

NUNAVUT ELECTIONS ACT
R-025-2003
Registered with the Registrar of Regulations
2003-11-27

ELECTIONS REGULATIONS

The Management and Services Board, under subsection 217(1) of the *Nunavut Elections Act* and every enabling power, makes the following regulations:

Interpretation

1. In these regulations, "contact information", in respect of a person or entity, means the person or entity's
- (a) **postal and civic address; and**
 - (b) **telephone number, fax number and email address, if any.**

Public Notice of Boundaries Commission Hearing

2. The public notice of a public hearing conducted by a boundaries commission must contain
- (a) **an invitation to the public to make representations at the public hearing and to make written submissions;**
 - (b) **the date, time and place of the public hearing;**
 - (c) **a statement advising the public of how to make written submissions;**
 - (d) **the deadline for submitting written submissions;**
 - (e) **the contact information for the Boundaries Commission; and**
 - (f) **a toll-free telephone number to call for more information.**

Proclamation

3. The proclamation must be in Form 1 of the Schedule.

Writ of Election

4. The writ of election must be in Form 2 of the Schedule.

Public Notice of Election

5. (1) The public notice of an election given by a returning officer must be in Form 3 of the Schedule.

(2) The public notice of an election must be given by the returning officer not later than the 34th day before election day.

(3) The returning officer shall ensure that copies of the public notice of an election are posted in as many conspicuous places in the constituency as are reasonably necessary to bring the notice to the attention of the public.

Voter Registration

6. A registration clerk may only register a voter if the registration clerk has personally communicated with the voter.

7. (1) The information to be recorded by a registration clerk in respect of a voter must be on a registration form approved by the Chief Electoral Officer.

(2) The registration clerk must record on the registration form the following information:

- (a) **the name of the constituency and the municipality;**
- (b) **the full name and sex of the voter;**
- (c) **the contact information of the voter;**
- (d) **the birth date of the voter;**
- (e) **confirmation that the voter is eligible to vote in the election;**
- (f) **any other information being collected by Elections Nunavut that the Chief Electoral Officer directs as being relevant for municipal, federal or other elections;**
- (g) **an indication whether the voter expects to be in an outpost camp during the election period;**
- (h) **any disability the voter may have that would interfere with voting at the polling station or any other special needs the voter may have relevant to voting.**

(3) The registration clerk and the voter must both sign the registration form and certify the accuracy of the information in the following words: "I certify that the information above is correct".

(4) A registration number must be assigned to the registration form upon receipt by Elections Nunavut.

8. (1) The registration card must

- (a) **be in a form approved by the Chief Electoral Officer;**
- (b) **have the return address of the appropriate office of Elections Nunavut; and**
- (c) **have prepaid reply postage for return by mail.**

(2) A voter who wishes to register by using a registration card must provide the same information as is required on the registration form in subsection 7(2) and must establish his or her identity by providing two of the following:

- (a) **his or her telephone number, other than a mobile telephone number;**
- (b) **his or her driver's licence number;**
- (c) **his or her health care number;**

- (d) **his or her beneficiary number under the *Nunavut Land Claims Agreement*;**
- (e) **his or her account number for electricity, water or other utility;**
- (f) **a description of two pieces of mail addressed to the voter, copies of which are enclosed with the card.**

Voters Lists

- 9. The preliminary voters list must be in Form 4 of the Schedule.
- 10. The certification of the preliminary voters list must be in Form 5 of the Schedule.

Voter Information Card

- 11. The voter information card must be in a form approved by the Chief Electoral Officer and must contain the following information:
 - (a) **the name of the constituency of the voter;**
 - (b) **the full name and address of the voter;**
 - (c) **the hours and location of the advance polling station;**
 - (d) **the hours and location of the polling station that the voter is expected to use on election day;**
 - (e) **a description of the methods available for voting;**
 - (f) **a toll-free telephone number to call for more information.**

Application to Vote on Election Day

- 12. The application and declaration to vote on election day for a voter who wishes to vote on election day but who is not on a voters list must be in a form approved by the Chief Electoral Officer and contain substantially the same information as is required to register a voter.

