



NOMINATION PACKAGE ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)

Forms to be Completed*

- Candidate Cover Sheet and Checklist Form
- Nomination for Office of Director
- Declaration by Nominee
- Appointment of Official Agent
- Appointment of Scrutineers
- Appointment of Candidate Financial Agent
- Financial Disclosure Form (including Fact Sheet)
- Candidate Information Release Authorization

**additional forms are available on request*

If you would like to be advised of updates to Nomination Package please send a request including your contact information to elections@srd.ca.

Information Package

- Notice of Nomination Period
- Candidate's Guide to Local Elections
- Elector Organization Guide to Local Elections
- Guide to Local Elections Campaign Financing in BC
- Third Party Advertising Sponsor Guide to Local Elections
- Local Elections Campaign Financing Act – See www.elections.bc.ca or call 1-855-952-0230
- Excerpts from the Local Government Act:
 - Elector Qualifications – Sections 65-68
 - Qualifications for Office – Sections 81-83
 - Candidates and Representatives – Sections 101-103
 - Election Offences – Sections 161-166

Under *Local Elections Campaign Financing Act* (LECFA), Elections BC is responsible for the oversight of all matters related to candidate and elector organization campaign financing, third party advertising sponsors and election advertising during the election proceedings period in local elections. Elections BC may be contacted at the following:

Website: www.elections.bc.ca Email: electionsbc@elections.bc.ca Phone toll free 1-800-661-8683

If you require assistance or would like more information on the nomination or the election process for the 2022 General Local Elections, please contact the following election officials at 1-877-830-2990 or by email elections@srd.ca

**Thomas Yates, Chief Election Officer
Edith Watson, Deputy Chief Election Officer**

Completed nomination forms will be accepted by the Chief Election Officer or Deputy Chief Election Officer between 9:00 a.m. Tuesday, August 30, 2022 and 4:00 p.m. Friday, September 9, 2022 at the Strathcona Regional District Office.



GUIDELINES FOR COMPLETION AND SUBMISSION OF NOMINATION FORMS

The following information is provided to assist nominators, candidates and others with filing nomination forms and related documentation as required by the *School Act*, the *Local Government Act* and the *Local Elections Campaign Financing Act*.

Nominators - a minimum of 2 qualified nominators for the voting jurisdiction must sign the nomination form. Even if one or more of the nominators is not qualified to sign the nomination form, a nomination is still valid as long as the nomination is made by at least the minimum number of qualified nominators. The form provided includes space for up to 3 nominators. If additional nominators are desired please attach another copy of the nomination form and ensure that the candidate's information is included on the second copy.

Contact Information - please note that the candidate's declaration contains a space for the candidate to include an address, a telephone number and an email address for contact purposes. If a candidate prefers that the contact information not be known to the public, the number may be provided separately by email or other means. A Candidate Information Release Authorization is also provided. The purpose of the form is to facilitate the communication of information to the media and other interested parties. Completion and submission of the Candidate Information Release Authorization form is entirely at the discretion of the candidate and is not mandatory.

Declarations - please note that any solemn declarations required in conjunction with the nomination process must be executed in the presence of the Chief Election Officer, a notary public or commissioner for taking affidavits.

Disclosure Statements - with respect to the Statement of Disclosure form please refer to accompanying Fact Sheet for answers to the most frequently asked questions. If you have questions which are not addressed in the Fact Sheet please contact the Chief Election Officer or your legal counsel.

Nomination Period – Completed nomination forms will be accepted by the Chief Election Officer or Deputy Chief Election Officer for the 2022 general local election between 9:00 a.m. on Tuesday, August 30, 2022 and 4:00 p.m. on Friday, September 9, 2022 at the Strathcona Regional District Office located at 990 Cedar Street, Campbell River, B.C. Nomination documents may be hand delivered or sent by email or facsimile transmission by the above date but the original signed documents must be received not later than 4:00 p.m. on Friday, September 16, 2022. Please note that signed documents may not be submitted in counterpart (ie. original signatures affixed to separate copies of a document).

Public Inspection - nomination documents which have been filed with the Chief Election Officer are available for public inspection at the Strathcona Regional District office until late December.

Campaign Financing - for information regarding election campaign financing please contact Elections BC at 1-855-952-0280 (toll free) or www.elections.bc.ca.

If you have any questions with respect to the completion, submission or viewing of nomination forms please contact the Strathcona Regional District at elections@srd.ca



**CANDIDATE COVER SHEET AND CHECKLIST FORM
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

(full name of Candidate)

This nomination package includes the following completed forms, appointments, consents and declarations:

- Nomination for Office
- Declaration of Candidate
- Appointment of Candidate Financial Agent
(if Candidate is not acting as own Financial Agent)
- Appointment of Official Agent (if applicable)
- Appointment of Scrutineer(s) (if applicable)
- Statement of Disclosure: Financial Disclosure Act
(required under the *Financial Disclosure Act*)
- Candidate Information Release Authorization (The completion and submission of this form is entirely at your discretion and is not mandatory)

Disclaimer: All attempts have been made to ensure the accuracy of the forms contained in the Candidate Nomination Package – however the forms are not a substitute for provincial legislation and/or regulations.

Please refer directly to the latest consolidation of provincial statutes of BC Laws (www.bclaws.ca) for applicable election-related provisions and requirements.



