Nunavut Elections Act

Judicial Recount Manual

ELECTIONS NUNAVUT
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Notes:

This Manual sets out Elections Nunavut's current interpretation of the *Nunavut Elections Act*. It was prepared to help understand the process for a judicial recount under the *Act*. The views expressed in this Manual are not law and are not intended to replace the official text of the *Act*.

Please direct any questions or comments about this handbook to

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Forms for Automatic Recounts

1. Affidavit in Support of Recount Application
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4. Affidavit of Service of Notice
5. Application for Judicial Recount – Elections Nunavut
6. Application for Judicial Recount – Voter
7. Certification of Recount Results – Elections Nunavut
8. Certification of Recount Results – Voter
9. Notice of Judicial Recount
10. Summons to Returning Officer

Materials for Recount Procedure

1. Tally sheets
2. Ballot format
   - Regular Ballot
   - Special Ballot
3. Guide for DRO's to Accept and Reject Ballots
4. DRO Election Day Manual
5. Writ of Election after Recount – Tie

CD 2

Nunavut Elections Act

Introduction

Purpose of this Manual

This Manual is designed to provide a better understanding of judicial recounts carried out under the *Nunavut Elections Act* ("*NEA*"). This Manual is designed for reference purposes only. It is not an official statement of the law. It does not take precedence over legislation. The relevant provisions of the *Act* should be read. The Manual can be found on Elections Nunavut website - www.elections.nu.ca, in the Documents and Legislation section.

The titles of the forms used in this Manual are first shown in **bold.** You will find samples of all forms and materials in the Appendix. Word versions of all forms are on a CD attached to the back cover of this Manual. An electronic copy of the *Nunavut Elections Act* is also attached.

Note: This manual is to be used with a Judicial Recount Kit. Elections Nunavut prepares a kit for each recount.

Automatic Recounts

Judicial recounts are automatic where there is less than 2% difference between the votes cast for the winning candidate and those cast for the candidate who came in second place. These are the most common form of recount. *(NEA s. 142)*

Voter Application for Recount

Judicial recounts may also take place upon the application of a voter where there is evidence that election officers have incorrectly counted, tabulated or rejected ballots. *(NEA s. 143)*

Does Not Cover Voiding an Election

This Manual deals only with judicial recounts. It does not address applications to void an election. *(NEA s.154 - 161).* Allegations that the elected candidate was not eligible to be a candidate or that there were irregularities, fraud or illegal practices that affected the result of the election can be addressed only by an application to void an election.

Glossary

Affidavit: A sworn statement that tells the Court facts known to the person making the Affidavit.

Affidavit of Service: A sworn statement that tells the Court when each candidate, financial agent or other person was given a copy of a document, e.g. a copy of the Application.

Application for Recount: The formal document asking the Court to conduct a judicial recount. It is filed by the RO in the case of an automatic recount or by a voter who wants the Court to conduct a recount because there was an irregularity in the counting of votes.

Chief Electoral Officer (CEO): The CEO is in charge of Elections Nunavut. The Commissioner of Nunavut appoints this person to oversee the *Nunavut Elections Act*.

Constituency: A constituency is a geographic area. The voters in each constituency elect a Member of the Legislative Assembly.

Counterfoil: The extra tab on a ballot. The Deputy Returning Officer rips it off just before the ballot goes in the ballot box.

Court: The Nunavut Court of Justice in Iqaluit.

Clerk of the Court: The staff person appointed to be in charge of managing documents for the Nunavut Court of Justice.

Deputy Returning Officer (DRO): The election officer in charge of a polling station. A DRO makes sure voters and candidates follow the law in the polling station. They give out the ballots and count them.

Elections Nunavut: The office and staff of the Chief Electoral Officer. These people run and organize territorial elections.

Election Report: The election report shows how many votes each candidate got. The RO fills it out when they have reviewed the statements of the poll from Election Day. If needed the RO can delay the election report for up to two weeks after Election Day.

Financial Agent: The person who handles all the money for a candidate's campaign. The financial agent takes contributions, pays all the expenses and submits a financial return after the election. They are appointed by the candidate and must sign the declaration of candidacy.

Judicial Recount: A judge of the Nunavut Court of Justice counts all the ballots for a constituency again.

Judge: A judge of the Nunavut Court of Justice.

Notice of Recount: The formal notice from the Court telling the RO and candidates when the Judge will conduct the recount.

Rejected Ballot: A ballot that is marked in the wrong way or a way that identifies the voter. It is not a valid ballot and is counted separately.

Returning Officer (RO): The Election Officer in charge of a constituency. Returning Officers appoint Assistant Returning Officers, Deputy Returning Officers, Poll Clerks and Registration Clerks for each poll. Returning Officers oversee everything about the election in their constituency.

Special Ballot: A way to vote if you're away at school, on vacation, in hospital or at a treatment centre or jail. Other people who need or want to vote by mail can also use a special ballot. You apply to Elections Nunavut to get a special ballot, which must then be mailed back.

Spoiled Ballot: A ballot that is improperly printed, ruined or spoiled and cannot be used. E.g. a voter has marked the wrong candidate and wants to do it again. The DRO will give the voter another ballot to mark. The Spoiled Ballot is not put in the ballot box and is not counted.

Swear: A formal, religious promise that something is true. A person gives their word and swears on the Bible that something is true. Similar to affirming, an oath, or a statutory declaration.

Writ: The official notice to say there is an election. The Chief Electoral Officer sends it to each Returning Officer. Each RO posts the writ in their office.

The Return of the Writ is the backside of the writ. It shows who won the election. The RO fills it out and sends it to the CEO after Election Day. If a candidate wins by acclamation the RO fills out the return of the writ right away.

What is a Judicial Recount?

After a poll closes on Election Day, teams of deputy returning officers and poll clerks count the ballots for each poll in the Constituency.

A team formed of a deputy returning officer and a poll clerk counts special ballots received at the Chief Electoral Officer's office.

A judicial recount must occur automatically where the number of votes separating the candidate who received the most votes and any other candidate is less than 2% of the votes cast.

A judicial recount can be held when a voter applies to the Court and gives credible affidavit evidence that there was an error in counting the votes.

A judicial recount means a judge of the Nunavut Court of Justice will actually recount all the ballots cast at the election.

The procedures for a judicial recount in respect of an election are provided for in sections 142 to 152 of the *Nunavut Elections Act*. These sections are included in this manual.

Recounts do not occur when someone complains that there were violations of the *Act* like fraud or other illegal acts. Those allegations are dealt with through an application to void an election. Any person who believes that there was a violation of the *Act* should inform the RCMP. A written complaint can be sent by mail or fax to any local RCMP office. It is the duty of the RCMP to investigate complaints of violations or misconduct.

Automatic Recount Procedure

When

1. This is the most common form of recount.

2. A recount is automatically required in an election when the difference in votes between the top two candidates is less than 2% of the total number of votes cast in the Constituency.

3. In making this calculation, rejected ballots are not counted.

4. The procedure is by making an Application to the Nunavut Court of Justice in Iqaluit.

RO makes application

5. The Returning Officer must make the recount application. Use the form: **Application for Judicial Recount *(Returning Officer version)*.**

6. The Court may dismiss the Application, before or during the hearing, if it appears to be frivolous, vexatious or unfounded. However, this is not likely in the case of an automatic recount.

Filing at Court

7. The Application must be filed with the Court. Normally, Elections Nunavut sends the Application to the Clerk of the Court by fax or email. There is no fee for filing this Application.

8. A staff member of the Court receives the Application and date stamps and files it.

9. The Court assigns a file number to the Application. This file number must be included at the top of all court documents.

10. The Court may order the production of additional information or documents.

Serving copies of documents

11. Elections Nunavut serves a copy of the Application on the candidates or their financial agents.

12. After each candidate / financial agent has been served, the returning officer must fill out an affidavit of service explaining how and when the notice was served. Use the form: **Affidavit of Service *(Returning Officer version).***

Date and Time

13. The Court decides on the date, time and place to conduct the recount.

14. The date must be within 10 days after the Court receives the Application, or as soon as possible thereafter.

15. The Court may extend the time limits respecting recounts.

16. Once the Court has chosen a date for the recount, the Court will issue a summons to the returning officer to attend at the Court with the election material. Use the form: **Summons to Returning Officer.**

17. The Clerk of the Court is responsible for notifying each candidate of the date, time and place of the application.

Attending Court

18. The RO and the CEO attend Court for the recount.

19. Each candidate, or his or her representative, and each candidate's lawyer may attend the recount. During the recount, they are allowed to make any objection that would be permitted under the procedures applicable to the first counting of votes.

20. If a candidate is not present or represented at a judicial recount, any three voters who ask to attend on behalf of the candidate are entitled to attend.

21. No other person shall be present at the recount except with the permission of the judge.

Conducting Recount

22. On the day appointed for the recount, the Court will begin a physical recount of all the ballots.

23. The spoiled ballots are not counted.

24. All other ballots cast in the constituency must be recounted, including the rejected ballots.

25. The ballot boxes for each Poll must be opened one by one. The ballots for each Poll should be counted together and the results separately recorded for each Poll.

26. If a Poll was combined with another Poll to protect the secrecy of the vote, the results also should be combined.

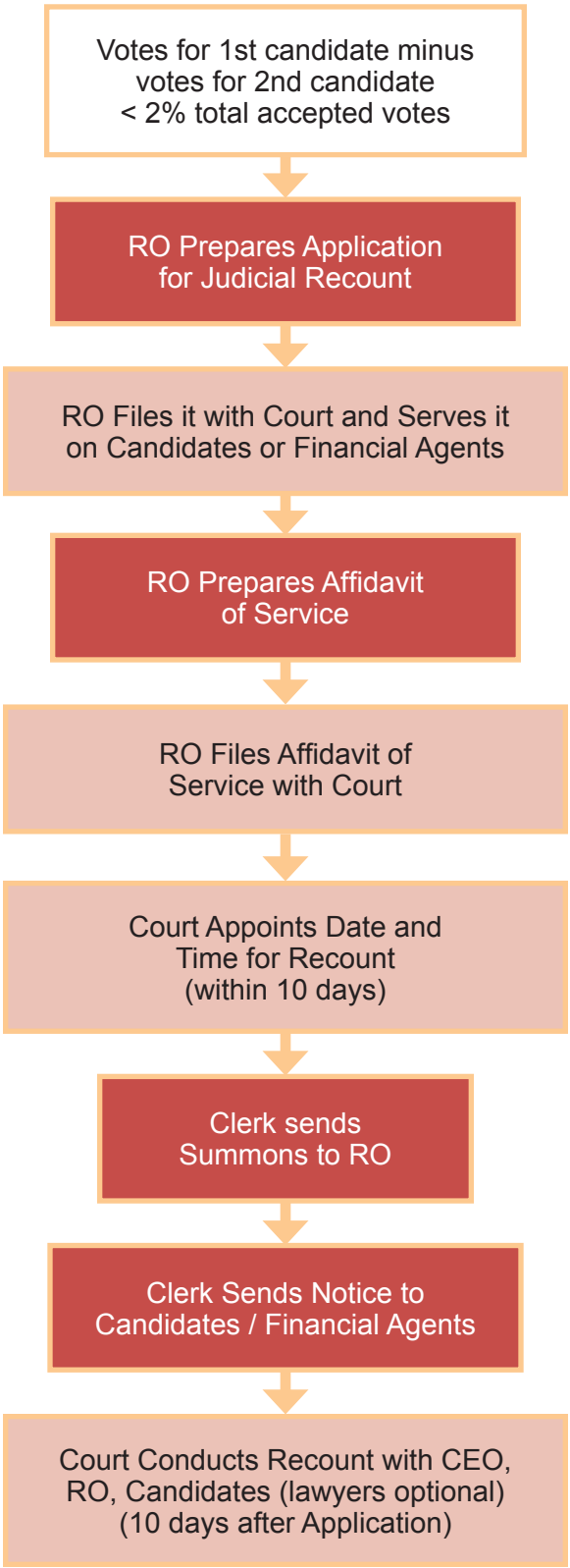
27. Only the Judge, the Court Clerk or persons authorized by the Judge are permitted to touch and handle the envelopes, documents and ballot papers. However, any party may ask to see how each ballot paper is marked.

Results of Recount

28. At the conclusion of a recount, the Judge seals all the election material and certifies the number of votes cast for each candidate.

