

Candidates

When is Nomination Day?

Nomination day is September 23, 2013 between 10 a.m. and 12 noon.

Can I look at the nomination papers on nomination day?

After 12 noon on September 23, 2013, a person may request to examine the filed nominations during regular business hours and in the presence of the returning officer, deputy or secretary. See section 28(4) of the Local Authorities Election Act.

Can a person with a criminal record run in a local election?

Yes, however, if that person has been convicted of an election offence (federal, provincial or local) within the previous 10 years, they are ineligible. Ineligibility to run in a local election is outlined in section 22 of the Local Authorities Election Act.

The number of nominations is equal to the number of offices to be elected. Do I have to wait until after the October 21 election day before an organizational meeting?

No, the organizational meeting may be held when the returning officer declares those elected by acclamation. See sections 10 and 34 of the Local Authorities Election Act.

Are you allowed to campaign inside, outside or near a voting station on Election Day?

No. See section 152 of the Local Authorities Election Act.

Council is considering providing for the submission of a question to be voted on by the electorate. Does this vote bind council?

If the question was not required to be put to a vote, then the decision does not bind council.

Who can challenge the validity of an election?

If the validity of an election of a member of an elected authority or the member's right to hold the seat is contested, or the validity of a vote on a bylaw or question is contested, the issue may be raised before the Court of Queen's Bench. See section 126 of the Local Authorities Election Act.

The issue may be raised by: -

- A candidate,
- The elected authority,
- Any elector if the right to sit is by acclamation or contested on the grounds that a member of the elected authority is ineligible, disqualified or has forfeited the member's seat since the election, or
- An elector who gave or tendered their vote at the election.

Who has the ability to ask for a recount?

The returning officer may make a recount if a candidate, official agent or a scrutineer shows grounds that the count of votes is inaccurate. The returning officer may also consider the number of rejected ballots, valid ballots objected to, or any administrative or technical errors. A recount is requested, a recount application must be made by 4:00 p.m. on October 24, 2013.

Any elector may ask for a judicial recount by filing a notice of motion for a recount with the clerk of the Court of Queen's Bench before Friday, November 8, 2013. See sections 98 and 103 of the Local Authorities Election Act.

What do you do if there is a tie?

If a tie determines who is elected or not, the returning officer writes the names of those candidates on separate pieces of paper and "draws a name from a hat". The name on the withdrawn paper is considered to receive one more vote. See section 99 of the Local Authorities Election Act.

When are election results official?

Election results are considered official at 12 noon on Friday, October 25, 2013. The returning officer may publish unofficial election results prior to this time. See section 97 of the Local Authorities Election Act.

What are allowable election campaign expenses?

Allowable expenses are the actual personal expenses of the candidate, the cost of acquiring premises, accommodation, goods or services used for proper election campaign expenses, payments for the cost of printing and advertising, reasonable payment to any person for the hire of transportation used by a candidate or speakers in travelling to and from public meetings or by any person in connection with and for the proper purposes of an election. See section 118 of the Local Authorities Election Act. New is the requirement for the election candidate campaign contribution and disclosure statement form. A candidate whose campaign is entirely self funded has a funding cap of \$10,000 in a campaign period and is not required to open a bank account or file a disclosure statement unless there is a surplus exceeding \$500 from a previous election. A candidate must declare campaign contributions funded from any person, corporation, trade union, or employee organization by completing an Election Candidate Campaign Contribution and Disclosure Statement Form. Campaign contributions by any person, corporation, trade union or employee organization to a candidate shall not exceed \$5,000 in any year. A candidate who funds a campaign by contributions must open a campaign account at a financial institution.

Can a candidate put up campaign signage prior to Nomination Day?

There are no limitations on when a candidate may start campaigning.

How many signatures are required on my nomination papers?

You must have at least 5 signatures of electors eligible to vote in that election. A city with a population over 10,000 may by bylaw, require that up to 100 signatures are required. Section 27, Local Authorities Election Act.

Can I fax my nomination paper in?

No. Original documents must be filed with the Returning Officer between 10:00 a.m. and 12 noon.

I'm not around on nomination day (September 23, 2013 between 10:00 a.m. and 12 noon). Can I file my nomination papers earlier?

Only if the elected authority has passed a bylaw allowing the returning officer to receive nominations earlier than 10:00 a.m. Any person may file your completed nomination papers on your behalf. Section 28, Local Authorities Election Act.

Do I have to pay a deposit when I file my nomination papers?

The County of St. Paul No. 19's Bylaw 1179 requires candidates to provide a \$100 deposit through cash, certified cheque or money order to stand as a candidate.

Do I get my nomination deposit back?

Your deposit will be returned to you if you:

- are elected,
- or withdraw your nomination in accordance with Section 32 of the Local Authorities Election Act, or
- receive at least half the number of votes as the candidate elected in your race with the least number of votes.

Example: If the winning candidates in your ward receive 10,000 and 8,000 votes, you need to receive at least 4,000 votes (half the votes of the second place winner) to reclaim your deposit. If you do not meet any of these conditions, your deposit is paid into the general revenues of the local jurisdiction or the appropriate School District. Section 30, Local Authorities Election Act.

What if no nominations are received for a particular position?

If the required number of nominations are not received for the number of positions available on nomination day, the Returning Officer will continue to receive nominations on Tuesday, September 24, 2013, at the local jurisdiction, between 10 a.m. and 12 noon.

Nominations will continue to be received at the same place between the same times until the required number of nominations has been received or a period of six working days, including nomination day.

Section 31, Local Authorities Election Act

Is it possible to withdraw my nomination?

You can withdraw within 24 hours after the close of nominations: that is, before 12 Noon on September 24, 2013. Your notice of withdrawal must be submitted in person, in writing, to the Returning Officer at the local jurisdiction. Faxed notices of withdrawal are NOT accepted. Your nomination cannot be withdrawn after the 24-hour deadline has passed, and your name will appear on the ballot.

In addition, you can only withdraw your nomination if the number of remaining candidates meets the positions in the race. In other words, if you are the only candidate running for School Board Trustee in your division or ward, you cannot withdraw your nomination. If you are running for councillor in a local jurisdiction with 6 seats and there are only six nominated

candidates, no candidate may withdraw.
Section 32, Local Authorities Election Act

What happens if a candidate dies after nomination day?

If the local jurisdiction has passed a bylaw providing for the death of a candidate prior to the opening of the voting stations on Election Day, the election for the position will be discontinued and a new election will be held.

If the candidate dies after being nominated and a bylaw has not been passed, the returning officer will post a notice of the death in a conspicuous location at all relevant voting stations. However, the deceased person's name will remain on the ballot. Section 33, Local Authorities Election Act.

What happens if the nominations received meet, but do not exceed, the number of positions available?

If the number of nominations does not exceed the number of positions available, after the close of nominations, the Returning Officer will declare the candidate(s) nominated for the position elected by acclamation.

Section 34, Local Authorities Election Act