

CONSOLIDATION OF THE ELECTION REGULATIONS

Made under the *Nunavut Elections Act*

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This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990*, (for regulations made before April 1, 1999) and from the monthly publication of Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. Part II of the *Nunavut Gazette* and this consolidation are also available online at <http://www.justice.gov.nu.ca/english/legislation.html> but are not official statements of the law.

Territorial Printer
Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

Office Consolidation
Prepared by Elections Nunavut
under
s. 272(2)(a) of the *Nunavut Elections Act*

NUNAVUT ELECTIONS ACT

ELECTION REGULATIONS

Interpretation

1. In these regulations, "contact information", in respect of a person or entity, means the person or entity's

- (a) postal and civic address; and
- (b) telephone number, fax number and email address, if any.

Public Notice of Boundaries Commission Hearing

2. The public notice of a public hearing conducted by a boundaries commission must contain

- (a) an invitation to the public to make representations at the public hearing and to make written submissions;
- (b) the date, time and place of the public hearing;
- (c) **Repealed**
- (d) the deadline for submitting written submissions;
- (e) the contact information for the Boundaries Commission; and
- (f) a toll-free number to call for more information.

Proclamation

3. The proclamation must be in Form 1 of the Schedule.

Writ of Election

4. The writ of election must be in Form 2 of the Schedule.

Public Notice of Election

5. (1) The public notice of an election given by a returning officer must be in Form 3 of the Schedule.

(2) The public notice of an election must be given by the returning officer not later than the 34th day before election day.

(3) The returning officer shall ensure that copies of the public notice of an election are posted in as many conspicuous places in the constituency as are reasonably necessary to bring the notice to the attention of the public.

5.1 The public notice of the voters list given by a returning officer under section 57 of the Act must be in Form 3 of the Schedule.

Voter Registration

6. A registration clerk may only register a voter if the registration clerk has personally communicated with the voter.

7. (1) The information to be recorded by an election officer when registering a potential voter must be in the approved registration form.

(2) If the election officer registering a potential voter is not personally aware of both the voter's identity and address, the potential voter must provide documentary evidence of the voter's name, current address and signature for inspection by the election officer.

- (3) For the purposes of subsection (2), documentary evidence must consist of
- (a) one approved document showing the voter's name, current address and signature; or
 - (b) one approved document showing the voter's name and signature and another approved document showing the voter's name and current address.

(4) The election officer must record on the registration form the following information:

- (a) the name of the constituency and the municipality;
- (b) the full name and sex of the voter;
- (c) the contact information of the voter;
- (d) the birth date of the voter;
- (e) confirmation that the voter is eligible to vote in the election;
- (f) any other information being collected by Elections Nunavut that the Chief Electoral Officer directs as being relevant for the purposes of other elections or plebiscites;
- (g) any disability the voter may have that would interfere with voting at the polling station or any other special needs the voter may have relevant to voting.

(5) The voter must sign the registration form and certify the accuracy of the information in the following words: "I certify that the information above is correct".

(6) The election officer must sign the registration form and state his or her belief in the accuracy of the information in the following words: "I believe the information above is correct".

(7) A registration number must be assigned to the registration form on receipt by Elections Nunavut.

8. (1) The registration card must
- (a) be in the approved form; and

- (b) have the return address of the appropriate office of Elections Nunavut.

(2) A voter who wishes to register by using a registration card must provide

- (a) a copy of any documentary evidence required under subsections 7(2) and (3); and
- (b) the same information as is required on the registration form in subsection 7(4).

Voters Lists

9. The printed copies of the voters list must be in Form 4 of the Schedule.

10. Repealed

Voter Information Card

11. The voter information card must be in the approved form and must contain the following information:

- (a) the name of the constituency of the voter;
- (b) the full name and address of the voter;
- (c) the hours and location of the advance polling station;
- (d) the hours and location of the polling station that the voter is expected to use on election day;
- (e) a description of the methods available for voting;
- (f) a toll-free telephone number to call for more information.

Registration at Place of Voting

12. The procedure for the registration of a voter under section 65 of the Act is the same as for the registration of a voter under section 7 of these Regulations.

