

RUNNING FOR COUNCIL

**Part of the Community
Management Series**

Subject: A guide for candidates running for council office	
Issued January 2000 Revised June 2009	

INTRODUCTION

This guide has been prepared to assist residents of Aboriginal and Northern Affairs communities who may be interested in running for a position on council.

The guide provides a general overview of local government and takes readers through the election process from nomination to election day and highlights the roles and responsibilities of council members.

Your main source of information on the election process is either the community administrative officer or the appointed community election officials.

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BRIEF HISTORY OF LOCAL GOVERNMENT DEVELOPMENT

ROLE OF MUNICIPAL GOVERNMENT

The Constitution Act assigns responsibility for municipal government to the provinces. Provincial governments, in turn, have granted authority and decision-making powers to the government closest to the people – local government.

The purpose of a community council are to:

- provide good government;
- provide and maintain local services, facilities or other things that, in the opinion of the council, are necessary or desirable for all or a part of the community;
- develop and maintain safe and viable communities.

A council is responsible for:

- advising the minister on behalf of the community;
- developing and evaluating policies and programs for the community;
- ensuring that its powers, duties and functions are appropriately carried out;
- exercising the powers, duties and functions given to the council under *The Northern Affairs Act* or any other Act, or by the minister.

The Act sets out the duties of each member of council to:

- consider and bring to the council's attention anything that would promote the well-being and interests of the community;
- participate in meetings of the council and of council committees and other bodies to which the council appoints the member;
- keep in confidence matters discussed at meetings closed to the public;
- participate generally in evaluating the policies and programs of Aboriginal and Northern Affairs;
- perform any other duty or function delegated to the member by the council, *The Northern Affairs Act* and other Acts.

In addition to performing a member's duties, the mayor has a duty to:

- preside over council meetings, except when the procedures by-law or legislation otherwise provides;
- provide leadership and direction to the council; and
- perform any other duty or function assigned to a mayor by the council or legislation.

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Council is a continuing body. Proceedings begun by one community council may be carried on by its successors.

Legislation provides that a council may act only by resolution or by-law. A by-law is a “law-making” action at the community level. It is the equivalent of provincial or federal legislative action. By-laws are the formal enactment of rules and regulations under the authority of the minister of Aboriginal and Northern Affairs.

Resolutions express a decision of council in the form of a motion that is moved, seconded and adopted by a majority vote. A resolution is not as formal as a by-law, but it is just as binding on the community, unless it is reversed or amended under procedures set out in *The Northern Affairs Act*.

A community council acts **collectively as a body**, not with any member acting individually, **unless** authority to do so is expressly given that member by a council resolution.

DEVELOPMENT OF LOCAL GOVERNMENT STRUCTURE

In 1956, the Manitoba Legislature passed a resolution calling for a study of the living conditions of the people in the North. The report was submitted to government in 1959. It recommended the establishment of a community development program to help people solve their own problems. As a result, the Community Development program was established in 1961.

Under the first *Northern Manitoba Affairs Act* (1966), the province assumed responsibility for providing municipal services to designated northern communities. The legislation created the Northern Affairs Commission.

In 1969, the Commission began to assist in the election and establishment of community councils. Elections were held annually, holding mayor and councillors accountable to their local constituents. In 1970, amendments made to the Act indicated a major shift in the government’s orientation to the North. They emphasized the need to help communities provide their own services, rather than government providing them directly.

By 1979, there were 23 communities with elected mayors and councillors, administering their own funds. There were also 24 communities that had local committees appointed by the minister.

WHAT IS EXPECTED OF COUNCIL MEMBERS?

YOUR COMMITMENT TO COUNCIL

You should review or learn about the components of a local government system, their roles and inter-relationships. How much time will be required for council business? If you wish to be an active council member, you may be faced with many demands on your time. You should have strong reasons for seeking election, such as promoting and improving the quality of life and encouraging development of your community.

Most councils hold regular meetings twice a month, but some meet only once a month. In addition to regular meetings, you will have to attend special meetings of council, committee and board meetings and various public meetings. You may be asked to represent your council on boards and committees, requiring both preparation and meeting time. If you intend to be an informed participant, you will have to spend time in research and learning about the issues. You will be asked to assist in presenting new initiatives to the community and to meet with government officials to discuss community projects and issues. You will be asked to attend community gatherings to hear what people are saying and show your interest in your community.

