

Summary of the Administration of Municipal Elections in 2019

Repealing of the *Local Authorities Elections Act*

On April 1, 2019, the *Local Authorities Elections Act* will be repealed and the *Nunavut Elections Act* will guide all future Municipal elections. There will be no more elections under the *Local Authorities Elections Act* after October 1, 2018. Many of the new rules will be the same as the elections held for MLAs.

The next general election for the entire Municipal Council will be on October 28, 2019.

Role of Elections Nunavut in Municipal Elections in 2019

Elections Nunavut will be responsible for:

- providing general direction and supervision over the administration of Municipal elections.
- providing legal advice to Municipalities and all election officers.
- providing guides and election material (ballot boxes, forms, voting screens, posters) to every Municipality in all of Nunavut's official languages. Training manuals are being developed for the Municipal Returning Officers to assist with this transition.
- providing ballots to every Municipal Returning Officer to be printed for the election.
- producing the voters list and polling record and providing it to every Municipal Returning Officer.
- hiring and paying Registration Clerks to update the voters list.
- effectively communicating with the Municipality and election officers.
- publishing election results.

Role of Municipals in Municipal Elections in 2019

The Municipality can continue to run elections in partnership with the District Education Authority.

The Municipality will be responsible for:

- entering into an agreement with the DEA if joint elections are desired.
- appointing and paying the Returning Officer and all election officials for the Municipal election.
- securing, paying for, and managing voting offices and locations.
- effectively communicating with Elections Nunavut and election officers.

Election Rule	Current <i>Local Authorities Elections Act</i>	New <i>Nunavut Elections Act in 2019</i>
Chief Electoral Officer	Chief Municipal Electoral Officer appointed by Commissioner in Executive Council from the public service.	Chief Electoral Officer appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly. Not a member of the public service.
Candidate Eligibility	<ul style="list-style-type: none"> • 18 years of age • Resident in the community for 1+ year • Canadian Citizen <p>Disqualification</p> <ul style="list-style-type: none"> • Judge or JP (allowed with Leave) • An MLA • Employee of the Municipality • Election Officer • Convicted under the Act- within 3 years • Imprisoned for 5 years+ within 3 years of election day • A sheriff • Auditor or assessor of municipality • A surety for an employee of the municipality • A person in debt to the municipality for \$500 for more than 90 days • A person who has controlling interests in a company that is in debt to the municipality for \$500 for more than 90 days • A person who has not paid all municipal taxes 	<ul style="list-style-type: none"> • 18 years of age • Resident of Nunavut for 1+ year • Resident in the community • Canadian Citizen <p>Disqualification</p> <ul style="list-style-type: none"> • Judge JP (allowed with Leave) • An MLA or Member of Parliament • Employee of the Municipality (Can now obtain leave) • Election Officer (incl. Elections Nunavut) • Is in prison • Convicted under the any Election Act within 5 years • Did not comply with Financial Reporting from an MLA election within 5 years • Court has decided the person cannot make decisions for themselves. • A sheriff • Auditor or assessor of municipality • A surety for an employee of the municipality • A person in debt to the municipality for \$500 or more for more than 90 days • A person who has controlling interests in a company that is in debt to the municipality for \$500 or for more than 90 days • A person who has not paid all municipal taxes
Single Candidacy	A person in a Hamlet can be a candidate for both Mayor and Council at the same time. A person in a City can only be a candidate for Mayor or Council, but not both.	A person can only be a candidate for Mayor or Council, not both.

Municipal Election Rule	Current <i>Local Authorities Elections Act</i>	New <i>Nunavut Elections Act after 2019</i>
Voter Eligibility	<ul style="list-style-type: none"> • 18 years of age • Resident in the community for 1+ year • Canadian Citizen 	<ul style="list-style-type: none"> • 18 years of age • Resident of Nunavut for 1+ year • Resident in the community (no time length) • Canadian Citizen • <u>Not</u> eligible if a court has decided the person cannot make decisions for themselves.
Fixed Election Date	Election every 2 or 3 years in December.	Election takes place every 4 years on the 4 th Monday in October.
Staggered Terms	Half the Municipal council is elected every 2 or 3 years.	All Municipal council members are elected every 4 years.
By-Elections	By-elections permitted for Mayor and Council.	By-elections only permitted for Mayor.
Council Vacancies	Council appoints a person who is eligible as a candidate or holds a by-election.	Council appoints a candidate from the previous election who was not elected <u>or</u> publicly request applicants and appoints a person who is eligible.
Mayor Vacancy	Council appoints a Mayor from Council <u>or</u> holds a by-election.	Council appoints a Mayor from Council <u>or</u> holds a by-election.
Candidacy	Nomination period 7 weeks before the election. 2 or more voters nominate the candidate.	Declaration period is between 35 days and 31 days before the election. Nomination not required.
Joint Elections	The Municipality and DEA can hold a joint election.	With CEO approval, the Municipality and DEA can hold a joint election. Agreement must be in place 36 days before the election.
Withdrawal of Candidacy	Before 48 hours after close of nominations.	Before 5:00 on the day of close of candidacy.
Extension of Declaration Period	Close of nominations extended 1 week if not enough candidates to fill vacancies.	No extensions permitted.