Nominations

- 13. (1) The nomination paper for a candidate must contain the following:
 - (a) **the name of the constituency in which the person wishes to be a candidate;**
 - (b) **a warning that if the person is nominated as a candidate in more than one constituency, all nominations for that person are void;**
 - (c) **the full name of the prospective candidate and his or her contact information;**
 - (d) **the name of the prospective candidate exactly as he or she wishes it to appear, in the two official languages preferred by the candidate, in the order in which they are to be placed on the ballot;**
 - (e) **an oath or affirmation from the prospective candidate that he or she is eligible to be a candidate and agrees to be nominated;**

- (f) **the signature of the prospective candidate;**
 - (g) **the full name of the candidate's financial agent and his or her contact information;**
 - (h) **a declaration by the financial agent that he or she is eligible to be a financial agent and that he or she is aware of and accepts the duties of a financial agent under the Act;**
 - (i) **the signature of the financial agent;**
 - (j) **the full names, postal or civic address and signatures of at least 15 voters in the constituency who are nominating the candidate;**

 - (k) **the full name, postal or civic address and signature of each person who witnessed any person sign the nomination paper; and**
 - (l) **a declaration, in Form 6 of the Schedule, by each person who witnessed any person sign the nomination paper.**
- (2) When setting out the full name of a prospective candidate in the nomination papers,
- (a) **titles, degrees or prefixes must not be included;**
 - (b) **a nickname commonly used by the prospective candidate may be included with the given names; and**
 - (c) **a normal abbreviation of one or more of the given names of the prospective candidate may be substituted for the given name or names.**

(3) A candidate cannot be a witness to any signature in the nomination paper.

(4) The financial agent cannot be a witness to the signature of candidate in the nomination paper.

(5) A person need not be registered or be on a voters list in order in order to nominate a candidate, as long as he or she is eligible to vote.

Photos of Candidates

14. (1) A digital photo of a candidate must clearly show only the head and shoulders of the candidate against a plain, light-coloured background and must have been made no earlier than 12 months before election day.

(2) The photo must be sent to Elections Nunavut as a 72 dpi compressed jpeg file.

(3) The photo must be capable of producing a printed photo that is 12.7 cm square at 300 dpi and must contain at least 2 million pixels.

(4) The photo may not be edited by Elections Nunavut and must be rejected if it fails to meet the standards required by this section.

15. (1) The photo of a candidate must be displayed on a poster in the form of a ballot that is

displayed on the walls of the polling station adjacent to the voting compartments.

(2) Each name and photo of a candidate must be placed side by side on the poster inside an area of uniform size that is at least 75 cm wide and 12 cm high.

(3) A blank space will be placed opposite any candidate who does not provide a photo that meets the standards of section 14.

Appointment of Campaign Manager

16. The appointment of a campaign manager by a candidate must include the following:
- (a) **the name of the constituency;**
 - (b) **the full name of the campaign manager and his or her contact information;**
 - (c) **the date of the appointment;**
 - (d) **a declaration from the campaign manager that he or she is eligible to be a campaign manager and that he or she is aware of and accepts the duties of a campaign manager under the Act;**
 - (e) **the signature of the candidate or the person nominated as a candidate;**
 - (f) **the signature of the campaign manager.**

Election Notice

17. (1) The election notice must include the following:
- (a) **the full name and contact information of each candidate in that constituency, as stated in the candidate's nomination paper, in the order in which those names are to be placed on the ballot;**
 - (b) **the full name and contact information of each candidate's financial agent, as stated in the nomination paper;**
 - (c) **the full name and contact information of each candidate's campaign manager, as stated in the campaign manager's appointment;**
 - (d) **the name of the constituency;**
 - (e) **the location and hours of each polling station in the constituency;**
 - (f) **the location and hours of each advance polling station.**

(2) The returning officer may attach a map to the election notice outlining the boundaries of the constituency and the location of each polling station.