29. The Judge sends a copy of the certification to the candidates and Elections Nunavut.

Diagram of Automatic Recount Procedure



Recount Application by Voter

Any voter can request a recount

1. Any voter may also apply to the court for a recount. Use the form: **Application for Judicial Recount *(Voter version)*.**

2. A voter may wish to consult his or her own legal counsel before making an application for a judicial recount.

3. The Chief Electoral Officer, who is a voter, can also use this procedure in appropriate cases.

4. This application can be made in any election if there are appropriate grounds. It can be made when there is no automatic recount or at the same time as an automatic recount, but that case is not very likely.

5. The Court may dismiss the application, before or during the hearing, if it appears to be frivolous, vexatious or unfounded.

Deadline

6. There is a short deadline for this type of recount.

7. The voter must make the application before the end of the 8th day after the declaration by the returning officer of the result of the election in the constituency.

Limited reasons

8. There are limited reasons or grounds for this type of recount.

9. A voter may only make an application for a judicial recount for the following reasons:

    a. a deputy returning officer improperly counted the votes or improperly rejected any ballot papers;
    b. a deputy returning officer made an incorrect statement of the number of votes cast for any candidate; or
    c. the returning officer improperly added up the votes.

10. The voter must set out, in the application, the facts that justify the application.

11. The voter must also file an affidavit or statutory declaration that establishes these facts. Use form: **Affidavit in Support of Recount Application**.

Deposit

12. The voter must also file a deposit of $250 with the Court. The deposit is security for the costs of the candidate who obtained the largest number of votes.

13. The money must be in a form acceptable to the Clerk of the Nunavut Court of Justice. The voter should check with the Clerk for the acceptable form of deposit, e.g. cheque, money order or cash.

Rules of Court

14. An application by a voter must be made in accordance with the Rules of the Nunavut Court of Justice.

15. The voter must follow the practice and procedure of the Court for an originating application.

16. The Rules of Court can be found at: www.nucj/rules.htm

Filing at Court

17. A staff member of the Court receives the application, affidavit and deposit. The Application is date stamped and filed.

18. A file number is assigned to the application by the Court. This file number must be included at the top of all court documents.

Serving copies of documents

19. The voter must serve a copy of the **Application** and **Affidavit in Support** on the returning officer and all the candidates or their financial agents.

20. After each candidate / financial agent has been served, the voter must fill out an affidavit of service explaining how and when the notice was served. Use the form:

    Affidavit of Service *(Voter version).*

Date and time

21. The Court decides on the date, time and place to conduct the recount.

22. The date must be within 10 days after the Court receives the application, or as soon as possible thereafter.

23. If the Court so orders, the voter must give the Court and other parties additional information or documents.

24. The voter can ask the Court to extend the time limits respecting recounts.

25. Once the Court has chosen a date for the recount, the Court will issue a summons to the returning officer to attend at the Court with the election material.

26. The Clerk of the Court is also responsible for notifying each candidate of the date, time and place of the application.

Attending Court

27. The voter must attend the recount.

28. The returning officer and the CEO will also attend the Court for the recount.

29. Each candidate, or his or her representative, and each candidate's lawyer may also attend the recount.

30. If a candidate is not present or represented at a judicial recount, any three voters who ask to attend on behalf of the candidate are entitled to attend.

31. No other person shall be present at the recount except with the permission of the Judge.

Making arguments

32. The voter must be prepared to justify why there are reasons to hold a recount. There are only the three reasons (explained above) that justify this.

33. The CEO, RO and the candidates may make arguments too.

34. On the day appointed for the recount, the Court will hear the arguments from the voter and decide whether to proceed with a recount.

35. If the voter justifies the recount, the judge will begin a physical recount of all the ballots.

36. Candidates are allowed to make any objection that would be permitted under the procedures applicable to the first counting of votes.

Conducting the Recount

37. All the ballots cast in the constituency must be recounted, including the rejected ballots.

38. The ballot boxes for each Poll must be opened one by one. The ballots for each Poll should be counted together and the results separately recorded for each Poll. If there were few special ballots, the special ballots may have been reported with the early polls.

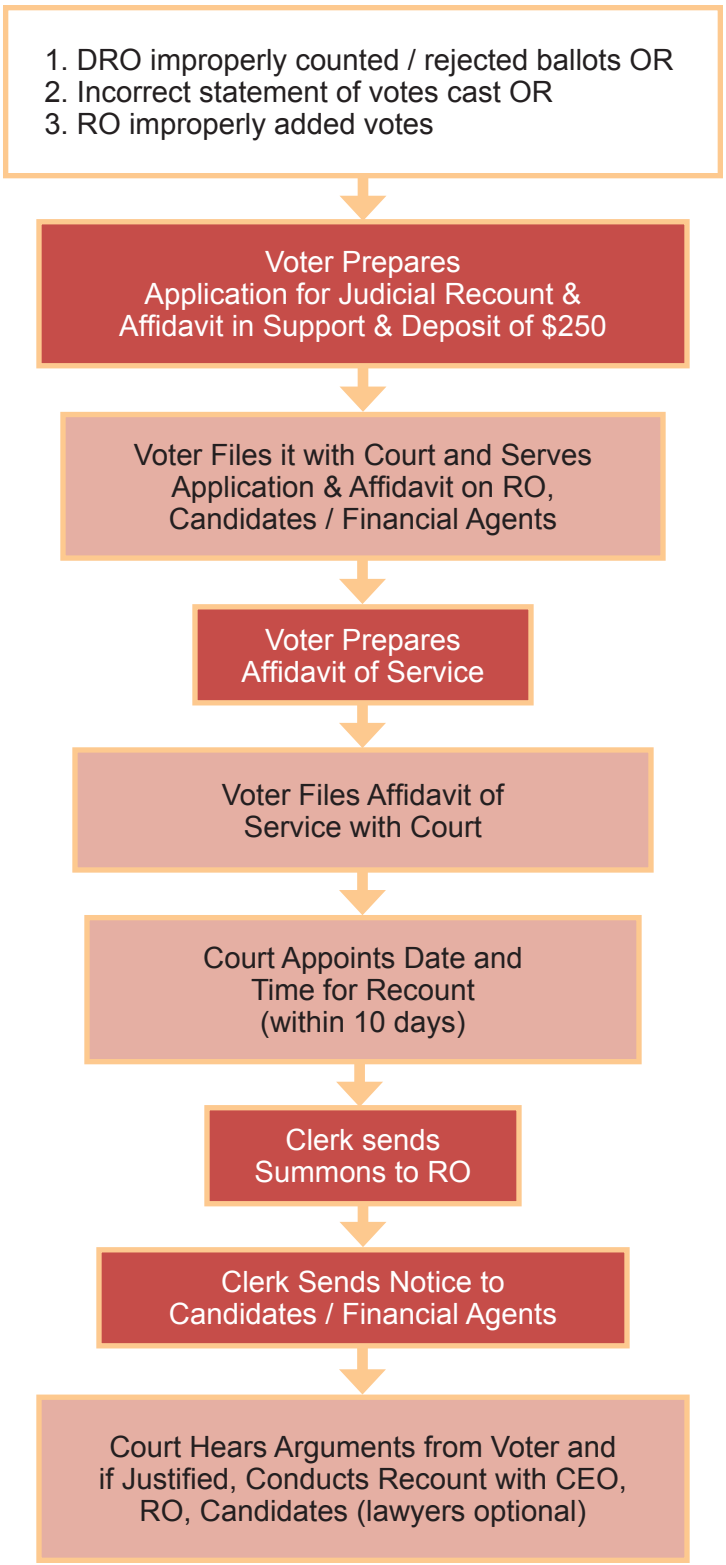
39. Only the Judge, the Court Clerk or persons authorized by the Judge are permitted to touch and handle the envelopes, documents and ballot papers. However, any party may ask to see how each ballot paper is marked.

Results of Recount

40. At the conclusion of a recount, the Judge seals all the election material and certifies the number of votes cast for each candidate.

41. The Judge sends a copy of the **Certification of Results of the Recount** to the candidates and Elections Nunavut.

Diagram of Voter's Application Recount Procedure



Notes for Elections Nunavut

Headquarters Staff

Are there grounds?

1. The CEO will help the RO decide if a recount is automatically required.

2. The recount is triggered when the difference between the number of votes in favour of the candidate having received the most votes and any other candidate is nil or less than 2% of the total number of votes cast in the constituency.

   Number of votes for 1st Candidate = _____(N1)
   Number of votes for 2nd Candidate = _____(N2)
   Total votes cast for all Candidates = _____(T)
   (Don't include spoiled ballots or rejected ballots)

   Recount if N1 – N2 is less than 2% of T

3. In making this calculation, spoiled ballots and rejected ballots are not to be counted.

Application

4. Elections Nunavut will help the Returning Officer fill out the **Application for Judicial Recount *(Returning Officer version).***

5. Elections Nunavut will by fax or email send to the Clerk of the Court in Iqaluit a copy of the Application. There is no fee for filing the application.

6. Elections Nunavut gets the file number of the Application from the Clerk of the Court.

7. Elections Nunavut should make sure that the file number given to the Application by the Court is included at the top of all court documents.

Serving documents

8. If possible, the RO or another person chosen by Elections Nunavut should hand deliver a copy of the Application to each candidate personally. If that is not possible, hand deliver it to the candidate's financial agent. If that is not possible, send it to the candidate or financial agent by fax or email at their official contact fax number or email address.

9. Elections Nunavut should confirm that the RO has served a copy of the Application on the candidates or their financial agents.

10. After the RO delivers a copy to each candidate, Elections Nunavut sends a partially completed copy of the **Affidavit of Service *(Returning Officer version).***

11. The names of the candidates / financial agents should be filled in. The RO fills in the dates the copy was delivered in the space provided.

12. Once the Court decides on the date and time for the recount, Elections Nunavut helps the Clerk prepare the form: **Notice of Judicial Recount**.

13. Elections Nunavut makes sure the RO serves the Notice of Judicial Recount on the candidates.

14. Elections Nunavut makes sure the RO completes another **Affidavit of Service for the Notice of Judicial Recount**. The RO brings the original of this affidavit to the Court in Iqaluit.

Attending court

15. Both the CEO and the RO attend the recount hearing, which is normally in Iqaluit.

16. Book travel and hotel for both the CEO and RO to attend the recount.

17. Elections Nunavut will NOT pay for candidates to attend the recount in Iqaluit.

18. The CEO or RO takes all the sealed ballot boxes from the Constituency to the Court.

19. The sealed ballot boxes must contain all the ballot papers (used and counted, unused, rejected and spoiled ballot papers) and the original statements of the poll.

20. The CEO takes all the sealed special ballots from Elections Nunavut HQ to the Court.

Conducting the recount

21. The Judge may ask the CEO or RO to help perform the actual recount.

22. See the Step-by-Step Recount Procedure for details.

Completing the Return of the Writ

23. Make sure the RO completes the Return of the Writ immediately after receiving the Certificate from the Judge. See form: **Return of the Writ.**

24. If there is a tie between the candidates with the largest number of votes, the RO indicates that fact on the Return of the Writ.

25. If there is a tie, the CEO issues a new writ. Use form: **Writ of Election after Recount - Tie**

Returning Officer

Are there grounds?

1. The RO must decide if a recount is automatically required.

2. The recount is triggered when the difference between the number of votes in favour of the candidate having received the most votes and any other candidate is nil or less than 2 % of the total number of votes cast in the constituency.

   Number of votes for 1st Candidate = _____(N1)
   Number of votes for 2nd Candidate = _____(N2)
   Total votes cast for all Candidates = _____(T)
   (Don't include spoiled ballots or rejected ballots)

   Recount if N1 – N2 is less than 2% of T

Application

3. Returning Officer fills out the **Application for Judicial Recount *(Returning Officer version).***

4. Make sure a copy of the Election Report for the constituency is stapled to the Application. The recount portion of the document must be "checked off" and signed.

5. The RO signs and dates the Application.

6. The RO scans and emails / faxes a copy of the Application to Election Nunavut's office in Rankin Inlet.

Filing at Court

7. Elections Nunavut will send to the Court of Justice in Iqaluit a copy of the Application. There is no fee for filing the application.

8. The RO should hand deliver a copy of the Application to each candidate personally, if possible. If that is not possible, it can be hand delivered to the candidate's financial agent personally. If that is not possible, it can be sent to the candidate or financial agent by fax or email.

Serving documents

9. After the RO delivers a copy to each candidate, the RO fills in the **Affidavit of Service.**

10. The date the RO delivered the copy to each person goes in the space provided.

11. The RO goes to a commissioner of oaths (e.g. RCMP, Hamlet Office) and swears and signs the affidavit.

12. The RO scans and emails or faxes a copy of the **Affidavit** to Election Nunavut's office in Rankin Inlet.

13. Once the Court decides on the date and time for the recount, Elections Nunavut will send the RO a copy of the form: **Notice of Judicial Recount.**

14. The RO serves a copy the **Notice of Judicial Recount** on each of the candidates.

15. The RO completes another **Affidavit of Service for the Notice of Judicial Recount**. The RO brings the original of this affidavit to the Court in Iqaluit.