Declaration of Candidacy

13. (1) The declaration of candidacy for a candidate must contain the following:

- (a) the name of the constituency in which the person wishes to be a candidate;
- (b) a warning that if a person files a declaration of candidacy in more than one constituency, all the declarations for that person are void and the person shall not be a candidate in the election;
- (c) the full name of the prospective candidate and his or her contact information;
- (d) the name of the prospective candidate exactly as he or she wishes it to appear, in the official languages preferred by the candidate, in the order in which they are to be placed on the ballot;

- (e) an oath or affirmation from the prospective candidate that he or she is eligible to be a candidate and wants to be a candidate;
- (f) the signature of the prospective candidate;
- (g) the full name of the candidate's financial agent and his or her contact information;
- (h) a declaration by the financial agent that he or she is eligible to be a financial agent and that he or she is aware of and accepts the duties of a financial agent under the Act;
- (i) the signature of the financial agent;
- (j) the full name, postal or civic address and signature of each person who witnessed any person sign the declaration of candidacy;
- (k) a completed jurat for each oath, affirmation and declaration.

(2) When setting out the full name of a prospective candidate in the declaration of candidacy,

- (a) titles, degrees or prefixes must not be included;
- (b) a nickname commonly used by the prospective candidate may be included with the given names; and
- (c) a normal abbreviation of one or more of the given names of the prospective candidate may be substituted for the given name or names.

(3) A candidate cannot be a witness to any signature in the declaration of candidacy.

(4) The financial agent cannot be a witness to the signature of candidate in the declaration of candidacy.

Photos of Candidates

14. (1) A digital photo of a candidate must clearly show only the head and shoulders of the candidate against a plain, light-coloured background and must have been made no earlier than 12 months before election day.

(2) The photo must be sent to Elections Nunavut as a 72 dpi compressed jpeg file.

(3) The photo must be capable of producing a printed photo that is 12.7 cm square at 300 dpi and must contain at least 2 million pixels.

(4) The photo may not be edited by Elections Nunavut and must be rejected if it fails to meet the standards required by this section.

15. (1) The photo of a candidate must be displayed on a poster in the form of a ballot that is displayed on the walls of the polling station adjacent to the voting compartments.

(2) Each name and photo of a candidate must be placed side by side on the poster inside an area of uniform size that at least 75 cm wide and 12 cm high.

(3) A blank space will be placed opposite any candidate who does not provide a photo that meets the standards of section 14.

Appointments and Revocations

16. The appointment of a campaign manager by a candidate must include the following:

- (a) the name of the constituency;
- (b) the full name of the campaign manager and his or her contact information;
- (c) the date of the appointment;
- (d) a declaration from the campaign manager that he or she is eligible to be a campaign manager and that he or she is aware of and accepts the duties of a campaign manager under the Act;
- (e) the signature of the candidate;
- (f) the signature of the campaign manager.

16.1 (1) A candidate who revokes the appointment of his or her campaign manager must give written notice of the revocation to the returning officer without delay.

(2) The notice of the revocation of the appointment of a campaign manager must include the following:

- (a) the name of the candidate and the constituency;
- (b) the full name of the former campaign manager and his or her contact information;
- (c) the date the revocation is to take effect;
- (d) the signature of the candidate;
- (e) a declaration by the candidate of how and when the former campaign manager was advised of the revocation of his or her appointment or the reasons why not.

16.2 (1) A candidate who revokes the appointment of his or her financial agent must at the same time appoint a new financial agent.

(1.1) The candidate must give written notice to the returning officer of the revocation and new appointment without delay.

(2) The notice of the revocation and new appointment must include the following:

- (a) the name of the candidate and the constituency;
- (b) the full name of both the new and former financial agent and their contact information;
- (c) the date the revocation is to take effect;

- (d) a declaration from the new financial agent that he or she is eligible to be a financial agent and that he or she is aware of and accepts the duties of that position under the Act;
- (e) the signature of the candidate;
- (f) the signature of the new financial agent;
- (g) a declaration by the candidate of how and when the former financial agent was advised of the revocation of his or her appointment or the reasons why not.

Election Notice

- 17.** (1) The election notice under section 84 of the Act must include the following:
- (a) the full name and contact information of each candidate in that constituency, as stated in the candidate's declaration of candidacy, in the order in which those names are to be placed on the ballot;
 - (b) the full name and contact information of each candidate's financial agent, as stated in the declaration of candidacy;
 - (c) the full name and contact information of each candidate's manager, as stated in the campaign manager's appointment;
 - (d) the name of the constituency;
 - (e) the location and hours of each polling station in the constituency;
 - (f) the location and hours of each advance polling station.