You should also be prepared for telephone calls at home and visits from residents in your community. You will be expected to follow-up on their concerns. An important part of being an effective member of council is learning how to manage your time, so that you can adequately handle both your personal and public life.

The Northern Association of Community Councils (NACC) works to improve conditions and legislation for member communities. You may be asked to attend the conventions sponsored by this association or become involved in its affairs.

TERMS OF OFFICE

Under *The Northern Affairs Act*, terms of office are for four years. Half of the council is elected in year one and the other half in year two. By-elections to fill vacancies can be held at any time. In a regular election, the terms of office of a mayor and councillor begin 14 days after their respective election days and expire 14 days after the next regular election that completes the term. Therefore, members wishing to serve another term in the same position do not have to resign their positions before being nominated. A person filling a vacancy (by-election) on a council takes office immediately after election day and holds office for the rest of the vacant position's term.

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Within 30 days of being elected, a person elected as a member must make an oath of office in Form 25 – Oath of Office for Members of Council (prescribed form) before entering on the duties of a member. This form must be filed with the community administrative officer. In addition, the new member is required to complete a Statement of Assets and Interests form in accordance with the *Conflict of Interest* regulation and file with the community administrative officer.

REMUNERATION

Members of council will receive a monthly honorarium in recognition of the time and energy devoted to their community. This rate is set by regulation for unincorporated communities and by by-law for incorporated communities.

CONFLICT OF INTEREST

A member of council must be able to represent the interests of the community, any person in the community, as well as the member's own personal interest, except where this would result in a personal benefit to the member or a member's dependant. Where a personal benefit exists, there may be a "conflict of interest."

"Conflict of Interest" means any situation in which a member of a local committee, community council or incorporated community council:

- may benefit directly or indirectly, to the exclusion of others, as the result of information or action taken in council, or
- may reasonably be perceived as receiving such a benefit.

The *Conflict of Interest* regulation sets out guidelines for council members to identify when a conflict of interest exists and a procedure for handling these situations.

Upon election to council and before taking the oath of office, members must give the community administrative officer a statement indicating direct interest they or their dependants may have in any business, corporation or other organization in the community. They must also declare direct interest in any land (other than their principal residence) they or any dependants living with them own, lease or permit and a list of all persons who are their dependants.

Members cannot vote or participate in discussing any item where they or a dependant has a direct or indirect financial interest. During the discussion and voting, they must withdraw from the meeting or that part of the meeting, by leaving the room where the meeting is taking place. A member cannot attempt to influence another member in such a matter.

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Whenever there is material change in a member's circumstances, the member must immediately advise the community administrative officer of such changes, by filing an amended Statement of Assets and Interests form.

A copy of any statement or amendment filed with the community administrative officer must be confidentially forwarded to the appropriate Aboriginal and Northern Affairs regional office.

Items that do not create a conflict of interest are also listed in the regulation. Copies of disclosure forms and the duties of the community administrative officer in handling these disclosures is provided by departmental policy.

PROBLEM SOLVING

Help is available from many sources to assist council in solving problems in your community. Council members with previous experience may be of assistance. Remember the old adage "those who do not learn from the lessons of history are condemned to relive them". Your community administrative officer is experienced with the operation of the community, *The Northern Affairs Act* and other laws relevant to your community operations and is available for advice. Aboriginal and Northern Affairs regional staff can also assist with your concerns.

The community administrative officer conducts orientation seminars for newly elected members of council, usually held following regular elections. These seminars provide a basic understanding of council administration and operations.

BEING A MEMBER OF COUNCIL

The voters of your community have elected **you** to look after the public good of the whole community. They have put their faith and trust in your fair sense and ability. Keep in mind that whatever benefits the community as a whole, benefits your area as well. Your own special interests should not interfere with or dominate council business. You are **part of a team**.