Attending court

16. The RO will get a flight and hotel booking from Elections Nunavut for attending the Court recount.

17. The RO must attend the recount hearing, which is normally in Iqaluit. The CEO will also attend.

18. Elections Nunavut will NOT pay for candidates to attend the recount in Iqaluit.

19. The RO must send all the sealed ballot boxes from the constituency to the Court directly or to Elections Nunavut in Rankin Inlet. Check with the CEO.

20. The sealed ballot boxes must contain all the ballot papers (used and counted, unused, rejected and spoiled ballot papers) and a copy of the statements of the poll.

21. For details of the recount itself, see the Step-by-Step Procedure.

Completing the Return of the Writ

22. Immediately after receiving the **Certification of Results of the Recount** from the Judge, the RO completes the Return of the Writ. See form: **Return of the Writ**.

23. If there is a tie between the candidates with the largest number of votes, the RO indicates that fact on the Return of the Writ.

Notes for Nunavut Court of Justice

Court Staff

1. A staff member of the Court receives the Application from Elections Nunavut in the case of an automatic recount.
2. In those rare cases when a voter makes the application, a staff member of the Court receives the application from the voter. It is possible for the voter to be a staff member of Elections Nunavut.
3. In the case of an application by a voter, the Court must also receive
    a. an affidavit or statutory declaration that establishes the facts of the application. See form: **Affidavit in Support of Recount Application**
    b. a deposit of $250.
4. The Clerk of the Nunavut Court of Justice decides the form the deposit must be in, e.g. cash, cheque, money order.
5. The Court date stamps and files the Application.
6. The Court gives a regular file number to the Application.
7. The returning officer or someone at Elections Nunavut serves the Application on the candidates or their financial agents.
8. Elections Nunavut will send an affidavit of service of the **Application**. They will use the form: **Affidavit of Service**.
9. Ask a Judge to decide on the date, time and place to conduct the recount.
10. The date must be within 10 days after the date the Court receives the Application, or as soon as possible thereafter.
11. The Clerk of the Court will issue a summons to the returning officer to attend the recount with the election material. Use the form: **Summons to Returning Officer**.
12. Send a copy of the Summons to the RO and Elections Nunavut.
13. In theory, the Court is responsible for notifying candidates of the date and time of the recount. In practice, Elections Nunavut does this for the Court.
14. The Clerk of the Court fills in, dates and signs the form: **Notice of Judicial Recount.**
15. The Court sends a copy of the **Notice of Judicial Recount** to Elections Nunavut for them to serve the candidates.

Powers of Judge

16. A Judge decides on the date, time and place to conduct the recount.

17. A Judge has the power to decide the method of service of the **Notice of Judicial Recount**. In practice, Elections Nunavut does it on behalf of the Court.

18. A Judge has the power to dismiss the recount application.

19. A Judge has the power to terminate the recount application on request in writing by the applicant.

20. A Judge has the power to decide any other matter relating to the application.

21. The judge that receives the application may appoint another judge to hear the application.

22. If one Judge is hearing applications for two or more recounts, the Judge shall

a. proceed with the recounts in the most expeditious order; and

b. subject to subsection 147(1), proceed continuously from day to day until the last recount has been completed.

23. On the date and time of the recount, the Judge will begin a physical recount of all the ballots.

24. The step-by-step details of the recount procedure are set out in the next section.

Step-by-Step Recount Procedure in Court

Recounting the Ballots Cast at Each Poll

Step 1 – Opening the Ballot Boxes

- ❑ Opening the ballot box for each Poll
  - Ballot boxes should be dealt with one at a time
  - After being opened, the contents of the ballot box should be placed on the table
- ❑ Assistance
  - The judge can use clerical assistants to perform the recount
  - Usually, this is done by the CEO / RO or someone from Elections Nunavut
  - If the judge wants to use another person, it is subject to the approval of the Chief Electoral Officer

Step 2 – Recounting the Ballots

See NEA s. 131(3) and (5)

- ❑ Separate and select only the following envelopes
  - Envelopes of all valid (accepted) ballots for each candidate
  - Envelope of any rejected ballots
- ❑ Open the envelopes of valid (accepted) ballots for each candidate at the Poll
- ❑ Recount the ballot papers
  - Unfold one ballot paper at a time
  - Call out the name of the candidate for whom the ballot paper has been marked
  - Place each candidate's ballot papers in separate piles on the table
- ❑ If counterfoil is still attached to a ballot paper
  - the Judge should remove and destroy the counterfoil without reading the serial number or allowing anyone else to read it
  - The ballot cannot be rejected just because the DRO did not remove the counterfoil
- ❑ Recording the recount on **Tally Sheets**
  - A person selected by the Judge will keep a written record of the recount using a Tally Sheet
  - An X is made on the Tally sheet as name of a candidate name is called out
  - Any other party who is present and witnessing the recount may use extra tally sheets for their own record

- ❑ Rejecting a previously accepted ballot
  - If the Judge finds a ballot that was accepted but should have been rejected, the judge should set it aside
  - The ballot should be placed with the envelope of rejected ballots
  - See Step #3 for when to reject a ballot

Step 3 – Dealing With Rejected Ballots

- ❑ Open envelope of rejected ballots for the Poll
  - This envelope is opened after all the accepted ballots for a poll have been recounted
- ❑ Examination of rejected ballots
  - The Judge examines each ballot previously rejected by the DRO
  - The Judge checks that each of these ballots was properly rejected
  - Only valid reasons to reject a ballot should be followed
  - There are also some special reasons NOT to reject a ballot
- ❑ The only VALID reasons to reject a ballot are:
  - Ballot was not supplied by the Chief Electoral Officer or DRO
  - Ballot was not marked in favour of a candidate
  - Ballot was marked in favour of more than one candidate
  - Ballot was not marked with only a cross or checkmark or other mark clearly indicating the voter's intention
  - Ballot was marked in a place other than the circular space provided
  - Ballot was marked in a way that might identify the voter
- ❑ The following are NOT VALID reasons for rejecting a ballot:
  - In the case of a special ballot, the voter incorrectly spelled the name of the candidate but the ballot does clearly indicate the voter's intention
  - The DRO placed a note, number or mark on the ballot
  - The DRO did not remove the counterfoil when the voter voted
  - The DRO did not initial the ballot
  - The DRO did not remove the counterfoil
  - Ballot was marked using a writing tool other than a black lead pencil
- ❑ Place all rejected ballots in a separate pile
- ❑ Accepting a previously rejected ballot
  - Judge should count it as valid for the appropriate candidate
  - Ballot should be placed with the other accepted ballots

- ❑ Objections
  - A candidate or candidate's legal counsel may object to a decision to either accept or reject a ballot paper
  - When an objection is made, the Judge must decide whether the ballot should be accepted and counted as valid or rejected
  - The Judge is the only person who can decide whether the ballot should be accepted or rejected

Step 4 – Recording the Count

- ❑ The results for each Poll should be recorded in the relevant portion of the table in the form **Certification of Results of the Recount**
- ❑ Once the form **Certification of Results of the Recount** is complete, it should be signed by the Judge

Step 5 – Sealing and Repacking the Ballot Boxes

- ❑ All valid ballots cast for all candidates at a poll should be placed in envelopes provided by Elections Nunavut for that Poll
- ❑ All rejected ballots for all candidates at a poll should be placed in one envelope provided by Elections Nunavut for that Poll
- ❑ All envelopes for each Poll should be sealed and placed in the ballot box for that Poll
- ❑ The ballot box for each Poll should be sealed with these two envelopes inside
- ❑ The judge must personally supervise the packaging and sealing of ballot papers and documents at a recount
- ❑ The judge must take all necessary precautions for the security of the papers and documents

Continuity of Proceedings

- ❑ A recount should not be adjourned or interrupted
  - The judge shall, as far as practicable, proceed continuously with the recount
  - Recesses for refreshment should only be allowed if necessary
- ❑ Sealing during recess
  - During a recess at a recount, the ballot papers and other documents must be kept enclosed in packages under the seal of the court
  - A candidate or other person authorized to attend at the recount may also place a seal on the packages

Appendix A

Relevant Extracts from *Nunavut Elections Act*

Judicial Recount

Application for recount by returning officer
142. *(1) When the difference between the number of votes in favour of the candidate having received the most votes and any other candidate is nil or less than 2% of the total number of votes cast in the constituency, the returning officer shall, without delay, apply to the court for a recount.*

Notice
(2) The returning officer shall give written notice to the candidates or their financial agents of the recount.

Valid votes
(3) For greater certainty, only valid votes are to be counted for the purposes of subsection (1).

Application for recount by voter
143. *(1) Any voter may, before the end of the 8th day after the declaration by the returning officer of the result of the election in the constituency, apply to the court for a recount.*

Grounds for application
(2) A voter may only make an application for a judicial recount because
- *(a) a deputy returning officer improperly counted the votes or improperly rejected any ballot papers;*
- *(b) a deputy returning officer made an incorrect statement of the number of votes cast for any candidate; or*
- *(c) the returning officer improperly added up the votes.*

Supporting facts
(3) An application by a voter must be made in accordance with the Rules of the Nunavut Court of Justice and the practice and procedure of the court for an originating application and must
- *(a) set out the facts on which the application is based; and*
- *(b) be supported by an affidavit or statutory declaration in relation to those facts.*

Deposit
(4) An application by a voter must include a deposit of $250, in a form acceptable to the Clerk of the Nunavut Court of Justice, as security for the costs of the candidate who has obtained the largest number of votes.

Hearing date
144. *(1) The court shall appoint a time and place to commence recounting the votes, which shall, subject to subsection (3), be within 10 days after the receipt by the court of the application, or as soon as possible thereafter.*

Appointment of another judge

(2) The judge that receives the application may appoint another judge to hear the application.

Two or more applications

(3) Where applications for recounts of the votes in respect of two or more constituencies are made under this section and both are dealt with by the same judge, the judge shall

(a) proceed with the recounts in the most expeditious order; and

(b) subject to subsection 147(1), proceed continuously from day to day until the last recount has been completed.

Notice and service

145. *(1) The judge shall appoint and give written notice to the candidates or their agents of the time and place at which the judge will proceed to recount the votes and may, at the time of the application or afterward, decide and announce the method of service of notice.*

Order to returning officer

(2) The judge shall summon the returning officer to attend at the time and place appointed under subsection (1) with the ballot boxes containing the used and counted, unused, rejected and spoiled ballot papers, or the original statements of the poll signed by the deputy returning officers, as the case may be, that are relevant to the recount that is to take place.

Duty of returning officer

(3) A returning officer shall obey a summons issued under subsection (2), and shall attend throughout the proceedings.

Attendance by candidates or representatives

(4) Each candidate, or his or her representative, and each candidate's counsel may attend the recount and make any objection which is permitted under the procedures applicable to the first counting of votes.

Attendance by voters

(5) Where a candidate is not present or represented at a judicial recount, any three voters who ask to attend on behalf of the candidate are entitled to attend and, except with the permission of the judge, no other person shall be present at the recount.

Recount procedure

146. *(1) The judge undertaking the recount shall review the ballots and the accuracy of the statement of the poll.*

Dismissal

(2) The judge may dismiss the application, before or during the hearing, if it appears to be frivolous, vexatious or unfounded.

Additional information

(3) The judge may order the production of additional information or documents.

Extension of time

(4) A judge may extend the time limits respecting recounts.

Continuity of proceedings

147. *(1) The judge shall, as far as practicable, proceed continuously with the recount, allowing only recesses for refreshment if necessary.*

Sealing during recess

(2) During a recess at a recount, the ballot papers and other documents shall be kept enclosed in packages under the seal of the court and under any other seals that persons who are authorized to attend at the recount desire to affix to the packages.

Supervision of sealing

(3) The judge shall personally supervise the packaging and sealing of ballot papers and documents at a recount and take all necessary precautions for the security of the papers and documents.

Assistance to judge

(4) Subject to the approval of the Chief Electoral Officer, the judge may retain the services of clerical assistants as required to properly perform the recount.