**NOMINATION FOR OFFICE OF DIRECTOR
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

We, the following electors of Electoral Area A (Kyuquot/Nootka-Sayward), hereby NOMINATE

_____ (full name of person nominated)

also known as: _____
(usually first name of person nominated if different from full name and preferred for ballot)

residing at: _____
(full residential address)

and having a mailing address of: _____
(if different from residential address)

as a candidate for the office of director for Electoral Area A (Kyuquot/Nootka-Sayward) of the Strathcona Regional District.

NOMINATOR NO. 1
<p>I, _____ being a duly qualified elector residing* at (Nominator No. 1 – print full name)</p> <p>_____ hereby state that to the best of my knowledge (residential address)</p> <p>_____ meets the qualifications for nomination to (name of person being nominated)</p> <p>office pursuant to Section 81 of the <i>Local Government Act</i>.</p> <p>Dated at: _____, B.C. this _____ day of _____, 2022</p> <p style="text-align: right;">_____ Signature</p> <p>NOTE: *If the nominator does not reside within Electoral Area A please include below the address or legal description of the property for which nominator is registered as a non – resident property elector.</p> <p>_____</p> <p>_____</p>

NOMINATOR NO. 2

I, _____ being a duly qualified elector residing* at
(Nominator No. 2 – print full name)

_____ hereby state that to the best of my knowledge
(residential address)

_____ meets the qualifications for nomination to
(name of person being nominated)

office pursuant to Section 81 of the *Local Government Act*.

Dated at: _____, B.C. this _____ day of
_____, 2022

Signature

NOTE: *If the nominator does not reside within Electoral Area A please include below the address or legal description of the property for which nominator is registered as a non – resident property elector.

NOMINATOR NO. 3

I, _____ being a duly qualified elector residing* at
(Nominator No. 3 – print full name)

_____ hereby state that to the best of my knowledge
(residential address)

_____ meets the qualifications for nomination to
(name of person being nominated)

office pursuant to Section 81 of the *Local Government Act*.

Dated at: _____, B.C. this _____ day of
_____, 2022

Signature

NOTE: *If the nominator does not reside within Electoral Area A please include below the address or legal description of the property for which nominator is registered as a non – resident property elector.



**DECLARATION OF NOMINEE
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

I, _____,
(full name of person nominated)

also known as _____,
(usual name if different from full name, and preferred for ballot)

residing at _____
(residential address)

and having a mailing address of _____
(if different from residential address)

having been nominated for the office of director for Electoral Area A (Kyuquot/Nootka-Sayward) of the Strathcona Regional District do hereby consent to the nomination and further, do SOLEMNLY DECLARE that:

- a) I am qualified under Section 81 of the *Local Government Act* to be nominated to the office noted above;
- b) to the best of my knowledge and belief, the information provided in the nomination documents is true;
- c) if elected, I fully intend to accept the office for which I have been nominated; and
- d) I am aware of the *Local Elections Campaign Financing Act*, and I understand and intend to fully comply with the requirements and restrictions that apply under that Act.

Nominee Signature

Phone Number of Nominee

Email Address

Declared before me at _____,
British Columbia this _____ day of
_____, 2022.

Chief Election Officer or Commissioner
for taking affidavits for British Columbia

Complete the following section only if, as Nominee, you wish an endorsement to apply.

Pursuant to Section 92(1)(b) of the *Local Government Act*, I hereby consent to the endorsement by

(name of elector organization)

and wish to have the endorsement of this organization included on the ballot.



**APPOINTMENT OF OFFICIAL AGENT
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

I, _____, a candidate for the office of
(name of candidate)

director, Electoral Area A (Kyuquot/Nootka-Sayward) in the forthcoming election, hereby appoint

_____ residing at
(name of official agent)

_____ as my official agent for
(residential address)

the 2022 general local election with such appointment to:

include

not include

the delegated authority to appoint scrutineers to observe the conduct of voting and ballot counting proceedings for the election.

_____ Candidate Signature
Dated at _____, BC
this ____ day of _____, 2022

Received this ____ day of
_____, 2022
_____ Chief Election Officer or Delegate



**APPOINTMENT OF SCRUTINEERS
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

I, _____
(name of candidate or official agent)

a candidate, or

an official agent for _____
(name of candidate)

Seeking election to the office of director, Electoral Area A (Kyuquot/Nootka-Sayward) of the Strathcona Regional District hereby appoint:

	NAME OF SCRUTINEER	RESIDENTIAL ADDRESS
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____

as my scrutineer(s) for the 2022 general local election.

Candidate Signature

Dated at _____, B.C.
this _____ day of _____, 2022

Received this _____ day of _____, 2022

Chief Election Officer or Delegate



**APPOINTMENT OF FINANCIAL AGENT
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

I, _____, having been nominated to the office of director for Electoral Area A (Kyuquot/Nootka-Sayward)

hereby appoint _____
(name of financial agent)

(mailing address of agent) (City/Town) (postal code)

(telephone number) (email address) (date of appointment)

as my financial agent for the 2022 general local election. I further understand that an individual who is a candidate is deemed to be acting as their own financial agent in the event they do not appoint another person as their financial agent.

Dated at _____,
British Columbia this ___ day of _____,
2022.

Candidate Signature

Phone Number of Candidate

Email Address

I hereby consent to act as the Financial Agent for the above named Candidate as of the date of this appointment:

Signature of Financial Agent

Dated this _____ day of _____, 2022.

FINANCIAL DISCLOSURE ACT

The information in this fact sheet applies to you if you have accepted a nomination for election as a Member of the Legislative Assembly (MLA) in British Columbia.