Municipal Election Rule	Current <i>Local Authorities Elections Act</i>	New <i>Nunavut Elections Act after 2019</i>
Other Voting Options	Advance Vote, Proxy Vote, Mobile Poll	Advance Vote, Proxy Vote, Mobile Poll CEO can approve Special Ballot (mail-in), Emergency Voting (telephone), voting in the Office of the Returning Officer.
Tabulation Machine	Tabulation machines not permitted.	CEO can authorize the use of tabulation machines.
Advance Vote	7-14 days prior to election. Voters complete a declaration stating they cannot vote on election day.	7 days prior to election. Any voter can vote at advance vote.
Proxy Voting	Allowed if the voter does not expect to vote on either election day or advance vote. Complete Proxy application. Can proxy vote for 3 voters.	Only allowed in the case of an unexpected absence and no other opportunity to vote. Complete Proxy application. Can proxy vote for 1 voter.
Recounts	Administrative Recount by Returning Officer. Judicial recount by Judge.	Administrative Recount by Returning Officer. Judicial Recount by Justice of the Peace.
Official Languages	The Municipality has the option to use Nunavut's official languages in election material.	The use of Nunavut's official languages is <u>mandatory</u> in election material.
Voters List	Enumeration of voters prior to each election. Compiled by the Municipality and publicly posted around the community.	Permanent voters list Compiled by Elections Nunavut and only posted in Returning Officer's office.
Registration of Voters	Municipality appoints a Registrar and enumerators.	Elections Nunavut appoints Registration Clerks
Polling Stations	No size limits.	Maximum of 550 registered voters per polling station.
Election Officers	Returning Officer, Deputy Returning Officer, Election Clerk, Registrar.	Returning Officer, Assistant Returning Officer, Deputy Returning Officer, Poll Clerk, Registration Clerk.
Returning Officer	Municipality appoints a Returning Officer, <u>or</u> the SAO, <u>or</u> an employee of the Department of Education performs the duties of the Returning Officer.	Municipality appoints a Returning Officer.
Election Officer Power to administer Oaths	Election Officers for the purpose of elections are commissioners of oaths	Election Officers for the purpose of elections are <u>not</u> commissioners of oaths.

Municipal Election Rule	Current <i>Local Authorities Elections Act</i>	New <i>Nunavut Elections Act after 2019</i>
Prohibitions on Election Officers	Disqualified election officers: <ul style="list-style-type: none"> • Candidates in Municipal election • Member of the local authority 	Disqualified election officers: <ul style="list-style-type: none"> • Candidates in Municipal election • Current MLA or an MLA from the previous session • Member of the Queen’s Privy Council for Canada • Member of Parliament • Mayor or Councillor • Judge • A person convicted of an offence against any election Act in Canada
Destruction of Election Material	Destruction of ballots and election material destroyed after 3 months.	Destruction of ballots and unsigned election material destroyed after 12 months.
Removal of Campaign Material	A candidate must remove all campaign material within 14 days after the election.	A candidate must remove all campaign material within 10 days after the election.

2019 General Election Calendar for Mayor and Council

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	SEPT 23- Day 35 Candidate declaration period starts	SEPT 24- Day 34	SEPT 25- Day 33	SEPT 26- Day 32	SEPT 27- Day 31 •Declarations closes at 2pm •Candidates can withdraw by 5pm	SEPT 28- Day 30
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						
DECLARATION PERIOD						
SEPT 29- Day 29	SEPT 30- Day 28	OCT 1- Day 27	OCT 2- Day 26	OCT 3- Day 25	OCT 4- Day 24	OCT 5- Day 23
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						
OCT 6- Day 22	OCT 7- Day 21 Thanksgiving Day	OCT 8- Day 20	OCT 9- Day 19	OCT 10- Day 18	OCT 11- Day 17	OCT 12- Day 16
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						
OCT 13- Day 15	OCT 14- Day 14	OCT 15- Day 13	OCT 16- Day 12	OCT 17- Day 11	OCT 18- Day 10	OCT 19- Day 9
VOTE IN THE OFFICE OF THE RETURNING OFFICER (If approved by CEO)						
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						
OCT 20- Day 8	OCT 21- Day 7 MOBILE POLL ADVANCE VOTE	OCT 22- Day 6	OCT 23- Day 5	OCT 24- Day 4	OCT 25- Day 3	OCT 26- Day 2
VOTE IN THE OFFICE OF THE RETURNING OFFICER (If approved by CEO)						
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						
OCT 27- Day 1	OCT 28- ELECTION DAY • Proxy deadline 3pm • Special ballot by 5pm	OCT 29	OCT 30	OCT 31		
PROXY APPLICATION PERIOD (if approved by CEO)						
SPECIAL BALLOT APPLICATION PERIOD (If approved by CEO)						