

Public Guide

How to Produce a Petition

for a Local Plebiscite

Nunavut's Plebiscites Act



General Information for Nunavummiut

(NOT about Liquor Plebiscites)

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Introduction

This guide focuses on information about how to produce and use a public petition for a **local** (non-municipal) **plebiscite** under Nunavut's *Plebiscites Act*. It includes a sample petition template.

Read the Act to know the exact laws.

This is one of a several Elections Nunavut guides about the *Plebiscites Act*.

- Voters Guide to the *Plebiscites Act*
- Plebiscite Authorities Guide—Administer a Local (non-municipal) Plebiscite
- Plebiscite Authorities Guide—Administer a Nunavut-wide Plebiscite
- Plebiscite Authorities Guide—Administer a Municipal Plebiscite
- Financial Agent Guide—Nunavut-wide Plebiscite
- Registered Group and Authorized Representative Guide—Nunavut-wide Plebiscite
- Public Guide—Produce a Petition for a Local (non-municipal) Plebiscite
- Public Guide—Produce a Petition for a Municipal Plebiscite
- Public Guide—Produce a Petition for a Nunavut-wide Plebiscite

Petition Basics

A petition is a document that asks for a plebiscite about a certain question. It is a way for the public to ask a plebiscite authority to have a plebiscite. For a local plebiscite, the plebiscite authority is the municipality or the district education authority (DEA).

A person or group may decide to produce a petition about a topic or issue that they care about and want action on.

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

Who must sign a petition

An eligible petitioner is someone who meets the criteria under the *Plebiscites Act* to sign a petition. An eligible petitioner is:

- A Canadian citizen.
- At least 18 years old.
- A Nunavut resident for at least one year.
- A resident in the proposed plebiscite area (municipality or DEA).

Each petitioner that signs must have an adult person sign as their witness.

How many need to sign

The number of petitioners must be at least 20% of eligible voters in the municipality or DEA area. This is the threshold number of petitioners.

- Example: the number of registered eligible voters in the hamlet is 1000. The threshold number of petitioners is $20\% \times 1000 = 200$ voters.

200 eligible voters or more must sign the petition.

Contact the CEO, Elections Nunavut to find out the threshold number of petitioners for the proposed plebiscite area, at the time of the petition.

What the petition must say

The petition must contain the following:

- The plebiscite question that petitioners want to ask, on each page of the petition.
- The proposed plebiscite area: for municipality or DEA.
- The full name, postal and civic address, and signature of each petitioner.
- The full name and signature of the person who witnessed a petitioner's signature.
- A declaration by each petitioner that he or she is an eligible petitioner.
- The date that each petitioner signs the petition.
- The full name, postal and civic address, phone number, and email address of the authorized representative of the petitioners.
- Authorized representative signed statement.

This guide has a sample template for a petition.

Petitioner's authorized representative

The group that organizes the petition appoints an authorized representative. The authorized representative is the spokesperson and contact point for the petitioners.

The authorized representative is responsible to answer any questions about the petition that come from the:

- Plebiscite authority: municipality or DEA.
- CEO, Elections Nunavut.
- Public.

The following people are NOT eligible to be the authorized representative:

- A person not eligible to vote.
- An MLA or candidate for election to the Legislative Assembly.
- A corporation.
- A plebiscite officer.
- A person prohibited under the *Public Service Act*.
- A person who broke a law anywhere in Canada related to an election, plebiscite, or referendum—within the last five years.
- A person who did not follow a compliance agreement related to a plebiscite or election—within the last five years.

Petition question

The question must be clear, direct, and neutral; voters must understand it. The question must NOT mislead or confuse voters.

Think in terms of a question that voters can answer with a simple 'yes' or 'no'. The question must deal directly and simply with the issue, not sidestep it or beat around the bush.

Here is an example of a question for a municipal plebiscite:

- Do you agree that the Iqaluit municipality should borrow money to build an aquatic centre—yes or no?