ABOUT THE ACT

The *Financial Disclosure Act* requires that the following people make disclosures of assets, debts and sources of income:

- A nominee for election to provincial or local government* office, as a school trustee, or as a director of a francophone education authority.
- An elected local government official.
- An elected school trustee, or director of a francophone education authority.
- An employee designated by a local government, francophone education authority or board of a school district.
- A public employee designated by the Lieutenant Governor in Council.

*(“local government” includes municipalities, regional districts, and the Islands Trust.)

The intent of the Act is to identify what areas of influence and possible financial benefit an elected official, nominee or designated employee might have by virtue of their office, and to ensure the public has reasonable access to the information.

WHAT YOU MUST DISCLOSE

It is not necessary to disclose the value of your holdings or the amount of debt owed, but you must disclose:

- The name of each corporation in which you hold one or more shares, including shares held by a trustee on your behalf.
- The name of each creditor to whom you owe a debt, with the following exceptions: residential property debt (mortgage, lease or agreement for sale); money borrowed for household or personal living expenses; or any assets you hold in trust for another person.
- The name of each business or organization located or carrying on business in British Columbia from which you receive financial remuneration. You must also identify your capacity as owner, part-owner, employee, trustee, partner or other (e.g. director of company or society).
- The legal description(s) and address(es) of all land located in British Columbia in which you, or a trustee acting on your behalf, own an interest or have an agreement, which entitles you to obtain an interest. Your personal residence does not need to be disclosed.
- The following information with regard to corporations where you individually, or together with your spouse, child, brother, sister, mother or father, own shares which total more than 30% of votes for electing directors:
 - The name of each corporation and its subsidiaries.
 - The type of business the corporation and its subsidiaries normally conduct.
 - A description and address of land in which the corporation, its subsidiaries or a trustee acting for the corporation, own an interest or have an agreement entitling any of them to acquire an interest.
 - A list of creditors of the corporation, including its subsidiaries (you need not include debts of less than \$5,000 payable in 90 days).
 - list of any other corporations in which the corporation, including its subsidiaries or trustees acting for them, holds one or more shares.

You must include shares held by a trustee on your behalf, but not shares you hold by way of security.

FILING DISCLOSURE DOCUMENTS

You must use a "Statement of Disclosure" form to make your disclosures under the Act. You can obtain the form from the B.C. Government Web site at: www.gov.bc.ca [type 'Statement of Disclosure Form' in search bar].

You must submit your completed disclosure form with your nomination papers to the Chief Electoral Officer or your District Electoral Officer. If you are elected, you will have further disclosure obligations under the Members' Conflict of Interest Act.

FREQUENTLY ASKED QUESTIONS

Q. Do I need to list mutual fund investments?

A. The Financial Disclosure Act was written many years ago and does not specifically address mutual fund investments. If you own mutual funds which do not contain corporate shares or interests in land located in British Columbia, you are not required to disclose your investment. If you own mutual funds which do contain corporate shares or interests in land located in British Columbia, your investment should be disclosed either as trusts (if applicable) or to comply with the spirit of the legislation.

Q. Do I need to list investments held in my RRSPs?

A. It depends on the type of investments you hold in your RRSPs. If you hold corporate shares or interests in land located in British Columbia in an RRSP, those investments must be disclosed to the same extent as if you held those investments outside an RRSP. However, if you hold in an RRSP investments which would not be disclosable if you held them directly (e.g. term deposits or GICs), they do not become disclosable because they are held in an RRSP.

Q. Do I need to list credit card debt for other than ordinary household or personal living expenses?

A. Yes, credit card companies for which you owe a debt for other than ordinary household or personal living expenses must be disclosed.

Q. Do I need to provide information about land holdings outside the province?

A. No, unless the land holdings are owned by a corporation in which you individually (including through a trustee), or with family members, own shares (other than by way of security) carrying more than 30% of votes for electing directors.

Q. What happens if I forget to include something on my form?

A. As a nominee for election to provincial office you are required by law to submit a complete disclosure form with your nomination papers. If you have forgotten to include something on your form, you should submit a supplement to your filed disclosure form or complete a new disclosure form and submit to the Chief Electoral Officer as soon as possible.

Q. Who will have access to the information on my disclosure form?

A. Your statement of disclosure form will be available for public inspection during normal business hours.

Q. How long is the information kept on file?

A. Elections BC keeps a copy of the information for one year. Following the close of nominations, the original form is sent to the Clerk of the Legislative Assembly (the disclosure clerk for provincial nominees) and it is kept indefinitely.

FURTHER INFORMATION?

You should approach your solicitor or your political party's legal counsel if you require additional information on the Financial Disclosure Act and the disclosure form. The Chief Electoral Officer does not administer the Financial Disclosure Act. Neither the Chief Electoral Officer nor the Clerk of the Legislative Assembly (or their staff) are able to provide any assistance or advice regarding completion of the disclosure form.

DISCLAIMER

The purpose of this fact sheet is to help nominees for election to provincial office understand the general requirements of the Financial Disclosure Act. However, nominees should refer to the Act itself for specific interpretations. (The Election Act and Members' Conflict of Interest Act are also recommended as sources of information.)