Procedure at conclusion

148. *(1) At the conclusion of a recount, the judge shall*

- *(a) seal all the ballot papers in separate packages;*
- *(b) add the number of votes cast for each candidate as ascertained at the recount; and*
- *(c) certify the result of the recount, in the approved form.*

Copies

(2) The judge shall immediately send a copy of the certified result of the recount to

- *(a) the candidates;*
- *(b) the returning officer; and*
- *(c) the Chief Electoral Officer.*

Decisions

(3) When considering a recount application, the judge may

- *(a) dismiss the application;*
- *(b) terminate the application on request in writing by the applicant; or*
- *(c)* ***Repealed***
- *(d) decide any other matter relating to the application.*

Candidate with highest number of votes

149. *(1) If the judge certifies that one candidate obtained a higher number of votes than any other, the returning officer shall declare that candidate elected in the return of the writ.*

New election

(2) If the judge certifies a tie in the number of votes, the Chief Electoral Officer shall order that a new election be held.

Applicable rules

(3) An election that takes place pursuant to a recount shall be held in accordance with the provisions applicable to a by-election in the constituency.

Costs

150. *(1) Where a recount does not alter the result of the election, the judge shall*

(a) order the applicant to pay the costs of the elected candidate; and

(b) specify the amount of those costs, following as closely as possible the tariff of costs allowed with respect to proceedings in the court.

Payment of costs

(2) The moneys deposited as security for costs shall, so far as necessary, be paid out to the candidate in whose favour costs are awarded and, if the deposit is insufficient, the party in whose favour the costs are awarded may take action for the balance.

Reimbursement of candidate

151. *(1) The candidate who received the most votes, and any other candidate who received the same number of votes or a number that is within 2 % of the candidate who received the most votes, may apply to the Chief Electoral Officer, in the approved form, for reimbursement by the Chief Electoral Officer of the costs actually and reasonably incurred by the candidate in respect of a recount.*

Costs

(2) An application made under subsection (1) shall set out the amount and nature of the costs actually and reasonably incurred by the candidate with respect to the recount.

Payment of costs

(3) On receipt of the application, the Chief Electoral Officer may determine and pay the amount of the costs actually and reasonably incurred by the candidate.

Limitation of costs

(4) A candidate is not entitled to any costs in respect of a recount in excess of the lesser of

(a) the amount of costs actually and reasonably incurred by the candidate, as determined by the Chief Electoral Officer under subsection (3); and

(b) $500 for each day or part of a day on which the judge was actually engaged in carrying out the recount, plus the amount of travelling and living expenses actually and reasonably incurred by the candidate and the counsel of the candidate.

Retaining of deposit

(5) If a candidate requests a recount that does not result in that candidate being declared elected, the candidate's deposit shall be forfeited by the Chief Electoral Officer, unless the difference between the number of votes in favour of that candidate and the candidate having obtained the most votes is reduced to less than 2 % as a result of the recount.

Appeal of recount

152. *(1) Where a judge omits, neglects or refuses to comply with this Act in respect of a recount, any party aggrieved may, within 8 days after the recount, make an application to the Court of Appeal.*

Hearing of appeal

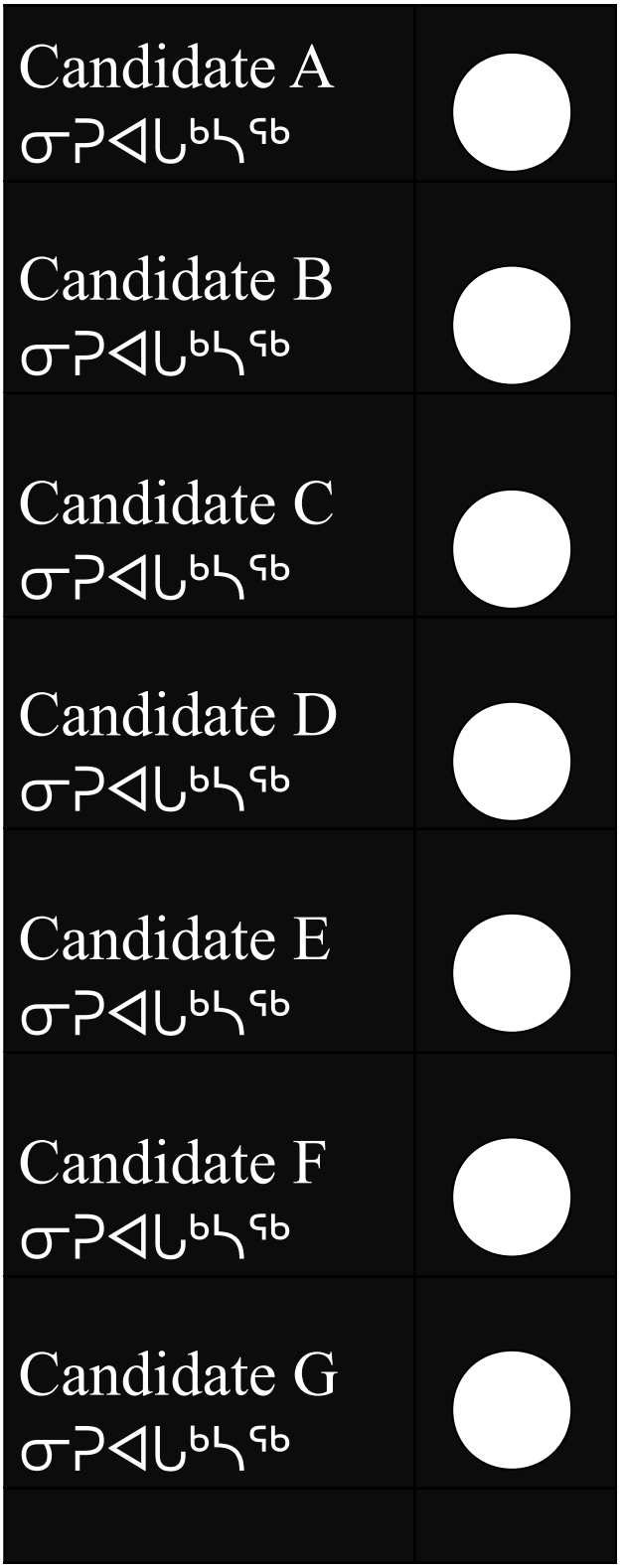
(2) The Court of Appeal shall hear any appeal from a decision within 14 days of the day it is seized with the appeal application and shall render its decision as soon as possible.

Costs

(3) Remedies for the recovery of the costs awarded under this Act shall be the same as for costs in ordinary cases in the Court of Appeal.

Ballot

Candidate A ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate B ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate C ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate D ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate E ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate F ᓂᕈᐊᒐᒃᓴᖅ	○
Candidate G ᓂᕈᐊᒐᒃᓴᖅ	○



XXX

Initials of Deputy Returning Officer:
Initials du scrutateur:
ᐊᑎᓕᐅᕈᓱᖏᑦ ᓂᕈᐊᖅᑐᓕᕆᔨᐅᑉ ᑐᖏᓕᖓᑕ:

Constituency of:
Circonscription de:
ᑭᒡᒐᖅᑐᖅᑕᐅᕕᐅᔪᖅ:

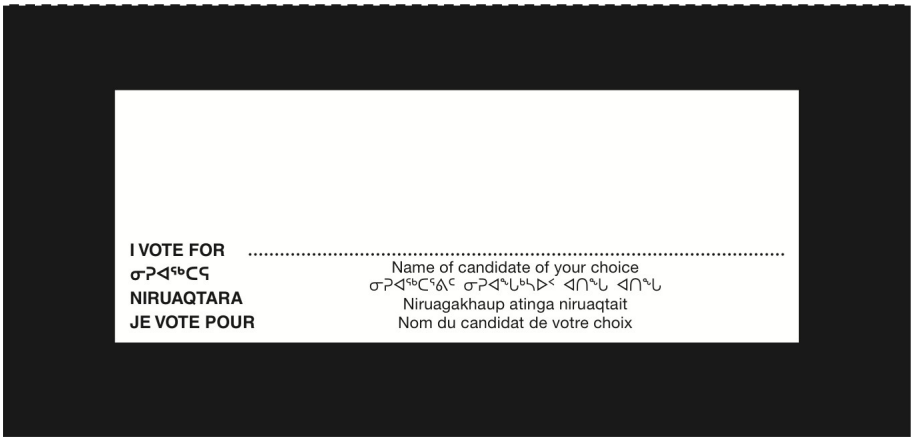
Polling Day:
Jour du scrutin:
ᓂᕈᐊᕐᓇᐅᑉ ᐅᓪᓗᖓ:

Printed by::
Imprimé par:
ᐊᒥᓱᓕᐅᖅᑕᐅᔪᖅ ᐅᑯᓄᖓ:

Special Ballot

I VOTE FOR .....
ᓂᕈᐊᖅᑕᕋ
NIRUAQTARA
JE VOTE POUR

Name of candidate of your choice
ᓂᕈᐊᖅᑕᕐᕕᑦ ᓂᕈᐊᖓᒃᓴᐅᑉ ᐊᑎᖓ ᐊᑎᖓ
Niruagakhaup atinga niruaqtait
Nom du candidat de votre choix



0001

SPECIAL BALLOT PAPER SUPPLIED BY THE CHIEF ELECTORAL OFFICER
ᐊᔾᔨᐅᖏᑦᑐᖅ ᓂᕈᐊᕈᑎ ᓂᕈᐊᖅᑐᓕᕆᔨᒃᑯᑦ ᐊᖑᔪᖅᑲᖓᓐᓂᖓᖅᑐᖅ

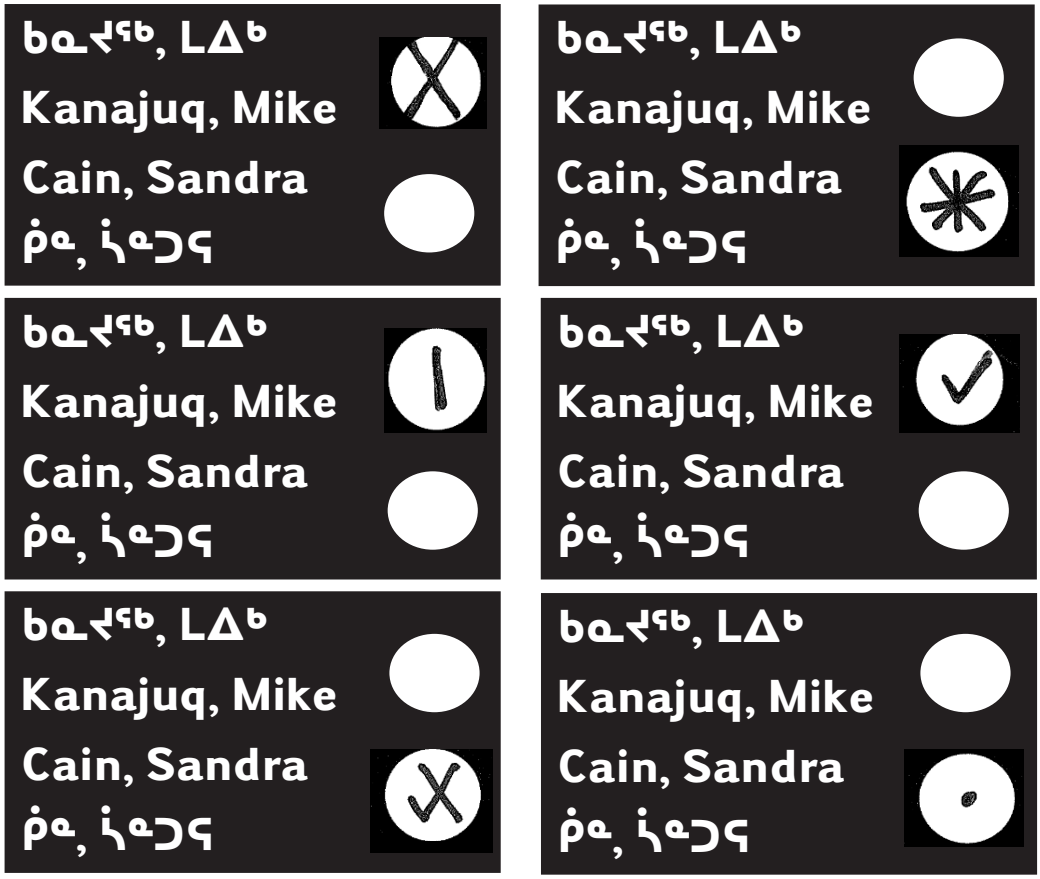
AHIAGUT NIRUARUTI NIRUAQTULIGIJIT ATANNIANNIT PIYUT
BULLETIN VOTE SPECIAL FOURNI PAR LA DIRCTRICE GÉNERALE DEB ÉLECTIONS

ELECTION - CONSTITUENCY OF
ᓂᕈᐊᖅᓇᖅ ᑭᒡᒐᖅᑐᖅᑕᐅᕕᐅᔪᒥ
NIRURNGNAQ - KIVGAQTURVINGMUT
CIRCONSCRIPTION DE

ELECTION DATE
ᓂᕈᐊᖅᓇᐅᑉ ᐅᑉᓗᖓ
NIRUARVIKHAUP UBLUA
JOUR DU SCRUTIN

Printed by:
ᑎᑎᕋᖅᑐᐅᔪᖅ ᐅᑯᓄᖓ:
TITIGAKTAOYOK OMANNGA:
Imprimé par:
Inkit Ltd. NWT, for
ELECTIONS NUNAVUT
ᓄᓇᕗᒻᒥ ᓂᕈᐊᖅᑐᓕᕆᔨᒃᑯᑦ
NUNAVUNMI NIGUAKNIK

ACCEPT ballots like these
ᐃᒪᓐᓇ ᓂᕈᐊᕈᑏᑦ ᓇᓗᓇᐃᖅᑕᐅᔪᑦ ᓈᓴᖅᑕᐅᓗᒋᑦ



REJECT ballots like these
ᐃᒪᓐᓇ ᓂᕈᐊᕈᑏᑦ ᓇᓗᓇᐃᖅᑕᐅᔪᑦ ᓈᓴᖅᑕᐅᖏᑦᓗᒋᑦ

Appendix B
Legal Forms

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

AFFIDAVIT IN SUPPORT OF APPLICATION FOR A JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____ for the constituency of:

I, _____, of _____, solemnly swear / affirm that:

1. I am [title or qualifications] and as such have knowledge of the matters deposed to in this affidavit.

2.