As stated earlier, council carries out its business by resolutions and by-laws. The procedures, agenda and general rules governing the council and its meetings are outlined in the council procedures by-law. Under *The Northern Affairs Act*, every incorporated community **must** adopt such a by-law. Unincorporated communities must adopt rules of procedures. It is designed to help council conduct its business in an orderly and efficient manner. A council must review the by-law and/or adopted procedures at least once every four years.

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A procedures by-law must provide for:

- regular council meetings, and the day, time and place of the meetings;
- the type and amount of notice to be given for regular meetings;
- the procedure to be followed and the type and amount of notice to be given to change day, time or place of a regular meeting;
- the type and amount of notice to be given for a special meeting;
- rules for the conduct of council meetings;
- rules for public participation at council meetings;
- a procedure for appointing a member to act as mayor if the mayor and deputy mayor are unable to act or the offices are vacant; and
- the time within which a special meeting must be called by the mayor and take place.

For incorporated communities, the council must establish an organizational structure for the council operations through a by-law, which must be reviewed at least once during its term of office. It is recommended that unincorporated communities do the same, without the requirement to pass a by-law.

An organizational by-law must provide for:

- the establishment of council committees and their duties and functions;
- the appointment of a deputy mayor to act when the mayor is unable to carry out his/her powers, duties and functions; and
- the manner of appointing persons to council committees and other bodies.

As a potential member of council, you may wish to review these by-laws to ensure you understand how council meetings are to be conducted.

WORKING WITH THE ADMINISTRATION

Your community employs a community administrative officer and in most cases, depending on the size of your community, other administrative staff. Their responsibilities are summarized as follows:

The Community Administrative Officer:

- follows the council's personnel policy concerning council employees, if applicable;
 - ensures that all pertinent correspondence, financial information and items of council business are presented at the council meeting, answered properly and filed in an acceptable filing system;
 - ensures that proper agendas and proper minutes of council meetings are prepared and distributed;
 - ensures that all funds received are deposited and all expenditures processed in accordance with council and departmental policy;
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- ensures that all financial records of council are completed and up to date in accordance with council and departmental policy;
 - ensures that budgets, capital projects and other applications are prepared and submitted to appropriate authorities in sufficient detail and on time;
 - ensures the proper collection of property taxes, and other fees as directed;
 - ensures that the terms and conditions of funding agreements are followed;
 - ensures that all government legislation, regulations and council by-laws are followed;
 - participates in training sessions;
 - manages and supervises community employees, where directed by council;
 - trains community administrative support staff, when required;
 - assists council through research and advice on:
 - budgeting process
 - application of policies
 - financing, organizing, planning, analyzing, interpreting and evaluating the community needs relating to infrastructure
 - general community growth respecting the development and establishment of local services as defined in *The Northern Affairs Act*
 - liaison between council and government agencies to ensure maximum benefit to the community and adequate reporting to government departments
 - understanding their responsibilities on procedures, resolutions, by-laws, project development and management, election procedures and their alternatives and implications;
 - reports any unlawful use of funds to council and where necessary to the minister.

The Assistant Community Administrative Officer:

- maintains all the financial records of council and council committees (ie. recreation committee);
 - prepares and presents all financial records at month-end;
 - processes all council expenditures;
 - receives and deposits all council funds;
 - reconciles and closes off all financial records at month-end;
 - handles all funds and administrative details of council projects;
 - prepares or assists in preparing and distributing meeting agendas, resolutions and by-laws;
 - assists in interpreting laws and incoming correspondence;
 - receives, records and ensures proper handling of correspondence;
 - responds to correspondence per council's direction;
 - acts as telephone receptionist in the community office;
 - may take minutes at regular and special meetings;
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- represents council at meetings with other agencies at council direction;
- discloses approved information to the public;
- participates in applicable training programs at council's direction; and
- maintains the filing system in the office.

Where the community has no assistant community administrative officer, those duties become part of the community administrative officer's duties. Where a community has a community administrative officer and one or more administrative staff, the council may direct a different division of duties.

It is a generally accepted principle that council sets policy and the community administrative officer and staff carry it out. Your community administrative officer and staff are employed to provide effective and efficient administration based on their training and experience. Neither council nor the community administrative officer can do an effective job if they do not clearly understand each other's duties and responsibilities. However, there is often no clear line between a policy decision and an administrative action.