You must complete a Statement of Disclosure form if you are:

- a nominee for election to provincial or local government office*, as a school trustee or as a director of a francophone education authority
- an elected local government official
- an elected school trustee, or a director of a francophone education authority
- an employee designated by a local government, a francophone education authority or the board of a school district
- a public employee designated by the Lieutenant Governor in Council

*("local government" includes municipalities, regional districts and the Islands Trust)

Form and Fact Sheets:

This form, *Statement of Disclosure*, can be found on the B.C. Government Web site: www.gov.bc.ca [type 'Statement of Disclosure' in the search bar]. The form can be printed and completed by hand, or it can be completed at your computer then printed. If you do complete the form at your computer, you will not be able to save it so please ensure you have printed the completed form before exiting the program. There are also important fact sheets on the Financial Disclosure Act to accompany this form on the Web site:

- Fact Sheet for those accepting nomination as a municipal official [type 'AG04003-a' in the search bar]
- Fact Sheet for those accepting nomination as member of the Legislative Assembly in B.C. [type 'AG04003-b' in the search bar].

Who has access to the information on this form?

The *Financial Disclosure Act* requires you to disclose assets, liabilities and sources of income. Under section 6 (1) of the Act, statements of disclosure filed by nominees or municipal officials are available for public inspection during normal business hours. Statements filed by designated employees are not routinely available for public inspection. If you have questions about this form, please contact your solicitor or your political party's legal counsel.

What is a trustee? – s. 5 (2)

In the following questions the term "trustee" does not mean school trustee or Islands Trust trustee. Under the *Financial Disclosure Act* a trustee:

- holds a share in a corporation or an interest in land for your benefit, or is liable under the *Income Tax Act* (Canada) to pay income tax on income received on the share or land interest
- has an agreement entitling him or her to acquire an interest in land for your benefit

Person making disclosure:	<input type="text" value="last name"/>	<input type="text" value="first & middle name(s)"/>
Street, rural route, post office box:	<input type="text"/>	
City:	<input type="text"/>	Province: <input type="text"/>
		Postal Code: <input type="text"/>
Level of government that applies to you:	<input type="checkbox"/> provincial <input type="checkbox"/> local government <input type="checkbox"/> school board/francophone education authority	

If sections do not provide enough space, attach a separate sheet to continue.

Assets s. – s. 3 (a)

List the name of each corporation in which you hold one or more shares, including shares held by a trustee on your behalf:

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Liabilities – s. 3 (e)

List all creditors to whom you owe a debt. Do not include residential property debt (mortgage, lease or agreement for sale), money borrowed for household or personal living expenses, or any assets you hold in trust for another person:

<i>creditor's name(s)</i>	<i>creditor's address(es)</i>

Income – s. 3 (b-d)

List each of the businesses and organizations from which you receive financial remuneration for your services and identify your capacity as owner, part-owner, employee, trustee, partner or other (e.g. director of a company or society).

- Provincial nominees and designated employees must list all sources of income in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only income sources within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position

<i>your capacity</i>	<i>name(s) of business(es)/organization(s)</i>

Real Property – s. 3 (f)

List the legal description and address of all land in which you, or a trustee acting on your behalf, own an interest or have an agreement which entitles you to obtain an interest. Do not include your personal residence.

- Provincial nominees and designated employees must list all applicable land holdings in the province
- Local government officials, school board officials, francophone education authority directors and designated employees must list only applicable land holdings within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position

<i>legal description(s)</i>	<i>address(es)</i>

Corporate Assets – s. 5

Do you individually, or together with your spouse, child, brother, sister, mother or father, own shares in a corporation which total more than 30% of votes for electing directors? (Include shares held by a trustee on your behalf, but not shares you hold by way of security.)

no yes

If yes, please list the following information below & continue on a separate sheet as necessary:

- the name of each corporation and all of its subsidiaries
- in general terms, the type of business the corporation and its subsidiaries normally conduct
- a description and address of land in which the corporation, its subsidiaries or a trustee acting for the corporation, own an interest, or have an agreement entitling any of them to acquire an interest
- a list of creditors of the corporation, including its subsidiaries. You need not include debts of less than \$5,000 payable in 90 days
- a list of any other corporations in which the corporation, including its subsidiaries or trustees acting for them, holds one or more shares.

_____ *signature of person making disclosure*

_____ *date*

Where to send this completed disclosure form:

◆ Local government officials:

. . . to your local chief election officer

- with your nomination papers, and

. . . to the officer responsible for corporate administration

- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

◆ School board trustees/ Francophone Education Authority directors:

. . . to the secretary treasurer or chief executive officer of the authority

- with your nomination papers, and
- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

◆ Nominees for provincial office:

- with your nomination papers. If elected you will be advised of further disclosure requirements under the *Members' Conflict of Interest Act*.

◆ Designated Employees:

. . . to the appropriate disclosure clerk (local government officer responsible for corporate administration, secretary treasurer, or Clerk of the Legislative Assembly)

- by the 15th of the month you become a designated employee, and
- between the 1st and 15th of January of each year you are employed, and
- by the 15th of the month after you leave your position



**CANDIDATE INFORMATION RELEASE AUTHORIZATION
ELECTORAL AREA A (KYUQUOT/NOOTKA-SAYWARD)**

Your nomination documents will be available to the public for viewing as soon as they are submitted to the Chief Election Officer. Your nomination documents will not necessarily include contact information. By signing and submitting this form with your nomination documents you are giving consent for the Strathcona Regional District to provide the contact information that you include below to the media and other interested parties.

The information you choose to share may also be posted publicly on websites operated by the Strathcona Regional District (www.srd.ca) and CivicInfo BC (www.civicinfo.bc.ca). The latter is a primary resource through which the electorate and various media, provincial government ministries and university researchers are able to obtain local election information throughout British Columbia. CivicInfo BC may also use the information for internal purposes.