(2) The returning officer may attach a map to the election notice outlining the boundaries of the constituency and the location of each polling station.

(3) The returning officer shall ensure that the election notice is posted in the same manner as the public notice of an election.

(4) The Chief Electoral Officer shall ensure that a copy of the notice of election is inserted in at least one newspaper circulating in each constituency.

Ballots

- 18.** (1) The ballot must be in Form 7 of the Schedule.
- (2) The special ballot must be in Form 8 of the Schedule.

Election Materials

19. The returning officer shall, no later than the 3rd day before election day or, where appropriate, the 3rd day before the day of the advance vote, supply to each deputy returning officer in the constituency the following materials:

- (a) a sufficient number of ballots for at least the number of voters on the voters list;

- (b) a statement of the quantity and serial numbers of the ballots supplied;
- (c) a sufficient number of copies of the directives to voters on how the vote shall take place, prepared by the Chief Electoral Officer;
- (d) a copy of the directive of the Chief Electoral Officer relating to establishing the identity of voters;
- (e) the supplies and accessories necessary for voters to mark their ballot;
- (f) a sufficient number of templates supplied by the Chief Electoral Officer to assist voters who are visually disabled to vote without assistance;
- (g) a sufficient number of copies of the voters list for use at each polling station;
- (h) the oath and affirmation forms approved by the Chief Electoral Officer;
- (i) the documentation required for the registration of voters at the place of voting;
- (j) a ballot box for each polling station;
- (k) a polling record for each polling station;
- (l) a copy of the poster with the names and photos of the candidates;
- (m) the materials necessary for the vote and for counting the votes, including the various envelopes in which to place the ballots.

Ballot Procedures

- 20.** (1) Each voter shall, after receiving a ballot,
- (a) proceed directly to the voting compartment;
 - (b) mark the ballot in the proper way;
 - (c) fold the ballot as instructed by the deputy returning officer so that the initials on the back of the folded ballot and the serial number on the back of the stub are visible without unfolding the ballot; and
 - (d) return the ballot to the deputy returning officer.
- (2) The deputy returning officer shall, upon receiving the ballot from the voter,
- (a) without unfolding the ballot, verify that it is the same one that was handed to the voter by examining the initials and serial number on the back of the ballot;
 - (b) remove and destroy the counterfoil in full view of the voter and all others present; and
 - (c) return the ballot to the voter who deposits it in the ballot box or, if the voter so requests, deposit the ballot in the ballot box for the voter.
- (3) The poll clerk shall cross out in the polling record the name of the voter who has voted.

Polling Record

21. The Chief Electoral Officer shall prepare a polling record containing the following:

- (a) the name of the constituency;
- (b) the name or identifying number of the polling station;
- (c) the name and address of each voter on the voters list;
- (d) blank spaces at the end of the polling record to list voters who register at the place of voting;
- (e) a consecutive number for each voter;
- (f) a place for the poll clerk to record any occurrence or information required by the Act, these regulations or the directives of the Chief Electoral Officer.

22. The poll clerk shall record in the polling record the following information in accordance with the directives of the Chief Electoral Officer:

- (a) the name of each voter who was required to show proof of identity or to take an oath or affirmation and whether the voter took the oath or affirmation or not and whether the voter voted or not;
- (b) the name and postal or civic address of any person who objected to the inclusion of a voter;
- (c) **Repealed**
- (d) any case where a replacement ballot was issued to a voter;
- (e) **Repealed**
- (f) the name of each voter who received assistance to vote and, opposite to the voter's name, the name of the person who provided the assistance and the relationship with the voter, if any;
- (g) the name of any voter who voted outside the polling station;
- (h) the name and contact information of any voter who registered at the polling station, as well as a consecutive number for that voter;
- (i) the name and contact information of any proxy voter;
- (j) any occurrence which the deputy returning officer directs the poll clerk to record pursuant to the directives of the Chief Electoral Officer.

Special Ballot

23. (1) A special ballot must be accompanied by a secrecy envelope, a certification envelope and a return envelope in such colours as may be approved by the Chief Electoral Officer.