Keep in mind that tensions can arise when council thinks the community administrative officer has strayed into their area of authority or when staff feel council is interfering with their responsibilities. Therefore, it is very important to develop a good working relationship, including an understanding of each point of view, in order to have mutual trust and respect.

To ensure effective and efficient administration, there should be provision for adequate training for your staff to enable them to carry out their duties. They must have the opportunity to learn about new developments in municipal management and administrative practice. With well-trained and informed staff, council can be assured of receiving accurate information on which to base its decisions. Your administration will be a valuable resource to council in its work.

WHO IS DOING THE JOB?

The person elected as **mayor**, becomes the head of council when sworn into office. The mayor is expected to lead the affairs of the community by presiding at all council meetings, regular and special. The mayor maintains order, proper conduct and decorum at all council meetings and decides questions of order. He/she is a member of all council committees unless council provides otherwise in its organizational by-law.

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The mayor must always be vigilant and active to ensure that the law of governing the community is duly executed and put into force. He/she usually acts as a spokesperson for the community at special community functions, with the news media and when meeting with other agencies.

The Northern Affairs Act allows a deputy mayor to act when the mayor is absent. The deputy then has all the powers of the mayor for that period of time.

Council members are expected to attend all council meetings and take part in debate and discussion on community business. They work together as a team to decide upon the overall direction of the community. They determine the objectives, goals, programs and general operating rules that the council and administration will follow during the year.

At council meetings, every member present has one vote each time a vote is held. Members are expected to vote every time a vote is called, except when in conflict of interest, in which case affected members are excused from voting.

Willingness by all members of council to reason and discuss issues co-operatively leads to the development of a positively oriented council. The result is a more informed and higher-quality level of decision-making. Lack of team spirit in council quickly leads to divisiveness, development of highly competitive and destructive action and a general negative spirit among members that can influence the community. Community elected officials are charged with most important responsibilities. They should seek to represent what they feel is in the best interest of their residents and the community.

It is the duty of the community administrative officer to attend all council meetings and record, without note or comment, the resolutions and proceedings. The community administrative officer should be familiar with the proper conduct of meetings, the procedures by-law and the provisions and procedures of *The Northern Affairs Act*. A well-informed community administrative officer can better assist the elected officials in conducting the business of the community.

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SUMMARY OF THE ELECTION PROCESS

QUALIFICATIONS

Do you qualify as a candidate? In order to be eligible for election to a community council, you must fulfil certain legal qualifications. To qualify to stand for council office, you must be:

- a Canadian citizen;
- at least 18 years of age on the day of the election;
- a voter of the community; and
- not subject to any disqualification under *The Northern Affairs Act* or any other Act.

The Northern Affairs Act sets out a number of occupations and situations that disqualify a person from running for election or remaining a member of council. Among these are being a justice of the peace, a member of the council of another municipality or community and a member of the Legislative Assembly of Manitoba. A person who ceases to be a voter is disqualified. As well, no one can be elected to more than one office. Anyone convicted of an offence under an Act who has not paid the fine imposed within the time set by law or the courts is disqualified. There are certain restrictions of eligibility where convictions and judgments under the *Criminal Code* are pending or in process.

Employees of the council are also disqualified, unless they apply for leave of absence during the time of the election. An employee may ask council for a longer leave of absence if successfully elected. It would be wise for candidates to review eligibility requirements and disqualifications with the community election officials.

As a candidate, you should be confident in your reasons for seeking election to public office. You should consider the office you are seeking and the demands of the position as a council member or mayor. Most important, you must like working with people, even those with a differing point of view. Local government is a people business.

ELECTION OFFICIALS

The Northern Affairs Act and the *Community Councils Election* regulation, detail the procedures for conducting elections for members of council. The community council must appoint both a Senior Election Official (SEO) and Assistant Senior Election Official by by-law for the community.

Senior Election Official - ensures that the election process in the community is carried out in accordance with the regulation. The SEO supervises the other election officials and is responsible to both the council and to the Principal Electoral Officer (PEO) for

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ensuring that the election is conducted properly. The SEO can call upon the department for direction in interpreting and applying the regulation provisions. It is the responsibility of the SEO to establish and maintain an up-to-date voters list for the community.