(3) The returning officer shall ensure that the election notice is posted in the same manner as the public notice of an election.

(4) The Chief Electoral Officer shall ensure that a copy of the notice of election is inserted in at least one newspaper circulating in each constituency.

Ballots

18. The ballot and special ballot must be in Form 7 of the Schedule.

Election Materials

19. The returning officer shall, no later than the 3rd day before election day or, where appropriate, the 3rd day before the day of the advance vote, supply to each deputy returning officer in the constituency the following materials:

- (a) **a sufficient number of ballots for at least the number of voters on the official voters list;**
- (b) **a statement of the quantity and serial numbers of the ballots supplied;**
- (c) **a sufficient number of copies of the directives to voters on how the vote shall take place, prepared by the Chief Electoral Officer;**
- (d) **a copy of the directive of the Chief Electoral Officer relating to establishing the identity of voters;**
- (e) **the supplies and accessories necessary for voters to mark their ballot;**
- (f) **a sufficient number of templates supplied by the Chief Electoral Officer to enable voters who are visually disabled to vote without assistance;**
- (g) **a sufficient number of copies of the official voters list for use at each polling station;**
- (h) **the oath and affirmation forms approved by the Chief Electoral Officer;**
- (i) **the documentation required for the registration of voters on election day;**
- (j) **a ballot box for each polling station;**
- (k) **a polling record for each polling station;**
- (l) **a copy of the poster with the names and photos of the candidates;**
- (m) **the materials necessary for the vote and for counting the votes, including the various envelopes in which to place the ballots.**

Ballot Procedures

20. (1) Each voter shall, after receiving a ballot,
- (a) **proceed directly to the voting compartment;**
 - (b) **mark the ballot in the proper way;**
 - (c) **fold the ballot as instructed by the deputy returning officer so that the initials on the back of the folded ballot and the serial number on the back of the counterfoil are visible without unfolding the ballot; and**
 - (d) **return the ballot to the deputy returning officer.**
- (2) The deputy returning officer shall, upon receiving the ballot from the voter,
- (a) **without unfolding the ballot, verify that it is the same one that was handed to the voter by examining the initials and serial number on the back of the ballot;**

- (b) **remove and destroy the counterfoil in full view of the voter and all others present; and**
- (c) **return the ballot to the voter who deposits it in the ballot box or, if the voter so requests, deposit the ballot in the ballot box for the voter.**

(3) The poll clerk shall cross out in the polling record the name of the voter who has voted.

Polling Record

1. **21.** The Chief Electoral Officer shall prepare a polling record containing the following:

- (a) **the name of the constituency;**
- (b) **the name or identifying number of the polling station;**
- (c) **the name and address of each voter on the official voters list;**
- (d) **blank spaces at the end of the polling record to list voters who register at the poll or who come with transfer certificates;**
- (e) **a consecutive number for each voter;**
- (f) **a place for the poll clerk to record any occurrence or information required by the Act, these regulations or the directives of the Chief Electoral Officer.**

22. The poll clerk shall record in the polling record the following information in accordance with the directives of the Chief Electoral Officer:

- (a) **the name of each voter who was required to show proof of identity or to take an oath or affirmation and whether the voter took the oath or affirmation or not and whether the voter voted or not;**
- (b) **the name and postal or civic address of any person who objected to the inclusion of a voter;**
- (c) **the name and certificate number of each voter who voted under a transfer certificate;**
- (d) **any case where a replacement ballot was issued to a voter;**
- (e) **the name of each voter who received assistance from the deputy returning officer to vote and, opposite to the voter's name, the fact that the assistance was provided by the deputy returning officer;**
- (f) **the name of each voter who received assistance from a relative or friend to vote and, opposite to the voter's name, the name of the person who provided the assistance and the relationship with the voter, if any;**
- (g) **the name of any voter who voted outside the polling station;**
- (h) **the name and contact information of any voter who registered at the polling station, as well as a consecutive number for that voter;**
- (i) **the name and contact information of any proxy voter;**
- (j) **any occurrence which the deputy returning officer directs the poll clerk to record pursuant to the directives of the Chief Electoral Officer.**

Special Ballot

23. (1) A special ballot must be accompanied by a secrecy envelope, a certification envelope and a return envelope in such colours as may be approved by the Chief Electoral Officer.