(2) The secrecy envelope is a blank envelope that the voter uses to enclose the special ballot.

(3) The certification envelope must have

- (a) blank spaces to record the full name, postal and civic address and constituency of the voter and any other information that the Chief Electoral Officer may require;
- (b) a unique and distinctive number; and
- (c) a place for the voter to certify that the voter has not already voted in the election and will not vote in the election again after using the special ballot.

(4) The return envelope must have prepaid return postage and the address of the appropriate office of Elections Nunavut.

24. To use a special ballot, a voter must take the following steps:

- (a) place the marked ballot in the secrecy envelope and seal it;
- (b) complete the information on the certification envelope;
- (c) place the secrecy envelope in the certification envelope and seal it;
- (d) place the certification envelope in the return envelope and seal it;
- (e) send the return envelope to Elections Nunavut.

Close of Advance Vote

25. (1) After the close of the advance vote, the deputy returning officer shall

- (a) count the number of voters who voted at the polling station and record the total on the polling record;
- (b) place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;
- (c) count the number of unused ballots that are not detached from the books of ballots, and record the total on the record of the ballots;
- (d) place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;
- (e) count the number of used ballots and record the total on the polling record;
- (f) check the number of ballots supplied by the returning officer against the number of spoiled ballots, unused ballots and ballots deposited in the ballot box;
- (g) make a copy of the polling record to send to the returning officer;
- (h) put the used ballots and originals of the record of the ballots and statement of the poll in the special envelope provided for this purpose, note on the outside of the envelope the number of used ballots it contains and seal the envelope;
- (i) put all the materials in the ballot box and seal it.

(2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.

Close of Poll on Election Day

26. (1) After the close of the poll on election day, the deputy returning officer shall
- (a) count the number of voters who voted at the polling station and record the total on the statement of the poll;
 - (b) count the spoiled ballots, if any, and record the total on the statement of the poll;
 - (c) place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;
 - (d) count the number of unused ballots that are not detached from the books of ballots, and record the total on the statement of the poll;
 - (e) place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;
 - (f) open the ballot box and empty its contents onto a table;
 - (g) examine each ballot to determine whether it is valid and allow those present an opportunity to examine them;
 - (h) count the number of votes given to each candidate and record the total for each candidate on the statement of the poll;
 - (i) count the number of rejected ballots and record the total on the statement of the poll;
 - (j) place the ballots cast for each candidate into the special envelope provided for this purpose, note on the outside of the envelope the number of ballots it contains and any objections and seal the envelope;
 - (k) place the rejected ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of rejected ballots it contains and seal the envelope;
 - (l) check the number of voters against the number of ballots in the ballot box;
 - (m) check ballots supplied by the returning officer against the number of spoiled ballots, unused ballots and ballots deposited in the ballot box.

(2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.

(3) Each count referred to in subsection (1) must be done twice before the final result is recorded on the statement of the poll.

(4) Where, in the course of counting the votes, any ballot is found with the counterfoil still attached to the ballot, the deputy returning officer shall, while carefully

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concealing the number on the counterfoil from all persons present and without examining it, remove and destroy the counterfoil.

SCHEDULE

FORM 1

PROCLAMATION OF ELECTION

NUNAVUT

I hereby give the following instructions, pursuant to the *Nunavut Act* and every enabling power:

A general election shall be held in Nunavut (or by-election shall be held in the constituency of);

The election day shall be the day of, 20...;

The date of the return of the writs shall be the day of, 20...;

The Chief Electoral Officer shall issue a writ of election to the returning officer of (each / the) constituency on the day of, 20....

.....
Commissioner of Nunavut

FORM 2

WRIT OF ELECTION

NUNAVUT

.....
Commissioner of Nunavut

Elizabeth the Second, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

To.....
of....., Nunavut.

GREETINGS:

WHEREAS the Legislative Assembly of Nunavut has terminated or been dissolved and the Commissioner of Nunavut has instructed the issue of writs for the election of members of a new Legislative Assembly (*omit the foregoing preamble in case of a by-election*);

WE COMMAND YOU, that notice of the time and place of election being duly given,

YOU DO CAUSE an election to be made according to law of a member to serve in the Legislative Assembly of Nunavut for the constituency of

AND YOU DO CAUSE the filing of declarations of candidacy to close onat 2:00 p.m.;

And if an election becomes necessary, that the election day be held on

AND YOU DO CAUSE the name of such member when so elected to be certified to the Chief Electoral Officer, in accordance with the *Nunavut Elections Act (in case of a by-election, omit the following)* as soon as possible and not later than, 20

Dated aton....., 20.....