Assistant Senior Election Official – assists the SEO with the election process as directed. In the absence of the SEO, the assistant may act in his or her place.

Voting Official – assists the SEO at the voting place. He/she is appointed by the SEO. A voting official may function as interpreter, if so qualified and has completed the necessary Form 18 - Oath of Interpreter. The voting official also assists in counting the votes when the voting has closed.

VOTERS LIST

The voters list must only contain the names of persons who are eligible to vote in an election. In order to qualify as a voter you must be:

- a Canadian citizen who is 18 years of age or older; and
- a resident of the community, and has been for at least six months before election day.

The following rules apply in determining the residency of a person:

1. A person is a resident of the place where he or she has his or her ordinary residence and to which he or she intends to return when away from it.
2. A person may be a resident of only one place at a time.
3. A person does not change residence until he or she has a new residence.

In order to run as a candidate in an election, your name must be on the voters list.

NOMINATIONS

At least five to seven days before nomination day, the senior election official publishes or posts a notice, stating when and where completed nomination papers will be received. In a regular election year, the senior election official must receive the nomination papers on a day at least two weeks before election day. Nominations are received between 1:00 p.m. and 9:00 p.m. at a convenient public place in the community. Nomination papers can be obtained from the senior election official.

To be valid, a candidate nomination must be accompanied by a declaration which are both prescribed forms (Form 7 and 8), stating that the candidate is eligible to run for election to office. The declaration must be signed in front of a person authorized to administer oaths, such as an election official or those persons listed under section 62(1) of *The Evidence Act*. Nomination papers must be supported by at least two eligible voters of the community.

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Nomination papers not properly completed will be rejected by the senior election official. It is your responsibility as a prospective candidate to ensure proper completion of the nomination papers before filing it with the senior election official. You do not have to file it in person, unless the senior election official specifies this in the notice of nomination. If you believe the document has been completed properly, someone else may file it for you. Nomination papers are available for public inspection from the time they are received until disposed of, on request, during regular office hours.

Following the close of nominations, the senior election official will declare all nominees running as candidates in the election. You may withdraw your name up until 2:00 p.m. the day after the close of nominations and only where enough candidates remain to fill the offices. Where the same number of nominations are received as there are offices, those candidates will be elected by acclamation. An election will be called where the number of candidates exceeds the positions to be filled.

THE CAMPAIGN

After filing your nomination papers, you will decide what type of a campaign you wish to run. For example, go house to house to meet people, hand out brochures promoting yourself and what you want to see happen in the community or hold information meetings. You can put up posters and participate in debates.

During your campaign, you may want to check with the senior election official to ensure that your campaign activities are within regulation guidelines. You may also appoint, in writing using Form 10 – Scrutineer Appointment, up to two scrutineers at any time after your nomination and before the closing of the voting place to act on your behalf. Provide the written appointment to the scrutineer, who will need to show it to the senior election official before acting as a scrutineer.

For the purpose of campaigning only, you are entitled to a copy of the voters list. This list can be obtained from the senior election official.

VOTING PLACE

The senior election official establishes a voting place. A voting place cannot be established in premises in which a candidate has an estate or interest or in a licensed premise under *The Liquor Control Act*. It must be located on a ground floor that has access for handicapped voters with mobility. The senior election official must ensure the voting place has compartments in which voters can mark ballots in private.

You need to know what political activities are not permitted at the voting place. For example, you can not within 50 metres distribute, wear or post items referring to the election or a candidate. Scrutineers can wear the candidates color but, the candidates

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name can not be displayed.

ADVANCE VOTING

At least one advance voting opportunity is held before the regular voting to give voters an opportunity to vote prior to election day. The required advance voting place must be open between 5:00 p.m. and 9:00 p.m. for voters to vote in advance. Scrutineers can be present during the advance voting. Additional advance voting opportunities are at the discretion of the senior election official.