The question must be a “new” question—not on a plebiscite in the same municipality or DEA within the past five years.

Plebiscite authority

The petition goes to the plebiscite authority that is responsible for the topic of the petition.

A local petition may go to one of the following plebiscite authorities:

- Municipal council—only for a matter within their jurisdiction. File the petition with the senior administrative officer.
- Education authority—only for a matter they are responsible for; only when they hold an election for authority members.

Contact Elections Nunavut to confirm what plebiscite authority the petition should go to.

When a plebiscite authority receives a petition, they send it to the CEO, Elections Nunavut. Within 30 days the CEO decides if the petition is valid—if it follows the laws in the *Plebiscites Act*. The CEO sends a written report to the petitioner's authorized representative and to the plebiscite authority.

The plebiscite authority tells the public about the petition. Anyone can inspect the petition during regular office hours. The petitioners can NOT make any changes to the petition once they give it to the plebiscite authority.

Petition is a request, not a demand

If the petition is valid, the plebiscite authority can decide to hold a plebiscite or not. The petition is a request, not a demand.

If the petition is not valid, the plebiscite authority does not have to take any further action about the petition.

To help decide if they want to hold a plebiscite, the plebiscite authority may consult with people and groups within the municipality.

If the plebiscite authority decides to hold a plebiscite on the petition question, they can add their own question, if they decide this is needed or appropriate.

No changes to the petition

Once the petition goes to the plebiscite authority, the group can make no changes to it. They cannot add or remove any names.

Petition about a municipal by-law

For any valid petition about a municipal by-law, the municipal council must do the following:

- Prepare a by-law that deals with the petition topic, within 30 days of the CEO's report.
- Forward a copy of the by-law to the Minister.
- Hold a plebiscite for the by-law. The results of this type of plebiscite are ALWAYS binding.

Plebiscite results

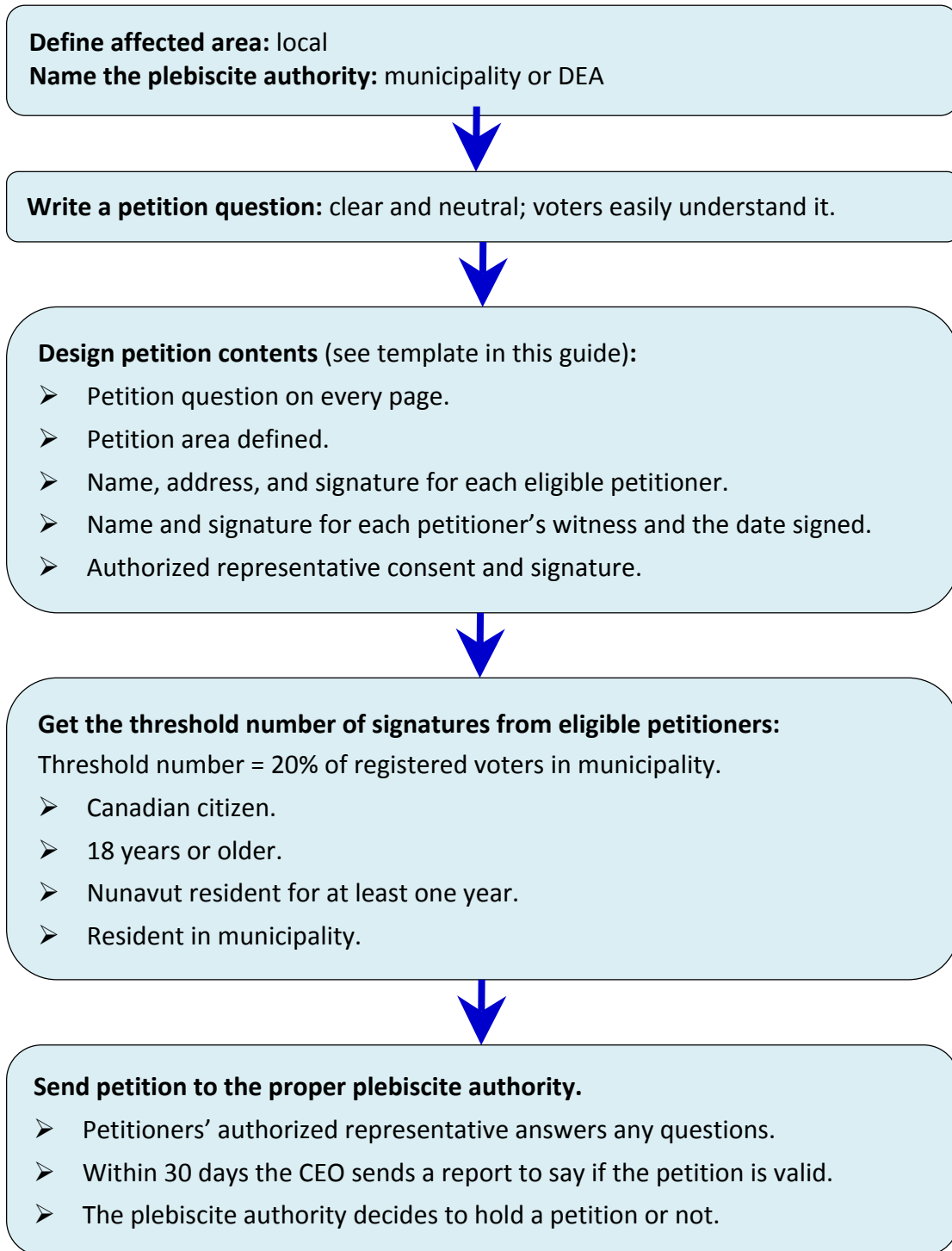
Plebiscite results may be binding or not binding. If they hold a plebiscite, the plebiscite authority says at the start if the results are binding or non-binding.