I, _____, having accepted a nomination for election to the office
(name of person nominated)

of Director, Electoral Area A (Kyuquot/Nootka-Sayward), in the 2022 general local election, hereby give my consent for the following information to be shared by fax, telephone, email, posting on a website, or by other means of communication.

Address:	
Phone:	Alternate Phone (e.g. Cell):
Email:	
Website:	
Twitter:	Facebook:

Gender: Female Male Other/undisclosed

Previous Elected Experience (check one):

- Incumbent. Served in same position between 2018 and 2022.
- Served on Board prior to 2018, but not between 2018 and 2022.
- Was elected to office in another jurisdiction (school, local, provincial, or federal).
- None.

Candidate Signature*

***NOTE: The completion and submission of this form is entirely at your discretion and is not mandatory.**

EXCERPTS FROM THE LOCAL GOVERNMENT ACT

Division 4 — Electors and Registration of Electors

Who may vote at an election

- 64** (1) In order to vote at an election for a municipality or electoral area, a person
- (a) must meet the requirements of section 65 (1) (a) to (e) [*resident electors*] or 66 (1) (a) to (g) [*non-resident property electors*] at the time of voting,
 - (b) must not be disqualified by this Act or any other enactment from voting in the election or be otherwise disqualified by law, and
 - (c) must be registered as an elector of the municipality or electoral area.
- (2) The following persons are disqualified from voting at an election:
- (a) a person who has not completed the sentence for an indictable offence, unless the person is released on probation or parole and is not in custody;
 - (b) a person who is involuntarily confined to a psychiatric or other institution as a result of being acquitted of or found not criminally responsible for an offence under the *Criminal Code* on account of mental disorder;
 - (c) a person who has contravened section 161 (3) [*accepting inducements to vote*] in relation to the election.
- (3) For clarification, no corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.
- (4) A person must not vote at an election unless entitled to do so.

Resident electors

- 65** (1) In order to be registered as a resident elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:
- (a) the person must be
 - (i) an individual who is 18 years of age or older on the day of registration, or
 - (ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;
 - (b) the person must be a Canadian citizen;
 - (c) the person must have been a resident of British Columbia, as determined in accordance with section 67 [*rules for determining residence*], for at least 6 months immediately before the day of registration;
 - (d) the person must be a resident of the municipality or electoral area, as determined in accordance with section 67;

(e) the person must not be disqualified under this or any other enactment from voting in an election or be otherwise disqualified by law.

(2)[Repealed 2021-5-71.]

Non-resident property electors

66 (1) In order to be registered as a non-resident property elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:

(a) the person must not be entitled to register as a resident elector of the municipality or electoral area;

(b) the person must be

(i) an individual who is 18 years of age or older on the day of registration, or

(ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;

(c) the person must be a Canadian citizen;

(d) the person must have been a resident of British Columbia, as determined in accordance with section 67, for at least 6 months immediately before the day of registration;

(e) the person must have been a registered owner of real property in the municipality or electoral area for at least 30 days immediately before the day of registration;

(f) the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust;

(g) the person must not be disqualified under this Act or any other enactment from voting in an election or be otherwise disqualified by law.

(2) A person may register as a non-resident property elector only in relation to one parcel of real property in a municipality or electoral area.

(3) If the boundaries of a municipality or electoral area are extended or if a new municipality is incorporated, a person is deemed to have satisfied the requirement of subsection (1) (e) if, for at least 30 days before the person applies for registration as a non-resident property elector, the person has been a registered owner of property within the area that is included in the municipality or electoral area or that becomes the new municipality.

(4) For the purposes of this section, the registered owner of real property means whichever of the following is applicable:

(a) the owner of a registered estate in fee simple of the property, unless another person holds an interest in the property referred to in paragraph (b), (c) or (d);

(b) the holder of the last registered agreement for sale, unless another person holds an interest in the property referred to in paragraph (c) or (d);

(c) the tenant for life under a registered life interest in the property, unless another person holds an interest in the property referred to in paragraph (d);

(d) the holder of a registered lease of the property for a term of at least 99 years.

(5) If there is more than one individual who is the registered owner of real property, either as joint tenants or tenants in common, only one of those individuals may register as a non-resident property elector under this section in relation to the real property.

(6) If the land title registration of the real property in relation to which a person is registering under this section indicates that there is more than one individual who is the registered owner of the real property, the person registering must do so with the written consent of the number of those individuals who, together with the person registering, are a majority of those individuals.

(7) A registered owner who has consented to the registration of another registered owner of the property may withdraw the consent by delivering a written withdrawal to the municipality or regional district.

(8) Once a withdrawal of consent has been delivered in accordance with subsection (7), the person registered as the non-resident property elector in relation to the property ceases to be entitled to be registered and vote as such if the number of individuals referred to in subsection (6) falls below a majority of the registered owners, with this effective

(a) for the next election, in the case of a withdrawal delivered at least 52 days before general voting day for the election, and

(b) following the next election, in the case of a withdrawal delivered less than 52 days before general voting day for the election.

Rules for determining residence

67 (1) The following rules apply to determine the area in which a person is a resident:

(a) a person is a resident of the area where the person lives and to which, whenever absent, the person intends to return;

(b) a person may be the resident of only one area at a time for the purposes of this Part;

(c) a person does not change the area in which the person is a resident until the person has a new area in which the person is a resident;

(d) a person does not cease being a resident of an area by leaving the area for temporary purposes only.