VOTING BY SEALED ENVELOPE

Sealed envelope ballots are allowed to voters who cannot come to an advance voting or regular voting because of physical disability, confinement in a hospital or some similar allowable reason. An application for a sealed envelope ballot must be made to the senior election official. The senior election official will have the sealed envelope ballot package mailed or delivered to the voter, who must ensure that it is returned to the senior election official for deposit in the ballot box before 8:00 p.m. on election day.

CONDUCT AT THE VOTING PLACE

A scrutineer may challenge a person wishing to vote if it is believed that person is ineligible. The challenge must be made before the voter is given a ballot. Any voter who is challenged must complete *Form 16 – Oath of Voter*. A ballot can then be supplied. The voting record will note that the voter was “challenged” and “oath signed”. If the voter refuses to sign the oath, then a ballot can not be supplied. The senior election official may require an eligible voter to establish his or her identity prior to receiving a ballot.

AFTER THE VOTING CLOSES – ELECTION RESULTS

The way the election results are handled and announced will vary, depending upon the size of the community. Any information or results are unofficial until legally confirmed by the senior election official.

When the voting closes, the senior election official counts the ballots in the presence of the voting official(s), candidates and/or scrutineers. The voting official records the number of spoiled and declined ballots and the number of ballots counted, then checks the count against the voting record to ensure that numbers balance and reports the results to the senior election official. The senior election official and voting official then count the ballots cast for each candidate and record the results. The ballots and all election materials are placed into sealed packets, locked into the ballot box and delivered to the community administrative officer to keep in a secure place.

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The senior election official will announce the official results to those present and make a copy publicly available.

RECOUNT

Recounts are a process that allows independent verification of the senior election official's count of the ballots. A recount must be requested in the event of a tie, which would result in more candidates elected than positions to be filled, and only where an objection was made to a decision made by an election official to accept or reject a ballot. The senior election official would apply to the Principal Electoral Officer (PEO) for a recount. Where there were no objections made to the count for a tie vote, the senior election official would proceed with a by-election to fill the vacant office.

The PEO sets a date, time and location for the recount and informs all parties. The PEO also advises the community administrative officer, so that the ballot box with the material from the election can be made available for the recount. Only authorized persons may be present during the recount. The ballot box containing election material is produced, opened and ballot envelopes opened. The PEO recounts the ballots, using the same procedures as the senior election official. Each ballot is examined in the same manner and tallied. The PEO certifies the result to the senior election official and the ballots are resealed in their packets. The results may be

- declaration of candidates elected, or
- a by-election to be held.

On completion of the recount, the PEO arranges for the ballot box and materials to be held for the time required by law and then destroyed. A candidate who feels the recount is not correct or disputes the validity of a ballot may within fourteen days after the senior election official announces the results appeal to a judge.

ELECTION OFFENCES

As a candidate, you should be aware of the activities that are not permitted. A person who is found guilty of such offences can be fined up to \$10,000 or imprisoned for a term of not more than one year. A detailed list of election offences can be found in *The Municipal Councils and School Boards Election Act (Part 8)* and include such offenses as:

- Offering a bribe to a voter, election official or another candidate;
 - Accepting a bribe or soliciting a bribe;
 - Interfering or disrupting the proceedings of a voting place;
 - Using the voters list for a purpose other than for campaigning;
 - Making a false or misleading statement or declaration.
-

BENEFITS TO YOU

COMPENSATION

Will you be paid? Regulations under *The Northern Affairs Act* establish and set the rates of council honorariums. Other government policies set the rates and conditions of payments for such items as reimbursement for expenses incurred while on council business.

Personal Satisfaction! Most community voters know a good member of council and are willing to re-elect that person for good performance. In addition, you may have the satisfaction of achieving something of benefit for your community.

RECOGNITION - NOW YOU ARE ELECTED

Congratulations! The election is over and has made you a public figure. Your private life will probably be the subject of a lot more public conversation now, whether you like it or not. What you now say and do become important news in the community. Even your private life will become very public. Your public comments may be distorted, magnified, criticized and perhaps taken out of context. You should be prepared to realize that a lot of this type of conversation will be based on rumour and treat it as such.

