legislative Assembly of Nunavut**  
**Assemblée législative du Nunavut**

**Office of the Chief Electoral Officer**

**BUDGET REPORT FOR THE PERIOD ended March 31, 2013**

Budget year 2012-13

**Summary**

	Budget	Spent	Committed	Balance
Permanent Salaries	402,000.00	414,940.90	-	(12,940.90)
Casual Wages	25,000.00	20,339.64	-	4,660.36
	<b>427,000.00</b>	<b>435,280.54</b>	-	<b>(8,280.54)</b>

**Nunavut Elections - 0170000**

Travel	80,000.00	58,817.83	-	21,182.17
Materials & Supplies	50,000.00	14,911.68	-	35,088.32
Purchased Services	80,000.00	37,548.34	-	42,451.66
Utilities (Building Related)	-	-	-	-
Contract Services	150,000.00	156,537.34	-	(6,537.34)
Fees and Payments	40,000.00	2,963.95	-	37,036.05
Other Expenses	-	30,876.24	-	(30,876.24)
Tangible Assets	-	-	-	-
Computer hardware & Software	-	10,514.37	-	(10,514.37)
	<b>400,000.00</b>	<b>312,169.75</b>	-	<b>87,830.25</b>

**Pre-Election expenses-01700001**

Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	566.90	-	(566.90)
Materials & Supplies	-	18,009.08	-	(18,009.08)
Purchased Services	-	8,393.75	-	-
Utilities (Building Related)	-	-	-	-
Contract Services	-	27,122.10	-	(27,122.10)
Fees and Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	-	-	-
		<b>54,091.83</b>		<b>(54,091.83)</b>





## Summary

	Budget	Spent	Committed	Balance
<b>Boundaries Commission 0170004</b>				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	-	-	-
Materials & Supplies	-	-	-	-
Purchased Services	-	-	-	-
Utilities (Building Related)	-	-	-	-
Contract Services	-	2,250.00	-	(2,250.00)
Fees and Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	359.40	-	(359.40)
	-	<b>2,609.40</b>	-	<b>(2,609.40)</b>
<b>Election Legislative Dev -0170006</b>				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	-	-	-
Materials & Supplies	-	-	-	-
Purchased Services	-	-	-	-
Utilities (Building Related)	-	-	-	-
Contract Services	-	12,618.35	-	(12,618.35)
Fees and Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	-	-	-
	-	<b>12,618.35</b>	-	<b>(12,618.35)</b>
<b>By Election - Pangnirtung -0170008</b>				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	-	-	-
Materials & Supplies	-	-	-	-
Purchased Services	-	3,792.71	-	(3,792.71)
Contract Services	-	200.00	-	(200.00)
Fees & Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	-	-	-
	-	<b>3,992.71</b>	-	<b>(3,992.71)</b>



## Summary

	Budget	Spent	Committed	Balance
<b>By-Election - Iqaluit West 0170009</b>				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	-	-	-
Materials & Supplies	-	-	-	-
Purchased Services	-	3,792.71	-	(3,792.71)
Contract Services	-	-	-	-
Fees & Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	-	-	-
	-	<b>3,792.71</b>	-	<b>(3,792.71)</b>
<b>By-Election - Tununig 0170010</b>				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	-
Travel	-	-	-	-
Materials & Supplies	-	-	-	-
Purchased Services	-	3,792.72	-	(3,792.72)
Contract Services	-	-	-	-
Fees & Payments	-	-	-	-
Other Expenses	-	-	-	-
Tangible Assets	-	-	-	-
Computer Hardware & Software	-	-	-	-
	-	<b>3,792.72</b>	-	<b>(3,792.72)</b>
<b>Liquor Plebiscites -0172001</b> JV#LEG13-093 - Chargeback to Liquor Commission				
Permanent Salaries	-	-	-	-
Casual Wages	-	-	-	707.54
Travel	-	-	-	-
Materials & Supplies	-	-	-	660.59
Purchased Services	-	-	-	4,313.34
Contract Services	-	-	-	-
Fees & Payments	-	-	-	-
Other Expenses	-	-	-	250.00
	-	-	-	<b>5,931.47</b>
Total	<b>827,000.00</b>	<b>828,348.01</b>	-	<b>(1,348.01)</b>