Notes:
Set out in separate paragraphs all the facts known to the person that support the application of the voter for a judicial recount. This affidavit must comply with s. 143 of the Nunavut Elections Act and must support the allegations in the Application for a Judicial Recount.

Attach as Exhibits numbered "1", "2", etc. copies of all documents referred to in the affidavit.

Sworn/affirmed before me at the City / Hamlet of)
_____, Nunavut, this __ day of _____,)
20__.)
)
)

_____
(signature)

_____
A commissioner for taking oaths in and for)
Nunavut.)
)
My commission expires on _____.)
(Commissioner's stamp or printed name))
)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

ᐃᖃᓗᖃᑐᐃᐦᐢᑎᑦ ᓇᓴᐅᑎ:

ᓄᓇᕗᒻᒥ ᐃᖃᓗᖃᑐᐃᔨᓕᕆᔨᖅᑯᑦ

ᐃᖃᓗᖃᑐᐃᔨᓕᕆᓚᐅᖅᓯᓕᕆᓂᖃᖅ ᒪᓕᕆᔨᑐᑦ ᓄᓇᕗᒻᒥ ᓂᕈᐊᖃᖅᑐᑕᕆᓂᖅᓱᒍᑦ ᐱᖁᔭᖏᑦ

ᓭᓕᓂᖅᓱᒍᑦ ᐅᖃᖅᖏᓂᖃᐅᑎ ᐃᑲᔨᐃᓂᖅᑎᑲᓪ ᑐᓴᕋᐅᓕᒪᒍᑦ ᐃᖃᓗᖃᑐᐃᔨᑎᒍᑦ ᓇᓴᐃᑲᓂᖅᓱᒍᑦ

ᐱᔭᔨᑎᑎᑦᓵᑐᒍ ᑐᓴᕋᐅᑎ ᐃᖃᓗᖃᑐᐃᔨᑎᒍᑦ ᓇᓴᐃᑲᓂᖅᓱᒍᑦ ᐱᔭᔨᑎᖃᓗᖃᑐᖅ ᓂᕈᐊᖃᖅᑎᑎᓂᑎᓂᐅᕆᐅᖅᑐᒍᑦ ᐅᑦᓵᑐᖅᑎᑦ _____ ᑭᓱᓕᖅᑐᖅᑕᐅᕐᓇᖅᓯᑦ:

ᐅᕐᓂᖅ, _____, _____–ᒥᐅᑕᖅ, ᓭᓕᑦᓵᖅᓱ / ᓇᓵᓇᐃᑐᖅᓱ:

1. ᐅᕐᓂᖅ [ᓇᓵᓇᐃᑯᑎᑦ ᐊᔪᖏᓐᓂᖃᖅᖓᓂᑎᑦᓵᓐᓂᑦ] ᐊᒪᓵ ᑕᐃᒪᐢᓇᒍᑦ ᖃᐅᐅᔨᒪᓂᖃᖅᐳᑐᖅ ᐱᔭᕈᐅᔨᓂᒃ ᑎᑎᕆᖅᑕᐅᔨᒪᔨᑦ ᓭᓕᓂᖅᓱᒍᑦ ᐅᖃᖅᖓᓂᕆᐅᑎᒥᑦ.

2.

ᖃᐅᐅᔨᒪᔭᐅᓕᖅᓵᐊᓕᑦ:
ᑎᑎᕆᖅᔨᒪᓂᖅᓱᒍᑦ ᐊᔨᐊᒍᑦ ᐱᓕᕆᐅᕆᖅᓯᐢᓄᑦ ᖃᐅᐅᔨᒪᔭᓕᔪᓂᑦ ᖃᐅᐅᔨᒪᔭᐅᔨᑦ ᐃᓄᖅᓱᒍᑦ ᐃᑲᖃᖅᑐᐃᔨᒍᑦ ᑐᓴᕋᐅᔨᔨᒪᓂᖅᓱᒍᑦ ᓂᕈᐊᖃᖅᑎᑎᓂᑎᓂᐅᕆᐅᖅᑐᒍᑦ ᒪᓕᕆᐊᖃᖅᖃᓗᖃᑐᖅ ᐃᓕᕆᐅᔨᔨᒪᓂᖅᓱᒍᑦ ᐊᔨᐊᒍᑦ ᐅᓕᕆᔨᐅᔨᒪᔨᑦ ᐱᔭᕈᐅᔨᓂᒃ
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143-ᒥᑦ ᓄᓇᕗᒻᒥ ᓂᕈᐊᖃᖅᑐᕆᓚᐅᖅᓯᓕᕆᓂᖅᓱᒍᑦ ᐱᖁᔭᖏᑦᓯᓂᑦ ᐊᒪᓵ ᐃᓕᓴᕐᔨᖃᖅᓚᐊᖃᖅᖃᓗᖃᑐᖅ <ᓭᓴᐅᔨᔨᒪᓂᐅᑦ ᑐᓴᕋᐅᓕᒪᒍᑦ
ᐃᖃᓗᖃᑐᐃᔨᑎᒍᑦ ᓇᓴᐃᑲᓂᖅᓱᒍᑦ ᐅᖃᖅᖓᓂᕆᐅᑎᒥᑦ.

ᐃᓕᓴᕐᔨᑦ ᑕᓄᑦᓴᐅᑎᑕᐅᔨᑦᑲᓴᐃᑦ ᓇᓴᐅᓭᖅᓯᒪᔨᑦ “1”, “2”, ᑕᐃᒪᐢᓇ ᐊᔪᓐᓂᑦ ᐊᑐᓂ ᐊᓕᓕᔨᐃᑦ ᐱᔭᕈᐅᔨᑦ ᓭᓕᓂᖅᓱᒍᑦ ᐅᖃᖅᖓᓂᕆᐅᑎᒥᑦ.

ᓱᓕᓂᕋᐅᓯᐅᖅᑕᐅᔪᖅ/ᓇᓗᓇᐃᓇᔪᖅ ᓴᒻᓂᑦ)
ᓄᓇᓕᐸᐅᔭᒥᑦ/ᐃᐋᒻᓚᐅᔪᒥᑦ _____, ᓄᓇᕗᑦ,)
ᐅᕙᓂ __ ᐅᑉᓗᖓᓂᑦ ᑕᖅᑭᐅᑉ _____, 20__.)
)
)
)

_____

ᑲᒥᓯᓇ ᐱᔪᖅ ᓱᓕᓂᕋᐅᓯᐅᕈᑎᒥᑦ ᓄᓇᕗᒻᒥᑦ ᐊᒪᓗ
ᓄᓇᕗᒻᒧᑦ.)
)
ᑲᒥᓯᓇᐅᔾᔪᑎᒐ ᐃᓱᓕᓐᓂᐊᖅᑐᖅ ᐅᕙᓂ_____.)
(ᑲᒥᓯᓇᐅᑉ ᓇᓗᓇᐃᑯᑖ ᐊᑎᖓᓗᓃᑦ ᑎᑎᕋᑦᑎᐊᕐᓗᒍ))
)
)

_____

(ᐊᑐᓕᐅᕐᓗᓂ)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Apiqhuijit nammanga:

NUNAVUNMI APIQHUIYIINNI

Apiqhuiniq uvani *Nunavunmi Niruarutit Maligat*

HULINIAQTURIJJUTI IKAYUINIRMUT TUKHIUMMIT MALIGAIT ATURLUGIT KITITIFFARNIQMUT

QANURILIURUTIMUT tukhiummut maligait aturlugit kititiffarniq pijjutiliit niruarnirmit uvani ublurmi _____ niruarviuyumi:

Uvanga, _____, haffumani _____, ilumuuqtunga / ukpirnaqtukkut:

1. uvanga [kina uvalu ajunnginninga] ammalu qaujimajunga haffuminnga huliniaqturijjuti iluliani.

2.

Qaujimajaulit:
Titiqhimaninga ahiagut huliniaqturijjutiit qaujimajaujut inungmut ikajuinirmut tukhiuqtanga vutiqtip maligait aturlugit kititiffarnirmut. Huliniaqturijjuti maliguaqtuq s. 143mit Nunavunmi Niruarutit Maligaami ikajuqtuiniqarlunilu pipkautinik titiqhimajut tukhiuqtaujumi maligait aturlugit kititiffarnirmut.

Ilaujut hulitjut nammaqaqhutik "1", "2", imaak. aadjinginnik tititqat uqaqhimajut huliniaqturijjutimit.

Ilumuuqtuq / ukpirnaqtukkuuqtuq haamnik)
Nunallaani / Hamalatkuat _____,)
Nunavummi, una __ ubluangani _____, 20__.)
)
)

_____
(atiliurvik)

_____
Kamisina ilummurutimik pijuq Nunavumi)
Nunavumullu)
)
Kamisinaujutiga ihulitukhaq uvani)
_____.)
(Kamisinaup naunaikutaa titiqluguluuniit atia)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Cour Dossier No:

COUR DE JUSTICE DU NUNAVUT

Procédure selon la *Loi électorale du Nunavut*

DÉPOSITION SOUS SERMENT EN SOUTIEN D'UNE DEMANDE DE NOUVEAU DÉPOUILLEMENT JUDICIAIRE

AU SUJET d'une demande de nouveau dépouillement judiciaire en lien avec l'élection tenue le _____ pour la circonscription de:

Moi, _____, de _____, jure/affirme solennellement que:

1. Je suis [titre ou qualifications] et, en tant que tel, j'ai connaissance des affaires énoncées dans cette déposition.

2.

Notes:
Énoncez en paragraphes séparés tous les faits connus sur la personne qui soutient la demande de l'électeur pour un nouveau dépouillement judiciaire. Cette déposition sous serment doit se conformer avec l'art. 143 de la Loi électorale du Nunavut et doit soutenir les allégations de la demande pour un nouveau dépouillement judiciaire.

Attachez-les comme Annexes numérotées "1", "2", etc. copies de tous les documents rapportés dans la déposition sous serment.

Juré/affirmé devant moi dans la Cité / Municipalité de _____, Nunavut, ce __ jour de _____ 20__.

_____
(signature)

_____

Un commissaire habilité à prendre les serments dans et pour le Nunavut.

_____

Ma commission expire le _____.
(tampon du commissaire ou nom imprimé)

Court File No:

_____

IN THE NUNAVUT COURT
OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR
JUDICIAL RECOUNT

_____

Name of Voter
Address
Tel:
Fax:
Email:

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the Nunavut Elections Act

AFFIDAVIT OF SERVICE OF
APPLICATION FOR A JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____ for the constituency of:

I, _____, of _____, solemnly swear / affirm that I personally served a copy of the Application for Judicial Recount, which was filed in the Nunavut Court of Justice on _____, on the following people on the dates indicated below:

OR

I, _____, of _____, solemnly swear / affirm that

1. I am a member of the staff of Elections Nunavut in Rankin Inlet and am acting on behalf of the Returning Officer, who is required to give notice to the candidates or financial agents in the Constituency of _____, pursuant to s. 142(2) of the Nunavut Elections Act.