Newly elected council members may become disheartened or frustrated by their inability to change the system. They may feel that unnecessary restraints have been placed upon the powers of council. The beginning of this guide explained the process that gives authority to the provinces and the local government level. Provincial law governs the activities of a community council and a local committee. It also permits a community to incorporate and take on greater responsibility for its own actions.

FREQUENTLY ASKED QUESTIONS

Can you change your mind?

At any time up until 2:00 p.m. after nomination day, you may submit your withdrawal as a candidate by filing a signed declaration in *Form 9 – Candidate Withdrawal* with the senior election official. The senior election official must accept your withdrawal, if enough candidates remain to fill the office.

Is an election required in all cases?

If the number of candidates and the number of offices to be filled are equal at the close of nominations, the senior election official will declare the candidate(s) duly elected. They are elected by acclamation.

If there are more candidates than are required to fill the offices, the senior election official publishes or posts the names of the candidates after the time for withdrawals has passed. The dates, times and locations of the voting places are also published. This starts the election process.

What if there are irregularities in the election process?

Prior to election day, if for any reason it is impossible to close nominations or hold an election in a community the Principal Electoral Officer (PEO) may by written order specify a new closing day for nominations and/or a new election day. Any order made by the PEO is binding on the election officials, candidates and the council.

After election day, if you feel the right of an elected candidate to take office are in question or the validity of an election are in question, you may present an application to the court within sixty days of the day of the election.

What if an elected member becomes disqualified?

A member of council who is disqualified under the Act must resign immediately. If you feel an elected member is disqualified to hold office, council or four or more voters can make an application to the court anytime during the member's term of office.

Can a regular election and a by-election be held at the same time?

Where there is a vacancy on council prior to the regular election for a term not expiring in that year, a by-election can be held in conjunction with the regular election. It is important that your nomination papers state for which term you are seeking nomination, whether the regular term or by-election term. The senior election official will prepare separate ballots for each term.

CANDIDATE'S CHECKLIST

- 1) Decide which office you wish to represent (mayor or councillor).
 - 2) Ensure you have the statutory citizenship, residency qualifications and you are not disqualified from holding office (occupation, residency, etc.). It is your responsibility to file proper nomination papers.
 - 3) Note the application times, dates and places for:
 - *Filing nomination* – At least two weeks before election day, between 1:00 p.m. and 9:00 p.m., at a convenient place in the community decided by the SEO.
 - *Advance Voting* – Prior to the regular voting between 5:00 p.m. and 9:00 p.m.
 - *Election Day* – Fourth Wednesday in October – voting place is open between 8:00 a.m. and 8:00 p.m.
 - 4) Note the name and office location of the SEO.
 - 5) Obtain nomination papers and a copy of the voters list for campaigning purposes from the SEO.
 - 6) Complete the nomination portion of the nomination papers and determine the qualifications required for voters who are eligible to nominate you for election to council.
 - 7) Obtain the required number of signatures of qualified voters as nominators on your nomination paper.
 - 8) Sign the declaration of candidate portion of the nomination papers in the presence of a person authorized to administer oaths, such as an election official.
 - 9) File your completed nomination papers with the SEO at least two weeks before the election at the date and time provided in the notice of nominations.
 - 10) After you have been nominated, you may, appoint persons in writing (including yourself) as your official scrutineer throughout the election. The SEO must be advised of this appointment in writing.
 - 11) On Election Day – DO NOT FORGET TO VOTE.
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ELECTION PROCESS – SEQUENCE OF EVENTS

September

- Voters list prepared by SEO (enumeration is optional)
- Revisions to voter list accepted up until close of nominations

October

- Notice of Nominations posted (at least 5 to 7 days before nomination day)
- Nomination Day (at least two weeks before election day during the hours of 1:00 p.m. to 9:00 p.m.)
- Last date to request revisions to voters list (no revisions will be accepted between the close of nominations and Election Day)
- Notice of Election posted (2 days after nomination day)
- Advance Voting (held prior to election day between 5:00 p.m. and 9:00 p.m.)
- Election Day - Fourth Wednesday during the hours of 8:00 a.m. to 8:00 p.m.
- Results announced

November

- Elected persons make and file with the community administrative officer an oath of office
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