- Non-binding means that the plebiscite authority may choose to follow the results or not.
- Binding means that the plebiscite authority must follow the results as soon as practical and within their capability. For example:
 - To change programs or policies.
 - To introduce new programs or policies.
 - To take steps to introduce an appropriate by-law.

The results of a plebiscite about a municipal borrowing by-law are **ALWAYS** binding.

Produce a Petition for a Local Plebiscite

Diagram of Basic Process to Produce a Local Petition



Sample Petition Template

See the sample petition template on the following two pages.

The first page is a sample template for the petitioners to sign; copy as many pages as needed to get the number of petitioners you need. Each page **MUST** have the question.

The second page is the contact information and signed statement of consent from the petitioner's authorized representative. This goes at the front of the petition when you send it to the authorized representative.

Petitioner's Authorized Representative

Consent to Act

Plebiscite question: [clear, direct, neutral; voters understand.]

Proposed plebiscite area: [name municipality or DEA]

Threshold number of voters for the area (20% of registered eligible voters in municipality):

Name:

Civic address:

Mailing address:

Phone number:

Email:

Declaration:

I swear/affirm that I am eligible to be an authorized representative, under the *Plebiscites Act*.

I agree to act as the authorized representative for this group of petitioners.

I understand this means that:

- I am spokesperson for the petitioners.
- I provide any information and answer questions about the petition from the plebiscite authority, the CEO, Elections Nunavut, and the public.