(2) As an exception to subsection (1), if

(a) a person establishes for the purposes of attending an educational institution a new area in which the person is a resident, and

(b) the new area is away from the usual area in which the person is a resident,

the person may choose for the purposes of this Part either the usual area or the new area as the area in which the person is a resident.

When a person may register as an elector

68 (1) A person may register as an elector

(a) at the time of voting in accordance with section 72 [*resident elector registration*] or 73 [*non-resident property elector registration*], or

(b) by advance registration in accordance with section 71, if this is available.

(2) If a bylaw under section 76 [*Provincial list of voters as register of resident electors*] is in effect for a municipality or electoral area, a person entitled to register as a resident elector of the municipality or electoral area may effectively register as such by registering as a voter under the *Election Act* in sufficient time to have the person's name appear on the Provincial list of voters that becomes, under the bylaw, the register of resident electors for the municipality or electoral area.

Division 5 — Qualifications for Office

Who may hold office on a local government

81 (1) A person is qualified to be nominated for office, and to be elected to and hold office, on a local government if at the relevant time the person meets all the following requirements:

(a) the person must be an individual who is, or who will be on general voting day for the election, 18 years of age or older;

(b) the person must be a Canadian citizen;

(c) the person must have been a resident of British Columbia, as determined in accordance with section 67, for at least 6 months immediately before the relevant time;

(d) the person must not be disqualified under this Act or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or holding the office, or be otherwise disqualified by law.

(2) Without limiting subsection (1) (d), the following persons are disqualified from being nominated for, being elected to or holding office on a local government:

(a) a person who is a judge of the Court of Appeal, Supreme Court or Provincial Court;

(b) a person who is disqualified under section 82 as an employee of a local government, except as authorized under that section;

(b.1) a person who is disqualified from holding office under section 82.1;

(c) a person who is disqualified under any of the following provisions of this Act, including as the provisions apply under section 6 (6) [*application to trustees*] of the *Islands Trust Act*:

(i) section 202 (4) [*failure to make oath or affirmation of office*];

(ii) section 204 (1) [*unexcused absence from board meetings*];

(d) a person who is disqualified under any of the following provisions of the *Community Charter*:

(i) Division 6 [*Conflict of Interest*] of Part 4 [*Public Participation and Council Accountability*], including as it applies under section 205 (1) [*application to regional district directors*] of this Act and under section 6 (7) [*application to trustees*] of the *Islands Trust Act*;

(ii) section 120 (1.1) [*failure to make oath of office*];

(iii) section 125 (5) [*unexcused absence from council meetings*];

(iv) section 191 (3) [*unauthorized expenditures*];

(e) a person who is disqualified under any of the provisions referred to in paragraph (c) or (d) as the provision applies under another enactment;

(f) a person who is disqualified from holding office on the council of the City of Vancouver under any of the provisions of the *Vancouver Charter* referred to in section 38 (2) (c) or (d) [*disqualifications from holding office*] of that Act;

(g) a person who is disqualified from holding office under

(i) Division 18 [*Election Offences*] of this Part as it applies to elections or voting under this Act or any other Act, or

(ii) Division (17) of Part I of the *Vancouver Charter* as it applies to elections or voting under that Act or any other Act;

(h) a person who is disqualified under the *Local Elections Campaign Financing Act* from holding office on a local authority;

(i) a person who is disqualified under any other enactment.

Disqualification of local government employees

82 (1) For the purposes of this section, "**employee**" means

(a) an employee or salaried officer of a municipality or regional district, or

(b) a person who is within a class of persons deemed by regulation under section 168 [*election regulations*] to be employees of a specified municipality or regional district,

but does not include a person who is within a class of persons excepted by regulation under section 168.

(2) Unless the requirements of this section are met, an employee of a municipality is disqualified from being nominated for, being elected to or holding office

(a) as a member of the council of the municipality, or

(b) as a member of the board of the regional district in which the municipality is located.

(3) Unless the requirements of this section are met, an employee of a regional district is disqualified from being nominated for, being elected to or holding office

(a) as a member of the board of the regional district, or

(b) as a member of the council of a municipality, including the City of Vancouver, that is within the regional district.

(4) Before being nominated for an office to which subsection (2) or (3) applies, the employee must give notice in writing to his or her employer of the employee's intention to consent to nomination.

(5) Once notice is given under subsection (4), the employee is entitled to and must take a leave of absence from the employee's position with the employer for a period that, at a minimum,

(a) begins on the first day of the nomination period or the date on which the notice is given, whichever is later, and

(b) ends, as applicable,

(i) if the person is not nominated before the end of the nomination period, on the day after the end of that period,

(ii) if the person withdraws as a candidate in the election, on the day after the withdrawal,

(iii) if the person is declared elected, on the day the person resigns in accordance with subsection (8) or on the last day for taking office before the person is disqualified for a failure to take the oath of office within the time specified by an enactment that applies to the person,

(iv) if the person is not declared elected and an application for judicial recount is not made, on the last day on which an application for a judicial recount may be made, or

(v) if the person is not declared elected and an application for judicial recount is made, on the date when the results of the election are determined by or following the judicial recount.

(6) If agreed by the employer, as a matter of employment contract or otherwise, the leave of absence under this section may be for a period longer than the minimum required by subsection (5).