(2) The secrecy envelope is a blank envelope that the voter uses to enclose the special ballot.

(3) The certification envelope must have

- (a) **blank spaces to record the full name, postal and civic address and constituency of the voter and any other information that the Chief Electoral Officer may require;**
- (b) **a unique and distinctive number; and**
- (c) **a place for the voter to certify that the voter has not already voted in the election and will not vote in the election again after using the special ballot.**

(4) The return envelope must have prepaid return postage and the address of the appropriate office of Elections Nunavut.

24. To use a special ballot, a voter must take the following steps:

- (a) **place the marked ballot in the secrecy envelope and seal it;**
- (b) **complete the information on the certification envelope;**
- (c) **place the secrecy envelope in the certification envelope and seal it;**
- (d) **place the certification envelope in the return envelope and seal it;**
- (e) **send the return envelope to Elections Nunavut.**

Close of Advance Vote

25. (1) After the close of the advance poll, the deputy returning officer shall

- (a) **count the number of voters who voted at the polling station and record the total on the polling record;**
- (b) **place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;**
- (c) **count the number of unused ballots that are not detached from the books of ballots, and record the total on the statement of the poll;**
- (d) **place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;**
- (e) **count the number of used ballots and record the total on the polling record;**
- (f) **check the number of ballots supplied by the returning officer against the number of spoiled ballots, unused ballots and ballots deposited in the ballot box;**

- (g) **make a copy of the polling record to send to the returning officer;**
- (h) **put the used ballots and originals of the polling record in the special envelope provided for this purpose, note on the outside of the envelope the number of used ballots it contains and seal the envelope;**
- (i) **put all the materials in the ballot box and seal it.**

(2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.

Close of Poll on Election Day

26. (1) After the close of the poll on election day, the deputy returning officer shall
- (a) **count the number of voters who voted at the polling station and record the total on the statement of the poll;**
 - (b) **count the spoiled ballots, if any, and record the total on the statement of the poll;**
 - (c) **place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;**
 - (d) **count the number of unused ballots that are not detached from the books of ballots, and record the total on the statement of the poll;**
 - (e) **place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;**
 - (f) **open the ballot box and empty its contents onto a table;**
 - (g) **examine each ballot to determine whether it is valid and allow those present an opportunity to examine them;**
 - (h) **count the number of votes given to each candidate and record the total for each candidate on the statement of the poll;**
 - (i) **count the number of rejected ballots and record the total on the statement of the poll;**
 - (j) **place the ballots cast for each candidate into the special envelope provided for this purpose, note on the outside of the envelope the number of ballots it contains and any objections and seal the envelope;**
 - (k) **place the rejected ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of rejected ballots it contains and seal the envelope;**
 - (l) **check the number of voters against the number of ballots in the ballot box;**
 - (m) **check ballots supplied by the returning officer against the number of spoiled ballots, unused ballots and ballots deposited in the ballot box.**

(2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.

(3) Each count referred to in subsection (1) must be done twice before the final result is recorded on the statement of the poll.

(4) Where, in the course of counting the votes, any ballot is found with the counterfoil still attached to the ballot, the deputy returning officer shall, while carefully concealing the number on the counterfoil from all persons present and without examining it, remove and destroy the counterfoil.

Repeal and Commencement

27. The following regulations are repealed:

- (a) ***Correctional Institution Voting Regulations, R-132-98;***
- (b) ***Elections Forms Regulations, R-043-91;***
- (c) ***Mail-in Voting Regulations, R-127-98;***
- (d) ***Tariff of Fees Regulations, R-128-98.***

SCHEDULE

FORM 1

PROCLAMATION OF ELECTION

NUNAVUT

I hereby give the following instructions, pursuant to the *Nunavut Act* and every enabling power:

A general election shall be held in Nunavut (or by-election shall be held in the constituency of);

The election day shall be the day of, 20...;

The date of the return of the writs shall be the day of, 20...;

The Chief Electoral Officer shall issue a writ of election to the returning officer of (each / the) constituency on the day of, 20....