BY COMMAND
Chief Electoral Officer

(Reverse Side)

RETURN OF THE WRIT

As the returning officer for the constituency of,

I certify that, under the foregoing writ, the candidate who received the largest number of votes cast at the election held on, and who has been duly elected is:

or

having been duly elected by acclamation is:

.....

(State name, civic address, of member, as on declaration of candidacy)

Date:

Returning Officer:

Record of Receipt of Return:

Date:

Chief Electoral Officer:

FORM 3

PUBLIC NOTICE OF ELECTION / VOTERS LIST

An election has been called to elect a member of the Legislative Assembly for the Constituency of

Election Day : between [9]:00 a.m. and [7]:00 p.m. (Local Time)
(unless voting is not required)

Early Voting Opportunities:

- Voting in the Office of the Returning Officer: during office hours.
- Advance Vote:between 12:00 noon and 7:00 p.m.
- Mobile Poll:

The Returning Officer is

Contact Information:

Office Hours:

The Assistant Returning Officer / Delegate of Returning Officer is

Contact Information:

ATTENTION ALL POTENTIAL CANDIDATES

The Filing of Declarations of Candidacy will close on at 2:00 p.m.

The Declarations of Candidacy for Candidates must be hand delivered to the Returning Officer / Assistant Returning Officer / Delegate.

INSPECTION OF VOTERS LIST

Any voter may inspect the voters list at an office of the Returning Officer on during office hours.

OBJECTIONS TO THE VOTERS LIST

Any person may object to a person being on a voters list as follows:

- You must put the objection in writing:
 - State your name, postal address and phone number
 - State the name of the person you object to
 - State the reason why that person is not qualified vote
- Send your objection to the office of the Chief Electoral Officer:
 - By fax at number +1 (800) 269-1125
 - By e-mail to skusugak@elections.nu.ca

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- By regular mail to: Elections Nunavut
43-4 Sivulliq Ave., Box 39
Rankin Inlet, NU X0C 0G0
- The deadline for receipt of objections is

The Chief Electoral Officer will then

- Notify the person being objected to
- Consider the matter and investigate if necessary
- Make a decision and give a copy to the people involved.

FORM 5

Repealed

FORM 6

Repealed

Form 7
Ballot

Candidate A ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate B ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate C ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate D ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate E ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate F ፀጋፈሪ ኔግ ጭ	<input type="radio"/>
Candidate G ፀጋፈሪ ኔግ ጭ	<input type="radio"/>

XXX

Initials of Deputy Returning Officer:

Initiales du scrutateur:

ΔΠϭϭϭϭϭϭ ϭϭϭϭϭϭϭϭ ϭϭϭϭϭϭϭϭ:

Constituency of:

Circonscription de:

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Polling Day:

Jour du scrutin:

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Printed by:

Imprimé par:

ΔΓϭϭϭϭϭϭ ϭϭϭ:

FORM 8

SPECIAL BALLOT

I VOTE FOR

σᓂᓕᓐᓂᓐ
NIRUAQTARA
JE VOTE POUR

Name of candidate of your choice
 σᓂᓕᓐᓂᓐ ᓂᓕᓐᓂᓐ ᓂᓕᓐᓂᓐ ᓂᓕᓐᓂᓐ ᓂᓕᓐᓂᓐ
 Niruagakhaup atinga niruaqtait
 Nom du candidat de votre choix

0001

SPECIAL BALLOT PAPER SUPPLIED BY THE CHIEF
 ELECTORAL OFFICER
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AHIAGUT NIRUARUTI NIRUAQTULIQIT
 ATANIANNIT PIYUT
 BULLETIN DE VOTE SPÉCIAL FOURNI PAR LA
 DIRECTRICE GÉNÉRALE DES ÉLECTIONS

ELECTION – CONSTITUENCY OF
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 NIRUARNGNIQ – KIVAQTURVINGMUT
 CIRCONSCRIPTION DE

ELECTION DATE
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 NIRUARVIKHAUP UBLUA
 JOUR DU SCRUTIN

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