(7) Sections 54 [*duties of employer in relation to leave*] and 56 [*employment deemed continuous while on leave*] of the [Employment Standards Act](#) apply to a leave of absence under this section.

(8) Before making the oath of office, an employee on a leave of absence under this section who has been elected must resign from the person's position with the employer.

(9) At the option of the employee, a resignation under subsection (8) may be conditional on the person's election not being declared invalid on an application under section 153 [*application to court respecting validity of election*].

Disqualification — indictable offence

82.1 (1) A person who is convicted of an indictable offence is disqualified from being nominated for, being elected to or holding office on a local government from the date of the conviction until the date on which the person is sentenced.

(2) If a person elected or appointed to office on a local government is convicted of an indictable offence, the person's office becomes vacant on the date of the conviction.

(3) For certainty, a person whose office becomes vacant under subsection (2) and whose conviction is overturned on appeal is not entitled, if the term of office for which the person was elected has not ended, to take office for the unexpired part of the term.

Only one elected office at a time in the same local government

83 (1) At any one time a person may not hold more than one elected office in the same local government.

(2) At any one time a person may not be nominated for more than one elected office in the same local government.

(3) A current member of a local government may not be nominated for an election under section 54 [*by-elections*] for another office in the same local government unless the person resigns from office within 14 days after the day on which the chief election officer is appointed.

Division 9 — Candidates and Representatives

Withdrawal, death or incapacity of candidate

101 (1) At any time up until 4 p.m. on the twenty-ninth day before general voting day, a person who has been nominated may withdraw from being a candidate in the election by delivering a signed withdrawal to the chief election officer, which must be accepted if the chief election officer is satisfied as to its authenticity.

(2) After the time referred to in subsection (1), a candidate may withdraw only by delivering to the chief election officer a signed request to withdraw and receiving the approval of the minister.

(3) For the purposes of subsection (2), the chief election officer must notify the minister of a request to withdraw as soon as practicable after receiving it.

(4) The chief election officer must notify the minister if, between the declaration of an election by voting under section 98 (2) and general voting day for the election,

(a) a candidate dies, or

(b) in the opinion of the chief election officer, a candidate is incapacitated to an extent that will prevent the candidate from holding office.

(5) On approving a withdrawal under subsection (2) or being notified under subsection (4), the minister may order

- (a) that the election is to proceed, subject to any conditions specified by the minister, or
- (b) that the original election is to be cancelled and that a new election is to be held in accordance with the directions of the minister.

Appointment of candidate representatives

102 (1) A candidate may appoint

- (a) one individual to act as official agent of the candidate, to represent the candidate from the time of appointment until the final determination of the election or the validity of the election, as applicable, and
- (b) scrutineers, to represent the candidate by observing the conduct of voting and counting proceedings for the election.

(2) An appointment as a candidate representative must

- (a) be made in writing and signed by the person making the appointment,
- (b) include the name and address of the person appointed, and
- (c) be delivered to the chief election officer or a person designated by the chief election officer for this purpose as soon as practicable after the appointment is made.

(3) An appointment as a candidate representative may be rescinded only in the same manner as the appointment was made.

(4) An appointment of an official agent may include a delegation of the authority to appoint scrutineers.

(5) If notice is to be served or otherwise given under this Part to a candidate, it is sufficient if the notice is given to the official agent of the candidate.

Presence of candidate representatives at election proceedings

103 (1) A candidate representative present at a place where election proceedings are being conducted must

- (a) carry a copy of the person's appointment under section 102,
- (b) before beginning duties at the place, show the copy of the appointment to the presiding election official or an election official specified by the presiding election official, and
- (c) show the copy of the appointment to an election official when requested to do so by the official.

(2) The presiding election official may designate one or more locations at a place where election proceedings are being conducted as locations from which candidate representatives may

observe the proceedings and, if this is done, the candidate representatives must remain in those locations.

(3)The absence of a candidate representative from a place where election proceedings are being conducted does not invalidate anything done in relation to an election.

Division 18 — Election Offences

Vote buying

161 (1)In this section, "**inducement**" includes money, gift, valuable consideration, refreshment, entertainment, office, placement, employment and any other benefit of any kind.

(2)A person must not pay, give, lend or procure inducement for any of the following purposes:

(a)to induce a person to vote or refrain from voting;

(b)to induce a person to vote or refrain from voting for or against a particular candidate;

(c)to reward a person for having voted or refrained from voting as described in paragraph (a) or (b);

(d)to procure or induce a person to attempt to procure the election of a particular candidate, the defeat of a particular candidate or a particular result in an election;

(e)to procure or induce a person to attempt to procure the vote of an elector or the failure of an elector to vote.

(3)A person must not accept inducement

(a)to vote or refrain from voting,

(b)to vote or refrain from voting for or against a particular candidate, or

(c)as a reward for having voted or refrained from voting as described in paragraph (a) or (b).

(4)A person must not advance, pay or otherwise provide inducement, or cause inducement to be provided, knowing or with the intent that it is to be used for any of the acts prohibited by this section.

(5)A person must not offer, agree or promise to do anything otherwise prohibited by this section.

(6)A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.

Intimidation

162 (1)In this section, "**intimidate**" means to do or threaten to do any of the following:

(a)use force, violence or restraint against a person;

(b)inflict injury, harm, damage or loss on a person or property;

(c)otherwise intimidate a person.