2. Dated,, 2003.

.....
Commissioner of Nunavut

FORM 2

WRIT OF ELECTION

NUNAVUT

.....
Commissioner of Nunavut

Elizabeth the Second, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

To.....
of....., Nunavut.

GREETINGS:

WHEREAS the Legislative Assembly of Nunavut has terminated or been dissolved and the Commissioner of Nunavut has instructed the issue of writs for the election of members of a new Legislative Assembly (*omit the foregoing preamble in case of a by-election*);

WE COMMAND YOU, that notice of the time and place of election being duly given,

YOU DO CAUSE an election to be made according to law of a member to serve in the Legislative Assembly of Nunavut for the constituency of;

AND YOU DO CAUSE the nomination of candidates to close onat 2:00 p.m.;

And if an election becomes necessary, that the election day be held on;

AND YOU DO CAUSE the name of such member when so elected to be certified to the Chief Electoral Officer, in accordance with the *Nunavut Elections Act* (*in case of a by-election, omit the following*) as soon as possible and not later than, 20

Dated aton....., 20.....

BY COMMAND
Chief Electoral Officer

(Reverse Side)
ELECTION RETURN

As the returning officer for the constituency of

I certify that, under the foregoing writ, the candidate who received the largest number of votes cast at the election held on, and who has been duly elected is:

or

having been duly elected by acclamation is:

.....
(State name, civic address, of member, as on nomination paper)

Date:

Returning Officer:

Record of Receipt of Return:

Date:

Chief Electoral Officer:

FORM 3

PUBLIC NOTICE OF ELECTION

An election has been called to elect a member of the Legislative Assembly for the Constituency of

Election Day : between 9:00 a.m. and 7:00 p.m.
(unless voting is not required)

Day of Advance Vote:between 12:00 noon and 7:00 p.m.
(unless voting is not required)

Returning Officer
Name:

Assistant Returning Officer
Name:

Office(s) of the Returning Officer
Address:
Contact Numbers:
Office Hours:

Official Addition of the Votes
Date:
Place:
Time:

ATTENTION TO ALL POTENTIAL CANDIDATES

Nominations of Candidates will close on at 2:00 p.m.

Nomination Papers for Candidates must be hand delivered to the Returning Officer's Office(s).

FORM 5

CERTIFICATION OF PRELIMINARY VOTERS LIST

I hereby certify that the information in this preliminary voters list properly reflects the registration information on the persons eligible to vote in the election in the constituency of available to me as of this date.

Dated aton....., 20.....

Signature:

(printed name of incumbent) Chief Electoral Officer:

FORM 6

DECLARATION OF WITNESS ON NOMINATION PAPER

I solemnly declare that

- (a) **I witnessed sign the nomination paper for
.....;**
- (b) **I personally know this person;**
- (c) **this person signed the nomination paper in my presence; and**
- (d) **[in the case of a witness for a person nominating the prospective candidate], believe
this person is a voter in the constituency for which the candidate is being nominated.**

Dated aton....., 20.....

Signature:

Full name:

FORM 7

BALLOT

1	<input type="radio"/>
2	<input type="radio"/>
3	<input type="radio"/>
4	<input type="radio"/>
5	<input type="radio"/>
6	<input type="radio"/>
7	<input type="radio"/>
8	<input type="radio"/>

XXX

Initials of Deputy Returning Officer:

Initiales du scrutateur:

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Constituency of:

Circonscription de:

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Polling Day:

Jour du scrutin:

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Printed by:

Imprimé par:

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PUBLISHED BY
TERRITORIAL PRINTER FOR NUNAVUT
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