

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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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.

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.

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.

Diagram of Basic Process to Produce a Local Petition

Define affected area: local

Name the plebiscite authority: municipality or DEA



Write a petition question: clear and neutral; voters easily understand it.



Design petition contents (see template in this guide):

- Petition question on every page.
- Petition area defined.
- Name, address, and signature for each eligible petitioner.
- Name and signature for each petitioner's witness and the date signed.
- Authorized representative consent and signature.



Get the threshold number of signatures from eligible petitioners:

Threshold number = 20% of registered voters in municipality.

- Canadian citizen.
- 18 years or older.
- Nunavut resident for at least one year.
- Resident in municipality.



Send petition to the proper plebiscite authority.

- Petitioners' authorized representative answers any questions.
- Within 30 days the CEO sends a report to say if the petition is valid.
- The plebiscite authority decides to hold a petition or not.

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.

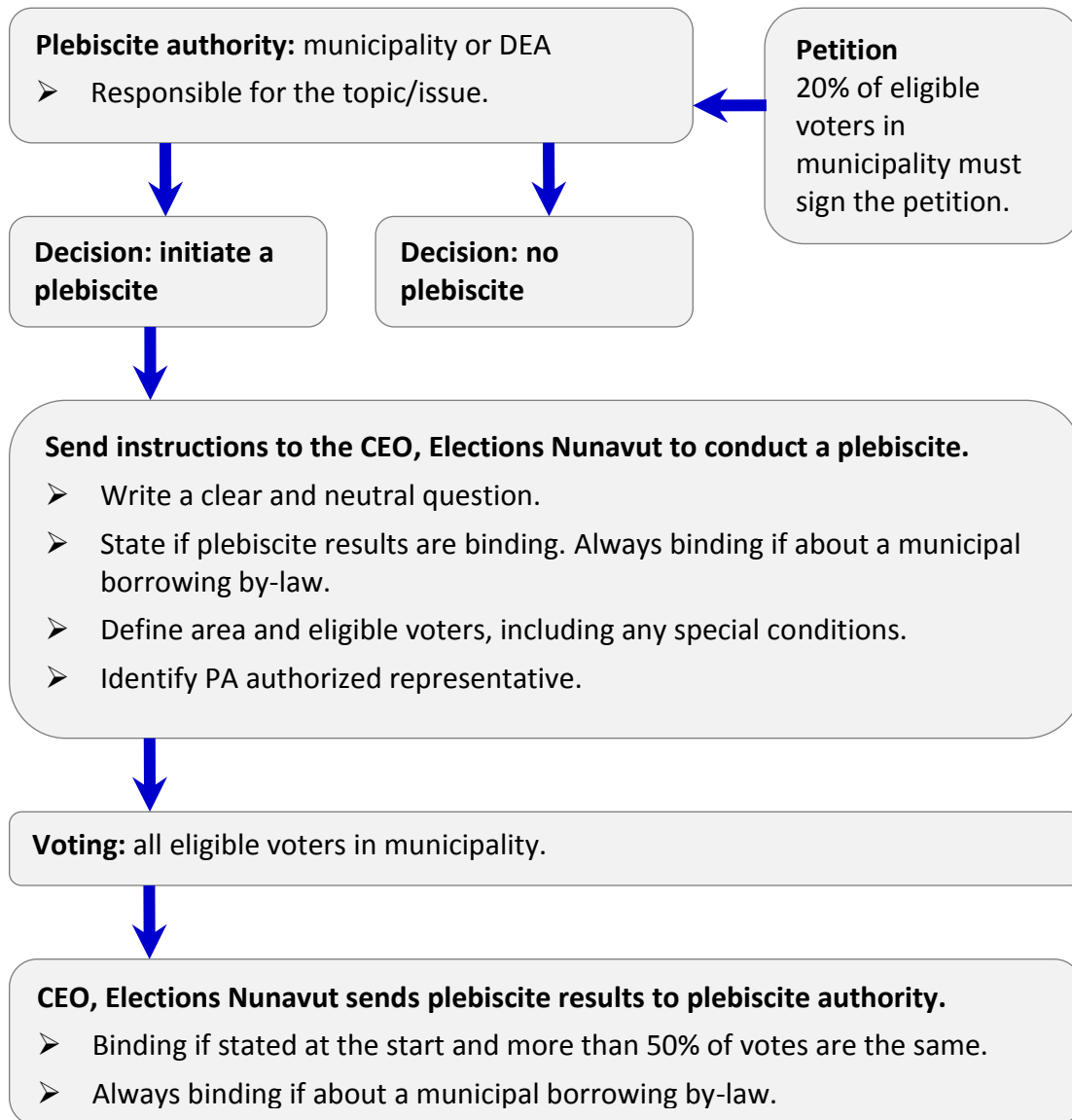
I understand that I take on these duties and tasks as soon as I sign.

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 | <p>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.</p> <p>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.</p> |
| 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 oppose one side of the plebiscite question. |

| Word | Meaning |
|-----------------------------------|---|
| CEO | Chief Electoral Officer—the person in charge of Elections Nunavut. |
| Civic address | Lot and house number; different from a mailing address. To register with Elections Nunavut, voters need to give their civic address. |
| Compliance agreement | An agreement with a person who allegedly broke the laws. The person agrees to do certain things. In exchange, the Integrity Commissioner agrees to not go ahead with a trial. |
| Counterfoil | The numbered tab on a ballot. The DRO rips it off just before the ballot goes in the ballot box. |
| Declaration | A formal or legal statement a person makes to say something is true or they intent to do something. If you break this promise it's the same as breaking the law. Declaration is similar to affirm, oath, or swear. |
| DRO | Deputy returning officer, Elections Nunavut. The plebiscite officer responsible for each polling station on plebiscite day. |
| Education authority | A District Education Authority or other governing body of a school under the <i>Education Act</i> . |
| Elections Nunavut | Elections Nunavut is an independent agency. They oversee all elections under the <i>Nunavut Elections Act</i> , all plebiscites under the <i>Plebiscites Act</i> , and liquor plebiscites under the <i>Liquor Act</i> . |
| Judicial recount | Elections Nunavut applies to the court for a recount when the difference between the number of votes for the first choice and any other choice is less than 2% of the total number of votes. |
| Non-binding or not binding | A plebiscite is non-binding when the plebiscite authority may choose to follow the results or not. The plebiscite may be a consultation tool. The writ states if the plebiscite is binding or not. |
| Oath | A formal, legal promise that something is true; a promise to do something. Plebiscite officers take an oath to be impartial in their job. Oath is similar to affirm, declaration, or swear. |

| Word | Meaning |
|-----------------------------|---|
| 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. |

| Word | Meaning |
|----------------|---|
| Witness | A person who signs a document to say that another person's signature is truly their signature. |
| Writ | The official notice to say there is a plebiscite. The CEO sends it to each RO. Each RO posts the writ in their office. The return of the writ is the back side. It shows the plebiscite results. The RO fills it out and sends it to the CEO after plebiscite day. |