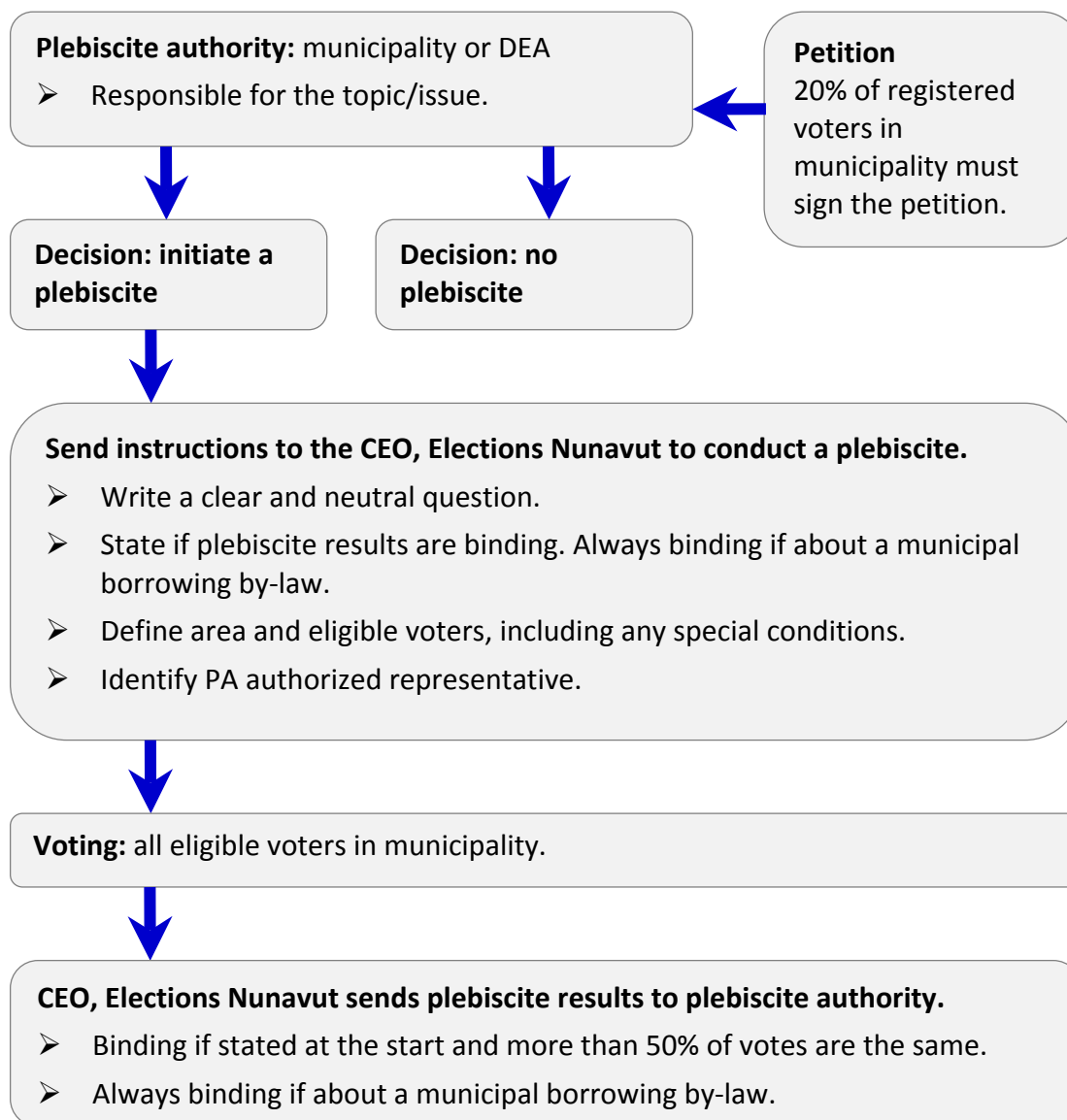
I understand that I take on these duties and tasks as soon as I sign.