- (2) A person must not intimidate another person for any of the following purposes:
- (a) to persuade or compel a person to vote or refrain from voting;
 - (b) to persuade or compel a person to vote or refrain from voting for or against a particular candidate;
 - (c) to punish a person for having voted or refrained from voting as described in paragraph (a) or (b).
- (3) A person must not, by abduction, duress or fraudulent means, do any of the following:
- (a) impede, prevent or otherwise interfere with a person's right to vote;
 - (b) compel, persuade or otherwise cause a person to vote or refrain from voting;
 - (c) compel, persuade or otherwise cause a person to vote or refrain from voting for a particular candidate.
- (4) A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.

Other election offences

- 163** (1) In relation to nominations, a person must not do any of the following:
- (a) contravene section 87 (4) [*unqualified candidate consenting to nomination*];
 - (b) before or after an election, purport to withdraw a candidate from an election without authority to do so or publish or cause to be published a false statement that a candidate has withdrawn;
 - (c) before or after an election, purport to withdraw the endorsement of a candidate by an elector organization except as provided in section 95 (b) [*withdrawal of endorsement on ballot*].
- (2) In relation to voting, a person must not do any of the following:
- (a) vote at an election when not entitled to do so;
 - (b) contravene section 124 (1) [*each elector may vote only once*] regarding voting more than once in an election;
 - (c) obtain a ballot in the name of another person, whether the name is of a living or dead person or of a fictitious person;
 - (d) contravene section 123 (2) [*requirement to preserve secrecy of the ballot*] regarding the secrecy of the ballot.
- (3) In relation to ballots and ballot boxes, a person must not do any of the following:
- (a) without authority supply a ballot to another person;
 - (b) without authority print or reproduce a ballot or a paper that is capable of being used as a ballot;
 - (c) without authority take a ballot out of a place where voting proceedings are being conducted;

- (d)put in a ballot box, or cause to be put in a ballot box, a paper other than a ballot that the person is authorized to deposit there;
- (e)interfere with voting under section 112 [*use of voting machines*] contrary to the applicable bylaw and regulations;
- (f)without authority destroy, take, open or otherwise interfere with a ballot box or ballots.

(4)In relation to voting proceedings, a person must not do any of the following at or within 100 metres of a building, structure or other place where voting proceedings are being conducted at the time:

- (a)canvass or solicit votes or otherwise attempt to influence how an elector votes;
- (b)display, distribute, post or openly leave a representation of a ballot marked for a particular result in the voting;
- (c)post, display or distribute
 - (i)election advertising, or
 - (ii)any material that identifies a candidate or elector organization, unless this is done with the authorization of the chief election officer;
- (d)carry, wear or supply a flag, badge or other thing indicating that the person using it is a supporter of a particular candidate, elector organization or result in the voting.

(5)In relation to any matter or proceeding to which this Part applies, a person must not do any of the following:

- (a)provide false or misleading information when required or authorized under this Part to provide information;
- (b)make a false or misleading statement or declaration when required under this Part to make a statement or declaration;
- (c)inspect or access under this Part
 - (i)a list of registered electors,
 - (ii)nomination documents,
 - (iii)disclosure statements or supplementary reports, or
 - (iv)other election materials referred to in section 143 [*delivery of election materials to chief election officer*],

or use the information from any of them, except for purposes authorized under this Act;

- (d)be present at a place where voting or counting proceedings are being conducted, unless authorized under this Part to be present;
- (e)interfere with, hinder or obstruct an election official or other person in the exercise or performance of his or her powers, duties or functions under this Part or the *Local Elections Campaign Financing Act*.

(6) A person who is an election official must not contravene this Part with the intention of affecting the result or validity of an election.

Prosecution of organizations and their directors and agents

164 (1) An act or thing done or omitted by an officer, director, employee or agent of an organization within the scope of the individual's authority to act on behalf of the organization is deemed to be an act or thing done or omitted by the organization.

(2) If an organization commits an offence under this Part, an officer, director, employee or agent of the organization who authorizes, permits or acquiesces in the offence commits the same offence, whether or not the organization is convicted of the offence.

(3) A prosecution for an offence under this Part may be brought against an unincorporated organization in the name of the organization and, for these purposes, an unincorporated organization is deemed to be a person.

Time limit for starting prosecution

165 The time limit for laying an information to commence a prosecution respecting an offence under this Part is one year after the date on which the act or omission that is alleged to constitute the offence occurred.

Penalties

166 (1) A person who contravenes section 161 [*vote buying*] or 162 [*intimidation*] is guilty of an offence and is liable to one or more of the following penalties:

- (a) a fine of not more than \$10 000;
- (b) imprisonment for a term not longer than 2 years;
- (c) disqualification from holding office in accordance with subsection (2) of this section for a period of not longer than 7 years.

(2) Disqualification under subsection (1) (c) is disqualification from holding office as follows:

- (a) on a local government;
- (b) on the council of the City of Vancouver or on the Park Board established under section 485 of the *Vancouver Charter*;
- (c) as a trustee under the *Islands Trust Act*;
- (d) as a trustee on a board of education, or as a regional trustee on a francophone education authority, under the *School Act*.

(3) A person or unincorporated organization who contravenes section 163 [*other election offences*] is guilty of an offence and is liable to one or both of the following penalties:

- (a) a fine of not more than \$5 000;
- (b) imprisonment for a term not longer than one year.

(4) Any penalty under this Division is in addition to and not in place of any other penalty provided in this Part.

(5) A person or unincorporated organization is not guilty of an offence under this Part if the person or organization exercised due diligence to prevent the commission of the offence.