2. I served a copy of the Application for Judicial Recount, filed in the Nunavut Court of Justice on the ___ day of _____ 20__, on the candidates or financial agents in the Constituency of _____ on the dates indicated below by emailing or faxing the Notice to them in accordance with the address each of them filed in their Declaration of Candidacy:

[Name] _____, 20__
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Sworn/affirmed before me at the City / Hamlet of)
_____, Nunavut, this __ day of _____,)
20__.)
)
) _____
) *(signature)*

_____
A commissioner for taking oaths in and for)
Nunavut.)
_____)
My commission expires on _____.)
(Commissioner's stamp or printed name))
)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Returning Officer for the
Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

AFFIDAVIT OF SERVICE OF APPLICATION FOR A JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____ for the constituency of:

I, _____, of _____, solemnly swear / affirm that I personally served a copy of the Application for Judicial Recount and my Affidavit / Affidavit of _____ in support of the Application, which were filed in the Nunavut Court of Justice on _____, on the following people on the dates indicated below:

Person	Date of Service
[Name] Returning Officer for the Constituency of ___ Address Nunavut, X0 ___ Telephone: Facsimile: Email:	_____, 20__

[Name] _____, 20__
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Sworn/affirmed before me at the City / Hamlet of)
_____, Nunavut, this __ day of _____,)
20__.)
)
) _____
) *(signature)*

_____
A commissioner for taking oaths in and for)
Nunavut.)
_____)
My commission expires on _____.)
(Commissioner's stamp or printed name))
)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

ᐃᖃᓗᖃᑐᐃᓚᖏᑦ ᓇᓴᐅᑎ:

ᓄᓇᕗᒻᒥ ᐃᖃᓗᖃᑐᐃᔨᓕᕆᔨᒃᑯᑦ

ᐃᖃᓗᖃᑐᐃᔨᓕᕆᓴᕐᓯᓕᐊᓂᖅ ᒪᓕᒃᓱᑎᑦ ᓄᓇᕗᒻᒥ ᓂᕈᐊᖅᑐᑎᓂᖅᓱᑦ ᐱᖅᑯᖏᑦ

ᓯᓕᓂᖅᓱᑦ ᐅᖅᑳᖅᓂᕆᐅᑎ ᐱᔨᑎᑎᐃᓂᖅᓱᑦ ᑐᒃᓯᕆᐅᒪᑦ ᐃᖅᑳᖅᑐᐃᔨᑎᒍᑦ ᓇᓴᐅᓚᐃᔨᓂᖅᓱᑦ

ᐱᓴᐁᑎᑭᔪᓐᓇ ᑐᒃᓯᕆᐅᑎ ᐃᖅᑳᖅᑐᐃᔨᑎᒍᑦ ᓇᓴᐅᓚᐃᔨᓂᖅᓱᑦ ᐱᓴᐁᑎᖅᑳᖅᑐᖅ ᓂᕈᐊᖅᑎᑎᓂᓂᐅᓕᐅᖅᑐᑦ ᐅᓪᓗᑕ _____ ᑭᓚᖅᑐᖅᑕᐅᔪᓱᑦ:

ᐅᓪᓚᓐ, _____, _____–ᒥᐅᑕᖅ, ᓯᓚᓪᓗᓐ / ᓇᓗᓇᐃᑐᓐ ᓇᓐᒥᓂᖅ ᑐᒃᓯᕆᐅᓯᐅᓕᐅᕆᒪ ᐃᖅᑳᖅᑐᐃᔨᑎᒍᑦ ᓇᓴᐅᓚᐃᔨᓂᖅᓱᑦ ᐊᒪᓗ ᓯᓚᓂᖅᓱᑦ ᐅᖅᑳᖅᓂᕆᐅᑎᓗ / ᓯᓚᓂᖅᓱᑦ ᐅᖅᑳᖅᓂᕆᐅᑎ ᐅᕐᓱᓐᓗ _____ ᐃᑲᔪᐃᔪᖅ ᑐᒃᓯᕆᐅᓯᐅᖅᑳᖅᓯᒪᔪᒥᑦ, ᑐᓂᓴᐅᓕᐅᖅᑐᑦ ᓄᓇᕗᒻᒥ ᐃᖅᑳᖅᑐᐃᔨᓕᕆᓴᕐᓯᓕᐊᓂᑐᓴᓂ ᐅᓪᓚᓂ _____, ᐅᑯᓄᖕᖓᓗ ᐃᓄᖕᓄᑦ ᐅᖅᑐᐃᓐᓇᑦ ᓇᓗᓇᖅᓯᒪᔪᓱᑦ ᐊᑕᐥᓂ:

ᐃᓄᒃ

ᐅᖅᑐᐃᓐᓇᑦ ᐱᔨᑎᖅᑕᐅᓪᓚᖅᑐᑦ

[ᐊᑎᖏᑐᖓ]
ᓂᕈᐊᖅᑐᓕᕆᓴ ᑭᓚᖅᑐᖅᑕᐅᔪᓱᑦ ___
ᑐᑭᕈᑎᖏᑐᖓ
ᓄᓇᕗᑦ, X0 ___
ᐅᖅᓱᐅᑎᖏᑐᖓ: 867.
ᓯᑲᓴᑯᕈᑦ:
ᖁᓕᑕᐅᔪᒃᑯᑦ ᑐᑭᕈᑦ:

ᓄᓇᕗᒻᒥ ᐃᖅᑳᖅᑐᐃᔨᑎᒍᑦ ᓇᓴᐅᓚᐃᔨᓂᖅᓱᑦ ᐱᔨᑎᑎᐃᓂᖅᓱᑦ ᑐᒃᓯᕆᐅᑎ ᐅᖅᑳᖅᑐᐃᔨᑎᒍᑦ ᓇᓴᐅᓚᐃᔨᓂᖅᓱᑦ

_____, 20__

[ᐊᑎᖏᑦ] _____, 20__
ᓂᕈᐊᒐᖅᓴᖅ
ᑐᖃᕈᑎᖏᑦ
ᓄᓇᕗᑦ, X0 ___
ᐅᖅᑲᓗᑎᖏᑦ:
ᓱᑲᐅᑯᔪᕈᑦ:
ᖃᓄᐱᐅᔾᔨᑯᑦ ᑐᖃᕈᑦ:

[ᐊᑎᖏᑦ] _____, 20__
ᑭᓇᐅᔾᑕᓇᔭᐅᔪᖅ ᓂᕈᐊᒐᖅᓴᒍᑦ
[ᐊᑎᖏᑦ]
ᓂᕈᐊᒐᖅᓴᖅ
ᑐᖃᕈᑎᖏᑦ
ᓄᓇᕗᑦ, X0 ___
ᐅᖅᑲᓗᑎᖏᑦ:
ᓱᑲᐅᑯᔪᕈᑦ:
ᖃᓄᐱᐅᔾᔨᑯᑦ ᑐᖃᕈᑦ:

[ᐊᑎᖏᑦ] _____, 20__
ᑭᓇᐅᔾᑕᓇᔭᐅᔪᖅ ᓂᕈᐊᒐᖅᓴᒍᑦ
[ᐊᑎᖏᑦ]
ᓂᕈᐊᒐᖅᓴᖅ
ᑐᖃᕈᑎᖏᑦ
ᓄᓇᕗᑦ, X0 ___
ᐅᖅᑲᓗᑎᖏᑦ:ᓱᑲᐅᑯᔪᕈᑦ:
ᖃᓄᐱᐅᔾᔨᑯᑦ ᑐᖃᕈᑦ:

ᓱᓕᓂᕆᐅᓱᐅᖅᑕᐅᔪᖅ/ᓇᓗᓇᐃᓚᔪᖅ ᐊᓚᓂᓕ)
ᓄᓇᓕᐸᐅᔾᒥᑦ/ᐄᐊᓚᒪᐅᔪᒥᑦ _____, ᓄᓇᕗᑦ,)
ᐅᕐᓂ __ ᐅᕐᓗᖓᓂᑦ ᑕᖅᑭᐅᕐ _____, 20__.)
)
)
) _____
)
(ᐊᑐᓕᐅᖏᓗᓂ)

_____
ᑲᒥᓱᓇ ᐱᔪᖅ ᓱᓕᓂᕆᐅᓱᐅᑎᒥᑦ ᓄᓇᕗᒻᒥᑦ ᐊᒪᓗ
ᓄᓇᕗᒻᒧᑦ.)
)
_____)
ᑲᒥᓱᓇᐅᔾᔨᒋᑎᖅ ᐃᓱᓕᓐᓂᕐᐊᖅᑐᖅ ᐅᕐᓂ_____.)
(ᑲᒥᓱᓇᐅᕐᓂ ᓇᓗᓇᐃᑯᑦ ᐊᑎᖏᓚᓄᕐᓂ ᑎᑎᕋᑎᐊᖏᓪᓗᒍ))
)
)

Court File No:

_____

IN THE NUNAVUT COURT
OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR
JUDICIAL RECOUNT

_____

Name of Voter
Address
Tel:
Fax:
Email:

Apiqhuijit nammanga:

NUNAVUNMI APIQHUIYIINNI

Apiqhuiniq uvani *Nunavunmi Niruarutit Maligat*

HULINIAQTURIJJUTI OF SERVICE OF TUKHIUMMIT MALIGAIT ATURLUGIT KITITIFFARNIQMUT

QANURILIURUTIMUT tukhiummut maligait aturlugit kititiffarniq pijjutiliit niruarnirmit uvani ublurmi _____ niruarviuyumi:

Uvanga, _____, haffumani _____, ilumuuqtunga / ukpirnaqtukkut uvanga tunihigama aadjikkutaanik tukhiuqtaujumi maligait aturlugit kititiffarnirmut ammalu huliniaqturijjutiga / huliniaqturijjutinga _____ ikayuinirmut tukhiumut, tuniyaujuq Nunavunmi Apiqhuiyiinni uvani _____, inungnut ublurmi ataani:

Inuk

Ublurmi tuniyaungmat

[Atiq]

_____, 20__

Niruaqtuliriiyi Niruarviuyumi ___
Turaarvinga
Nunavut, X0 ___
Hivayauti: 867.
Kayumiktuk:
Qaritauyakkut:

[Atiq] _____, 20__
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
kayumiktuk:
Qaritauyakkut:

[Atiq] _____, 20__
Maniliqiyiuyinga
[Atiq]
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
kayumiktuk:
Qaritauyakkut:

[Atiq] _____, 20__
Maniliqiyiuyinga
[Atiq]
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
kayumiktuk:
Qaritauyakkut:

Ilumuuqtuq / ukpirnaqtukkuuqtuq haamnik)
Nunallaani / Hamalatkuat _____,)
Nunavummi, una __ ubluangani _____, 20__.)
)
) _____
) *(atiliurvik)*

_____
Kamisina ilummurutimik pijuq Nunavumi)
Nunavumullu)
)
Kamisinaujutiga ihulitukhaq uvani _____.)
(Kamisinaup naunaikutaa titiqluguluuniit atia)
)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

[Name of Constituency]

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Cour Dossier No:

COUR DE JUSTICE DU NUNAVUT

Procédure selon la *Loi électorale du Nunavut*

DÉPOSITION SOUS SERMENT POUR FOURNIR UNE DEMANDE DE NOUVEAU DÉPOUILLEMENT JUDICIAIRE

AU SUJET d'une demande de nouveau dépouillement judiciaire en lien avec l'élection tenue le _____ pour la circonscription de:

Moi, _____, de _____, jure/affirme solennellement que j'ai personellement fourni une copie de demande pour un nouveau dépouillement judiciaire ainsi que ma déposition sous serment/ la déposition sous serment de _____ en soutien à cette demande, documents remis à la Cour de Justice du Nunavut le _____, à la personne suivante et aux dates indiquées ci-dessous:

Personne	Date de Service
[Nom]	_____ 20__

Directeur de scrutin pour la circonscription de
_____

Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom] _____ 20__
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom] _____ 20__
Agent financier pour
[Nom]
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom] _____ 20__
Agent financier pour
[Nom]
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

Juré/affirmé devant moi dans la Cité/Municipalité de _____, Nunavut, ce __ jour de _____ 20__.

_____
(signature)

_____

Un commissaire habilité à prendre les serments dans et pour le Nunavut.

_____

Ma commission expire le _____.
(tampon du commissaire ou nom imprimé)

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the Nunavut Elections Act

AFFIDAVIT OF SERVICE OF
NOTICE OF JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____ for the constituency of:

I, _____, of _____, solemnly swear / affirm that I personally served a copy of the Notice of Judicial Recount, which was filed in the Nunavut Court of Justice on _____, on the following people on the dates indicated below:

OR

I, _____, of _____, solemnly swear / affirm that

1. I am a member of the staff of Elections Nunavut in Rankin Inlet and am acting on behalf of the Returning Officer, who is required to give notice to the candidates or financial agents in the Constituency of _____, pursuant to s. 142(2) of the Nunavut Elections Act.

