

## ***Plebiscite Authorities Guide***

### ***Administer a Nunavut-wide Plebiscite***

### ***under the Plebiscites Act***



#### ***Information for:***

- ***Nunavut Legislative Assembly***
- ***Commissioner in Executive Council***
- ***Minister of a GN Department***









## Plebiscite Basics

A plebiscite happens when eligible voters answer a question on a secret ballot, to vote and give their opinion about an important public issue.

Two examples of past Nunavut-wide plebiscites:

- Where do you want to have Nunavut's capital—Iqaluit or Rankin?
- Should each Nunavut constituency elect one female and one male MLA—yes or no?

The results of a plebiscite may be binding OR non-binding.

- Binding means that the plebiscite authority must follow the results of the plebiscite.
- Non-binding means that the plebiscite authority may choose to follow the results, or not.

A plebiscite may be Nunavut-wide or local.

- Nunavut-wide: for all eligible voters in Nunavut.
- Local: for all eligible voters in an affected area—such as a hamlet or other defined geographic area.





---

**Plebiscite Period Calendar for a Nunavut-wide Plebiscite**

<b>Important days</b>	<b>What happens on that day</b>
<b>Plebiscite Day</b>	Voting at each polling station. Authorized reps follow the rules at the polling station.

---

**Post Plebiscite Calendar for a Nunavut-wide Plebiscite**

<b>Important days</b>	<b>What happens on that day</b>
<b>10 days after Plebiscite Day</b>	Deadline for registered groups and others to remove all campaign materials.
<b>60 days after Plebiscite Day</b>	Deadline for financial agent to complete and file the campaign financial return.
	Deadline for registered groups to destroy all copies of the voters lists that they received, or return them to Elections Nunavut.



A group is not eligible if they:

- Do not have a true interest in the plebiscite question.
- Are not governed by a written constitution, memorandum of association, membership agreement, or similar document.
- Are bankrupt.
- Or any of their members, have broken a law within the last five years—anywhere in Canada—that relates to an election, plebiscite, or referendum.
- Are not in good standing with Government of Nunavut Legal Registries.

### **Application form, authorized representative, financial agent**

A registered group must apply to Elections Nunavut using the proper form. On the form they must name a financial agent and an authorized representative. See the form at [www.elections.nu.ca](http://www.elections.nu.ca)

The following people are NOT eligible to be a financial agent:

- A person who is not an eligible voter.
- A member of the Legislative Assembly or candidate for election to the Legislative Assembly.
- A corporation, except an accounting business.
- A plebiscite officer.
- A person prohibited under the *Public Service Act*.
- A person who—in the past five years—broke a law anywhere in Canada related to an election, a plebiscite, or a referendum.
- A person who—in the past five years—signed a compliance agreement relating to a plebiscite or election, and did not follow the agreement.

The CEO issues a certificate if they accept the application. The CEO rejects the application if the:

- Application is incomplete or filed after the deadline.
- Application does not include all the needed information.
- Application includes false information.
- Name of the group is misleading, confusing, or deceiving.









- Provide information about the plebiscite issue / topic, to people that ask for it.
- Provide the CEO with the information they need to inform the public about the plebiscite.
  - A neutral explanation of the topic.
  - A neutral explanation of the question.
  - The question.
  - Explanation of whether the results are binding.
  - Any other information the CEO needs to promote public awareness and encourage voters to vote.
- Pay for the plebiscite.

The CEO reviews all accounts related the plebiscite and sends a copy of to the PA.

The PA covers all plebiscite expenses that Elections Nunavut and the Integrity Commissioner have, that relate to conducting the plebiscite.
- Follow the plebiscite results if the plebiscite authority stated that the results are binding and at least 50% of the votes are the same.
- Not hold another plebiscite on the same or similar question in the same area for at least five years.

---

### Elections Nunavut responsibilities to the PA

- Ask the PA to re-write the plebiscite question if needed. For example, if the question is biased or unclear; or voters cannot easily understand it.
- When the PA asks, give them information about the threshold number of petitioners—20% of registered voters in Nunavut.
- Carry out a Nunavut-wide plebiscite according to the laws and rules under the *Plebiscites Act*. For example:
  - Register groups that want to collect money and advertise for either side of the question. Review and publish their financial reports.















## Glossary for *Plebiscites Act*

Word	Meaning
<b>Affected area or plebiscite area</b>	The geographic area where the plebiscite has influence. May be Nunavut-wide, a municipality, or other defined area. The writ identifies the affected area.
<b>Affected voters or eligible voters</b>	The people within the affected area who are eligible to vote in the plebiscite. For most plebiscites this is anyone eligible to vote in an election for MLAs. For some plebiscites, the plebiscite authority may need or want other groups of Nunavummiut to vote. The writ identifies eligible voters, including any special conditions.
<b>Affirm</b>	A formal, legal promise that something is true; a promise to do something; the most serious promise a person can make. If you break this promise it's the same as breaking the law. Similar to declaration, oath, or swear.
<b>ARO</b>	Assistant returning officer, Elections Nunavut. The plebiscite officer responsible to help the RO manage everything about the plebiscite in their community or area.
<b>Auditor</b>	The person that the CEO hires to review each registered group's financial return, to make sure it is complete and accurate.
<b>Authorized representative</b>	Person appointed or designated to represent a group of petitioners, the plebiscite authority, or a registered group.
<b>Ballot</b>	The official paper where voters make a mark in the circle beside their choice to answer the plebiscite question.
<b>Binding</b>	For the <i>Plebiscites Act</i> , when a plebiscite is binding the plebiscite authority must follow the results. The writ states if the plebiscite is binding or not.
<b>Campaign</b>	Any ads or other materials—audio, visual, digital—that promote or oppose one side of the plebiscite question.
<b>CEO</b>	Chief Electoral Officer—the person in charge of Elections Nunavut.