Date:

Signature authorized representative:

Witness:

Diagram of Basic Process for Local Plebiscite



Glossary for *Plebiscites Act*

Word	Meaning
Advance vote	A way to vote before plebiscite day; seven days before plebiscite day from 12:00 noon to 7:00 pm local time.
Affected area or plebiscite area	The geographic area where the plebiscite takes place and has influence. May be Nunavut-wide, a municipality, or other defined area. The writ identifies the affected area.
Affected voters or eligible voters	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.
Affirm	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.
ARO	Assistant returning officer, Elections Nunavut. The plebiscite officer responsible to help the RO manage everything about the plebiscite in their community or area.
Authorized representative	Person appointed or designated to represent a group of petitioners, the plebiscite authority, or a registered group.
Ballot	The official paper where voters make a mark in the circle beside their choice to answer the plebiscite question.
Binding	A plebiscite is binding when the plebiscite authority must follow the results. The writ states if the plebiscite is binding or not. Always binding if the plebiscite is about a municipal borrowing by-law.
Campaign	Any ads or other materials—audio, visual, digital—that promote or

Word	Meaning
	job. Oath is similar to affirm, declaration, or swear.
PC	Poll clerk, Elections Nunavut. The plebiscite officer that works with the DRO at the polling station on plebiscite day.
Petition	For the <i>Plebiscites Act</i> , a public document that asks a plebiscite authority to conduct a plebiscite. It is a request, not a demand. At least 20% of eligible voters in the affected area must sign it.
Plebiscite	A vote by secret ballot conducted under the <i>Plebiscites Act</i> so that a plebiscite authority can find out what Nunavummiut think about a certain issue. Separate from a liquor plebiscite conducted under the <i>Liquor Act</i> .
Plebiscite authority	The body or person with authority to initiate a plebiscite. The <i>Plebiscites Act</i> names six plebiscite authorities.
Plebiscite officers	The people that work for Elections Nunavut to run the plebiscite: returning officer (RO), assistant returning officer (ARO), deputy returning officer (DRO), poll clerk (PC), registration clerk (RC). Same as election officers.
Plebiscite period	A 35-day period that starts with the writ and ends with plebiscite day; the official time for the plebiscite.
Plebiscite question	The question(s) and choice(s) set out in the writ and on the ballot that eligible voters can vote on.
Plebiscite report	Shows the number of votes for each choice. The RO fills it out when they review all the statements of the poll. The RO can delay the report for up to two weeks after plebiscite day, if needed.
Polling record	A list of everyone who voted at the polling station; any changes to the voters list; notes about everything that happens during voting.
Polling place	A building that holds one, two, or more polling stations. Each polling place has an ARO and RC. Communities such as Iqaluit and Rankin Inlet have more than one constituency. The polling place has an ARO and RC for each constituency.



Word	Meaning
Polling station	The place voters go to vote; where voters get a ballot from the DRO.
Post plebiscite period	The 60 days right after plebiscite day. Registered groups must submit their financial return before this ends.
RC	Registration clerk, Elections Nunavut. The plebiscite officer responsible to register voters before plebiscite day and during voting on plebiscite day.
Rejected ballot	A marked ballot that does not count for any choice. The DRO or ARO reject a ballot only for clearly defined reasons.
RENU	An electronic voter registration database for Nunavut; stands for Register for Elections in Nunavut. Elections Nunavut uses the database to keep the voters list up to date and accurate.
RO	Returning officer, Elections Nunavut. The plebiscite officer responsible to manage everything about the plebiscite in their community or area.
Spoiled ballot	A ballot that the printer did not print properly. Or a ballot that a voter makes a mistake on when they mark it. The DRO gives the voter a new ballot and marks the first one 'spoiled'. The spoiled ballot does not go in the ballot box.
Statement of the poll	The official Elections Nunavut form that shows the number of votes for each choice to answer the plebiscite question.
Stub	The numbered part of each ballot that stays with the book of ballots. When the DRO tears each ballot from the book, the stub stays in the book.
Swear	A formal, religious promise that something is true; a promise to do something; the most serious promise you can make. If you break this promise it's like breaking the law. A person gives their word and swears on the bible that something is true. Swear is similar to affirm, declaration, or oath.