2. I served a copy of the Notice of Judicial Recount, filed in the Nunavut Court of Justice on the ___ day of _____, on the candidates or financial agents in the Constituency of _____ on the dates indicated below by emailing or faxing the Notice to them in accordance with the address each of them filed in their Declaration of Candidacy:

[Name] _____, 20__
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name] _____, 20__
Financial Agent for
[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Sworn/affirmed before me at the City / Hamlet of)
_____, Nunavut, this __ day of _____,)
20__.)
)
) _____
) *(signature)*

_____)
A commissioner for taking oaths in and for)
Nunavut.)
_____)
My commission expires on _____.)
(Commissioner's stamp or printed name))
)

Court File No:

IN THE NUNAVUT COURT OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 142 of the Nunavut Elections Act, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR JUDICIAL RECOUNT

Returning Officer for the Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

APPLICATION FOR JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____, 20__ for the Constituency of

TO THE COURT:

I, _____, APPLY AS FOLLOWS:

1. I am the Returning Officer for the Constituency of _____.

2. An election was held under the Nunavut Elections Act in the constituency on _____ 20__.

3. I am applying to the Court, in accordance with section 142 of the *Nunavut Elections Act*, for a judicial recount in the constituency.

4. The reason for this application is that the difference between the number of votes in favour of the candidate having received the most votes and any other candidate is nil or less than 2 % of the total number of votes cast in the constituency.

5. In support of this application, I attach a copy of the election report for the constituency, which shows that the difference in the number of votes was nil or less than 2% of the total number of votes cast in the constituency.

6. I await the court's pleasure for the appointment of a time and place for the recount and a summons for my attendance with the relevant election materials.

Dated at the City / Hamlet of _____, in Nunavut, this _____ day of _____ 20__.

_____

(signature)

[Name]
Returning Officer
Constituency of _____
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

TO: **[Name]**
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 142 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Returning Officer for the Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

APPLICATION FOR JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____, 20__ for the Constituency of

TO THE COURT:

I, _____, APPLY AS FOLLOWS:

1. I am a qualified voter in the Constituency of _____.

2. An election was held under the *Nunavut Elections Act* in the constituency on _____ 20__.

3. I am applying to the Court, in accordance with section 143 of the *Nunavut Elections Act*, for a judicial recount in the constituency.

4. The reason for this application is because [name of person alleged], a deputy returning officer / the returning officer for the Constituency, on or about [date]

   (*chose whichever is appropriate*)

   improperly counted the votes

   improperly rejected any ballot papers

   made an incorrect statement of the number of votes cast for a candidate

   improperly added up the votes

   as described in the next paragraph..

5. [give a brief summary of the alleged facts]

6. In support of this application, I attach my affidavit / the affidavit of _____, which sets out the facts on which this application is based.

7. I await the court's pleasure for the appointment of a time and place to hear my application for a recount and respectfully ask the court to issue a summons to the returning officer to attend with the relevant election materials.

Dated at the City / Hamlet of _____, in Nunavut, this _____ day of _____ 20__.

_____
(signature)
[Name]

TO: Returning Officer
Constituency of _____
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

ᐃᖃᓗᖃᑕᐃᘐᖏᑦ ᓇᓴᐅᑎ:

ᓄᓇᕗᒻᒥ ᐃᖃᓗᖃᑕᐃᔨᓕᕆᔨᖅᑯᑦ

ᐃᖃᓗᖃᑕᐃᔨᓕᕆᓚᐅᖅᑕᓕᕆᓂᖅ ᒪᓕᕆᓐᓂᑦ ᓄᓇᕗᒻᒥ ᓂᕈᐊᖃᑕᓕᕆᓂᖅᓱᑦ ᐱᖃᓐᓇᖅᑐᑦ

ᑐᓴᕋᐅᑎ ᐃᖃᓗᖃᑕᐃᔨᑎᒍᑦ ᓇᓴᐃᓴᖅᓂᕋᔨᓂᖅᓱᑦ

ᐱᔨᔪᑎᑎᑦᓴᑐᒍ ᑐᓴᕋᐅᑎ ᐃᖃᓗᖃᑕᐃᔨᑎᒍᑦ ᓇᓴᐃᓴᖅᓂᕋᔨᓂᖅᓱᑦ ᐱᔨᔪᑎᖃᓗᖃᑐᖅ ᓂᕈᐊᖃᑕᓕᕆᓂᖅᓚᓂᑎᓂᐅᓕᐅᓕᕆᓂᖅᑐᑦ ᐅᑦᓴᐃᖅᑕᑦ _____ ᑭᓚᓗᖃᑐᖅᑕᐅᔭᖅᓱᑦ:

ᐃᖃᓗᖃᑐᐃᔭᖅᓱᑦ:

I, _____, ᑐᓴᕋᐅᓕᐅᖅᑐᖅ ᐃᒪᐢᓇ:

1. ᓂᕈᐊᑭᖅᓇᖅᑐᒃᔪᖅᓚ ᑭᓚᓗᖃᑐᖅᑕᐅᔭᖅᓱᑦ _____.

2. ᓂᕈᐊᖃᑎᒌᓂᖃᖅᑕᓗᓇᐅᖅᑐᖅ ᒪᓕᕆᓐᓂᑦ ᓄᓇᕗᒻᒥ ᓂᕈᐊᖃᑕᓕᕆᓂᖅᓱᑦ ᐱᖃᓐᓇᖅᑐᑦ ᑭᓚᓗᖃᑐᖅᑕᐅᔭᖅᓱᑦ ᐅᑦᓴᐃᖅᑕᑦ _____ 20__.

3. ᑐᓴᕋᐅᓕᐅᖅᑐᖅᓚᓚ ᐃᖃᓗᖃᑐᐃᔭᖅᓱᑦ, ᒪᓕᕆᓐᓂᑦ ᐃᓕᑎᕆᐅᔪᖅ 143 ᓄᓇᕗᒻᒥ ᓂᕈᐊᖃᑕᓕᕆᓂᖅᓱᑦ ᐱᖃᓐᓇᖅᑎᑦᓂᓂ, ᐃᖃᓗᖃᑐᐃᔭᖅᑯᑦ ᐊᓴᐃᓚᖅᓂᖃᓂᐊᓕᖅᓱᑦ ᑭᓚᓗᖃᑐᖅᑕᐅᔭᖅᓱᑦ.

4. ᐱᔨᔪᑎᐅᔪᖅ ᑐᓴᕋᐅᓕᐅᖅᑐᓂᖅᓱᑦ [ᐊᑎᖅᓚ ᐃᓅᓴ <ᓴᓕᕆᐅᔪᓱᓴ], ᓂᕈᐊᖃᑐᑕᓕᕆᔨᓴ ᑐᖅᑎᓕᖅᓚ / ᓂᕈᐊᖃᑐᑕᓕᕆᔨ ᑭᓚᓗᖃᑐᖅᑕᐅᔭᖅᓱᑦ, ᐅᕐᓂᓂ ᐅᑦᓴᐃᓕᑦ ᖃᐅᓕᖅᑐᓚᓗᓄᑦᓅᓄᑦ [ᐅᑦᓴᐃᖃᖅ]

(ᓇᓕᐊᑐᐃᓇᓐᖃᖅ ᐊᑐᖃᖅᑐᖅ ᓂᕈᐊᖃᓴᓅᒍ)

ᓅᓴᒪᓐᕆᑎᑐᒥᒃ ᓅᓴᖃᖅᑕᐅᓕᐅᖅᓯᒪᑕ ᓂᕈᐊᕈᑦᑐᑦ

ᓅᓴᒪᓐᕆᑎᑐᒥᒃ ᓅᓴᖃᖅᑕᐅᖃᖅᑕᐅᑎᑎᑦᓴᓐᕆᓕᐅᖅᓯᒪᓕᑦ ᓂᕈᐊᕈᑕᐅᔪᓂᑦ

ᑕᓴᒪᓕᐅᖅᓯᒪᓕᑦ ᖃᒃᑯᓂᐅᖅᓴᓐᓄᑦ ᓂᕈᐊᕈᑕᐅᔪᓂᑦ ᓂᕈᐊᐃᒃᓴᒪᓕᑦ

ᓅᓴᒪᓐᕆᑎᑐᒥᒃ ᑲᑎᒪᓂᑦ ᓅᓴᓇᐅᖅᓯᒪᓂᑦ ᓂᕈᐊᕈᑕᐅᔪᓂᑦ

ᐅᖃᖅᑯᓂᒃᓯᒪᓂᑦ ᑎᑎᕋᖅᑯᓂᒃᓯᒪᔪᓂ ᐊᑕᑦ..

5. [ᑎᑎᕋᖅᓂᑦ ᓀᐃᓅᖅᓱᐃᓚ <ᓂᔨᔪᑕᐅᔪᓂᑦ]

6. ᐃᑲᔪᖅᑐᐃᓂᓂᖅᓱᑦ ᑕᑦᓂᓗᒍᓚᑦ ᑐᓴᕋᐅᑎᑎᑦ, ᐃᓕᐅᑎᑦᑎᔪᓚᒃ ᓂᓕᓂᓂᖅᓱᑦ ᐅᖃᖅᓂᓂᕋᐅᑎᓚᓂᒃ / ᓂᓕᓂᓂᖅᓱᑦ ᐅᖃᖅᓂᓂᕋᐅᑎᓚᒃ _____, ᑎᑎᕋᖅᑯᓗᒍᓂ ᑕᑦᓂᔭᓐᓇᖅᓱᑦ ᑐᓴᕋᐅᓂᓗᐅᑕᐅᔪᓂᑦ.

7. ᐅᑕᖅᑭᔪᖅᓚ ᐃᖃᓗᖃᑐᐃᖅᑐᑦ ᐃᓕᐊᓕᓴᖅᓚᒍᑦ ᖃᖅᖅᓚᑲᔨᓂᐅᓂᖅᓚ ᓇᓂᓗ ᑐᐊᓴᐅᓂᐊᓂᖅᓂᖅᓚ ᑐᓴᕋᐅᓂᐊᓂᖅᓗ

ᐃᓱᐃᑲᓂᕐᓂᐅᓕᖅᓯᒪᔪᖅ ᐊᒪᓗ ᐃᓕᓴᕐᓂᕐᑎᐊᖅᓱᓂᑦ ᐊᐱᓚᕆᓂᑦ ᑭᐅᔭᕐᓂᒃᑯᑦ ᐱᖓᓱᒪᓕᕐᓂᖅᓯᒪᔪᖅ ᐃᓕᐅᔪᓐᓇᑦ ᐱᕕᒃᓴᕆᔨᕐᓂᖅ ᐊᑐᓕᕐᓂᖅᑎᑎᓂᖅᓯᒪᔪᖅ ᐊᑐᓕᐅᖅᑐᓂᒃ.

ᐅᕙᓪᓕᐊᓂ ᑎᑎᕋᖅᑕᐅᔪᑦ ᓄᓇᓕᕐᕿᐅᕐᒥᑦ/ᐄᐊᓱᒪᓕᐅᔪᒥᑦ _____, ᓄᓇᖅᑦ, ᐅᕝᕙᓂ __ ᐅᕙᓪᓕᐊᓗᓂ ᑕᕆᐹᐅᕙᑦ _____, 20__.

