

Guide to Local Authorities Elections

Returning Officer's Manual

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GUIDE TO LOCAL AUTHORITIES ELECTIONS

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INTRODUCTION

This manual is a guide to running municipal elections. It has been prepared to simplify and explain the *Local Authorities Elections Act* (LAEA). This manual is not an official statement of the law and is prepared for assistance by the Department of Municipal and Community Affairs, through the office of the Chief Municipal Elections Officer.

The manual is divided into six main sections: the introduction, what happens or should happen before voting day, what happens or should happen on voting day, what should happen after the election, a troubleshooting section and the appendix. The appendix contains the forms prescribed by the Act found in the *Local Authorities Elections Act Regulations* and completed samples.

The numbers in the left-hand column, which begin on page 3, refer to sections or subsections in the *Local Authorities Elections Act* and the Elections Schedule found in the Act.

The term "Council" used throughout the manual refers to any Council of a municipal or settlement corporation. Municipal corporations include cities, towns, villages and charter communities.

Topics are written in chronological order as they occur during the election process.

A Quick Look The Order Of A Perfect Election

The Council passes Resolutions to appoint a Registrar and a Returning Officer well in advance of the last date for doing so (8 weeks before Election Day).

The Returning Officer posts Notices to open Nominations in advance of the last day to do so (7 weeks before Election Day).

Nomination Papers properly completed, signed and declared are filed with the Returning Officer before the Close of Nominations (3:00 p.m. on the Monday 5 weeks before Election Day). There are at least as many Candidates as vacancies.

The Registrar compiles and publishes the List of Voters before the last day for doing so (30 days before Election Day).

The Council passes a Resolution to authorize an Advance Vote, at least 7 but not more than 14 days before Election Day, specifying the date, the location and the hours of voting, which are not less than 5 hours nor more than 9 hours.

The Returning Officer posts the Notice of Election and of the Advance Vote before the deadline (30 days before Election Day).

Voters, unable to vote on Election Day, attend the Advance Vote and make the necessary Declarations.

The names of those voting on Election Day are all to be found on the List of Voters.

The Ballots are clear, including the Criteria for Eligibility printed on the back of the ballots.

Voters make clear marks on the Ballots to indicate their choices.

When the Ballots are counted, there are very few spoiled or rejected Ballots.

Successful Candidates have clear majorities.

The Returning Officer posts a Certificate of Results of Election and issues Certificates of Election to successful Candidates.

The Returning Officer and other Election Officers are thanked for a job well done.

Planning Is The Key To Success

The right to freely choose the people who will represent community members in all levels of government is a cornerstone of democracy. Historically this has not been the case. For this reason, the election must be run efficiently and without favour to any party or candidate.

The role of the Council should be limited to the appointment of the Returning Officer and the Registrar. The role of the senior administrative officer is to ensure the Returning Officer has an election budget and a place to work from.

In 1997, the *Local Authorities Elections Act* was amended to provide for a Chief Municipal Elections Officer who is available to assist Returning Officers during the entire election process, including pre-election, election and post-election periods. This position provides the opportunity for the Returning Officer to receive advice and direction on the electoral process from an independent source and relieves the council of any participation in the election which could be perceived as self-serving.

The Chief Municipal Elections Officer is NOT a Chief Returning Officer. The election is still planned and executed on a local level. Therefore, proper planning for the election can ensure that all goes well. The *Local Authorities Elections Act* and the Election Schedule provide guidance on the eligibility of candidates, residency, time periods and an electoral process.

Tasks

The tasks for general elections are outlined in the Municipal Election Calendars provided for Returning Officers with the assistance of the Department. Elections Calendars may be downloaded from the Municipal and Community Affairs website at www.maca.gov.nt.ca/ or they may be obtained from the Office of the Chief Municipal Elections Officer at 920-8893. The Chief Municipal Elections Officer is available for any questions or emergencies that might arise on election nights.