_____
(ᐊᑎᓕᐅᕋᓪᓕᓂ)
[ᐊᑎᖓᓚ]

ᐅᖃᖓᓚ: ᓂᕈᐊᖅᑐᓕᓇᓵ
ᐹᓚᕋᖅᑐᖅᑕᐅᔭᖏᓪᓕᑦ _____
ᑐᑭᕈᑎᖓᓚ
ᓄᓇᖅᑦ, X0 ___
ᐅᕋᒃᓵᑎᖓᓚ:
ᓱᒃᔪᓱᑯᕈᒋᑦ:
ᕋᒪᓕᐅᕐᓴᓱᑯᑦ ᑐᑭᕈᒋᑦ:

[ᐊᑎᖓᓚ]
ᓂᕈᐊᓚᒡᒐᖅ
ᑐᑭᕈᑎᖓᓚ
ᓄᓇᖅᑦ, X0 ___
ᐅᕋᒃᓵᑎᖓᓚ:
ᓱᒃᔪᓱᑯᕈᒋᑦ:
ᕋᒪᓕᐅᕐᓴᓱᑯᑦ ᑐᑭᕈᒋᑦ:

[ᐊᑎᖓᓚ]
ᓂᕈᐊᓚᒡᒐᖅ
ᑐᑭᕈᑎᖓᓚ
ᓄᓇᖅᑦ, X0 ___
ᐅᕋᒃᓵᑎᖓᓚ:
ᓱᒃᔪᓱᑯᕈᒋᑦ:
ᕋᒪᓕᐅᕐᓴᓱᑯᑦ ᑐᑭᕈᒋᑦ:

[ᐊᑎᖓᓚ]
ᓂᕈᐊᓚᒡᒐᖅ
ᑐᑭᕈᑎᖓᓚ
ᓄᓇᖅᑦ, X0 ___
ᐅᕋᒃᓵᑎᖓᓚ:
ᓱᒃᔪᓱᑯᕈᒋᑦ:
ᕋᒪᓕᐅᕐᓴᓱᑯᑦ ᑐᑭᕈᒋᑦ:

Court File No:

IN THE NUNAVUT
COURT OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Apiqhuijit nammanga:

NUNAVUNMI APIQHUIYIINNI

Apiqhuiniq uvani *Nunavunmi Niruarutit Maligat*

TUKHIURUT MALIGAIT ATURLUGIT KITITIFFARNIRQMUT

QANURILIURUTIMUT tukhiummut maligait aturlugit kititiffarniq pijjutiliit niruarnirmit uvani ublurmi _____ niruarviuyumi:

APIQHUIYINUT:

Uvanga, _____, TUKHIUTUNGA IMANNA:

1. Niruarungnatunga Niruarviuyumi _____.

2. Niruarnami uvani *Nunavunmi Niruarutit Maligat* Niruarviuyumi ublurmi _____ 20__.

3. Tukhiuqtung Apiqhuiyinut, maliqqalugu una ilanga143 *Nunavunmi Niruarutit Maligaani*, maligat aturlugit kititiffaarnirmut Niguarviuyumi.

4. Huuq tukhiuqtunga ilaa [atinga inuup ihuinaaqturiyauhimayuup], Niruaqtuliqiyit Tugliriyait / Niruaqtuliryi Niruarviuyumi, uvani ublurmi qanitailuuniit [ubluq]

(*niruarlugu naliak nakuatut*)

ihuinaaqhimayuq kititigamik niruarutinik

ihuinaaqhimayuq qinngihimablugit ukuat niruarutit titirait

ihuinaaqhimayuq naunaipkutainnik qaffiutilaanginnik niruarutauyut kinamik niruagakhannguqtitauyumik

ihuinaaqhimayuq naahaqtauningit tamaita niruarutiit

titiraqhimaningagut titirauhianni..

5. [tunilugu naittumik titiraqhimania ihuinaaqturiyauhimayut]

6. Ikayuinirmut tukhiumit, atahimayuq huliniaqturijjutiga / huliniaqturijjutinga _____, titiraqhimjuq ihuinaaqturiyauhimajjutaa tukhiurutaujjutaa.

7. Utatkijunga apiqhuijit ihuarijaatigut titkuaqhiniq ikaarnianik uvvalu nani apiqhuijjutauninga tukhiurutip kititiffaarnirmut apiqhilugulu apiqhuivik hagyaiqhititqulugu qaitquidjutimik niruaqtulirijimut upautihimaqulugu niruarnirmut atuqtauhimayullu.

Ublunga titiraqtaujuq Nunallaani / Hamalatkuat _____, Nunavummi, una __ ubluangani _____, 20__.

_____

(atiliurvik)

[Atiq]

UVUNGA: Niruaqtuliriiyi
Niruarviuyumi ___
Turaarvinga
Nunavut, X0 ___
Hivayauti:
Kayumiktuk:
Qaritauyakkut:

[Atiq]
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
Kayumiktuk:
Qaritauyakkut:

[Atiq]
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
Kayumiktuk:
Qaritauyakkut:

[Atiq]
Niruagakhaq
Turaarvinga
Nunavut, X0 ___
Hivayauti:
Kayumiktuk:
Qaritauyakkut:

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

---

APPLICATION FOR
JUDICIAL RECOUNT

Name of Voter
Address
Tel:
Fax:
Email:

Cour Dossier No:

COUR de JUSTICE du NUNAVUT

Procédure selon la *Loi électorale du Nunavut*

DEMANDE POUR UN NOUVEAU DÉPOUILLEMENT JUDICIAIRE

AU SUJET d'une demande de nouveau dépouillement judiciaire en lien avec l'élection tenue le _____ 20__ pour la circonscription de

POUR LA COUR:

Moi, _____, POSTULE COMME SUIT que:

1. Je suis un électeur habilité dans la circonscription de _____.

2. Une élection a eu lieu selon la *Loi électorale du Nunavut* dans la circonscription le _____ 20__.

3. Je fais la demande à la Cour, en accord avec l'article de la *Loi électorale du Nunavut*, pour un nouveau compte judiciaire dans la circonscription.

4. La raison de cette demande réside dans le fait que [nom de la personne alléguée], un directeur adjoint du scrutin/ le directeur de scrutin pour la circonscription, le ou autour de [date]

   (*choisissez ce qui est approprié)*

   a compté incorrectement les votes

   a rejeté incorrectement des bulletins de vote

   a fait une déclaration incorrecte sur le nombre de voix pour un candidat

   a ajouté incorrectement des votes

   comme décrit dans le paragraphe suivant.

5. [donnez un bref résumé des faits allégués]

6. En soutien à cette demande, j'attache ma déposition sous serment/la déposition sous serment de_____, qui énonce les faits sur lesquels cette demande est basée.

7. J'attends le bon plaisir de la cour pour un rendez-vous - heure et lieu – afin de faire entendre ma requête de nouveau dépouillement judiciaire et je demande avec courtoisie à la cour de citer le directeur du scrutin à comparaître, afin qu'il assiste à ce rendez-vous avec le matériel électoral pertinent.

Daté dans la Cité / Municipalité de _____, au Nunavut, ce _____ jour de _____ 20__.

_____
(signature)
[Nom]

AU: Directeur de scrutin
Circonscription de _____
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom]
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom]
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

[Nom]
Candidat
Adresse
Nunavut, X0 ___
Téléphone:
Fac-similé:
Courriel:

Court File No:

_____

IN THE NUNAVUT COURT OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR JUDICIAL RECOUNT

_____

Name of Voter
Address
Tel:
Fax:
Email:

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

CERTIFICATION OF THE RESULTS OF THE RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the Nunavut General Election held on _____for the constituency of:

I CERTIFY THAT

1. _____, the Returning Officer for the Constituency of _____, made an application in accordance with section 142 of the *Nunavut Elections Act* for a judicial recount for the Constituency of _____, on the grounds that the difference between the number of votes in favour of the candidate who received the most votes and any other candidate for was less than 2 % of the total number of votes cast for the Constituency of _____.

2. Notice of the recount was properly served on all the candidates or their financial agents for the Constituency of _____.

3. A recount of the results of the election held on _____, 20__, for the Constituency of _____ was made by me at the [City of Iqaluit], Nunavut on _____, 20___.

4. After reviewing the ballots and the accuracy of the statements of the poll, the results of the election held on _____, 20__ for the Constituency of _____ are as follows:

Certified Results of Recount

Election Held on _____, 20__ in the Constituency of _____

Poll	Ballots for Candidate 1	Ballots for Candidate 2	Ballots for Candidate 3	Ballots for Candidate 4	Rejected Ballots	Total Votes	Total Voters
Poll 1 (A-K or A-Z)							
Poll 2 (L-Z)							
Early Polls (may include special ballots)							
Special Ballots (may be included in early polls							
Total							

Dated at the City of Iqaluit in Nunavut, this ____ day of _____ 20__.

(signature)

Mr./ Mm Justice _____
Nunavut Court of Justice

TO: **[Name]**
Returning Officer, Constituency of _____
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

AND TO:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Court File No:

_____

IN THE NUNAVUT COURT
OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 142 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR
JUDICIAL RECOUNT

_____

Returning Officer for the Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

CERTIFICATION OF THE RESULTS OF THE RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the Election held on _____, 20__ for the constituency of:

I CERTIFY THAT

1. _____, a voter in the Constituency of _____, made an application in accordance with section 143 of the *Nunavut Elections Act* for a judicial recount for the Constituency of _____, on the grounds that [name of person alleged], a deputy returning officer / the returning officer for the Constituency, on or about [date]

   (chose whichever is appropriate)

   improperly counted the votes

   improperly rejected any ballot papers

   made an incorrect statement of the number of votes cast for a candidate

   improperly added up the votes.

2. Notice of the recount was properly served on the Returning Officer and on all the candidates or their financial agents for the Constituency of _____.

3. A recount of the results of the election held on _____, 20__, for the Constituency of _____ was made by me at the [City of Iqaluit], Nunavut on _____, 20___.

4. After reviewing the ballots and the accuracy of the statements of the poll, the results of the election held on _____, 20__ for the Constituency of _____ are as follows:

Certified Results of Recount

Election Held on _____, 20__ in the Constituency of _____

Poll	Ballots for Candidate 1	Ballots for Candidate 2	Ballots for Candidate 3	Ballots for Candidate 4	Rejected Ballots	Total Votes	Total Voters
Poll 1 (A-K or A-Z)							
Poll 2 (L-Z)							
Early Polls (may include special ballots)							
Special Ballots (may be included in early polls							
Total							

Dated at the City of Iqaluit in Nunavut, this ____ day of _____ 20__.

(signature)

Mr./ Mm Justice _____
Nunavut Court of Justice

TO: **[Name]**
Address
Nunavut,
Telephone:
Facsimile:
Email:

AND TO:

[Name]
Returning Officer
Constituency of _____
Address
Nunavut,
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut,
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut,
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut,
Telephone:
Facsimile:
Email:

Court File No:

_____

IN THE NUNAVUT COURT
OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 143 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR
JUDICIAL RECOUNT

_____

Court File No:

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

NOTICE OF JUDICIAL RECOUNT

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____, 20__ for the Constituency of

TAKE NOTICE THAT

1. An application for a judicial recount was made to the Court by the Returning Officer for the Constituency in respect of the election held on _____, 20__.

2. A judicial recount of the votes cast at the election will be held by the presiding judge:

   At: The City of Iqaluit, in Nunavut
   On: ____day the _____ day of _____, 20__, at 9:30 A.M..

3. You or your representative may attend the recount with your counsel and make any objection that would be permitted under the procedures applicable under the *Nunavut Elections Act* to the first counting of votes.

Dated at the City of Iqaluit, in Nunavut, this ____ day of _____ 20__.

_____
(signature)
Clerk of the Nunavut Court of Justice

TO: **[Name]**
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

[Name]
Candidate
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

AND TO:

[Name]
Returning Officer
Constituency of _____
Address
Nunavut, X0 ___
Telephone:
Facsimile:
Email:

Court File No:

_____

IN THE NUNAVUT COURT
OF JUSTICE

_____

IN THE MATTER OF an application, pursuant to s. 142 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

_____

APPLICATION FOR
JUDICIAL RECOUNT

_____

Returning Officer for the Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657

Court File No.

NUNAVUT COURT OF JUSTICE

Proceeding under the *Nunavut Elections Act*

SUMMONS

IN THE MATTER OF an application for a judicial recount in relation to the election held on _____, 20__ for the constituency of:

TO: **[Name]**
Returning Officer
Constituency of _____
Address
Nunavut, X0 ___
Telephone: 867.
Facsimile:
Email:

Further to your application made in accordance with section 142 of the *Nunavut Elections Act* for a judicial recount in your constituency;

BE ADVISED THAT

1. You are summoned to appear before the presiding judge at the City of Iqaluit, in Nunavut on ____day the _____ day of _____, 20__, at 9:30 A.M..

2. You shall attend with the ballot boxes containing the used and counted, unused, rejected and spoiled ballot papers, or the original statements of the poll signed by the deputy returning officers, as the case may be, that are relevant to the recount that is to take place.

3. If you fail to appear at the date, place and time appointed, a warrant for your arrest or an order may be issued without further notice.

Dated at the City of Iqaluit, in Nunavut, this ____ day of _____ 20__.

_____
(signature)
Clerk of the Nunavut Court of Justice

Court File No:

IN THE NUNAVUT COURT
OF JUSTICE

IN THE MATTER OF an application, pursuant to s. 142 of the *Nunavut Elections Act*, for a judicial recount in relation to the election held on _____, 20__, for the Constituency of

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APPLICATION FOR
JUDICIAL RECOUNT

Returning Officer for the
Constituency of

Legal Counsel for
Elections Nunavut
41 Sivulliq Ave.
Box 39, Rankin Inlet, NU
Canada, X0C 0G0
Tel: 867.645.4610
Fax: 867.645.4657