



TSAWWASSEN FIRST NATION
s'cəwaθən məsteyəx^w

Election Act

ELECTION OFFICER REGULATION

Date Enacted: 29 July 2009

Order Number: O.086-2009

Last Amended: 18 November 2015

X

Tom McCarthy
Chief Administrative Officer

Table of Regulation Changes

Section(s) Amended	Date	Order number	Come Into Force Date
s.2 amended s. 3 amended s.3.1 added s.6 amended, s.6.2 added s.7, 7(a) and 7(b) amended Sch. A repealed and replaced, Sch. B added	18/11/2015	O.084-2015	18/11/2015

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SCHEDULE A – ACCEPTANCE AND DECLARATION OF ELECTION OFFICER

SCHEDULE B – ELECTION OFFICER'S REPORT

Citation

1 This regulation may be cited as the *Election Officer Regulation*.

Definitions

2 In this regulation:

“**Act**” means the *Election Act* (Tsawwassen);

“**appointee**” means an election clerk appointed by the election officer under section 74 (1) of the Act or a deputy election officer appointed under section 72 (1) of the Act;

“**chief administrative officer**” means the chief administrative officer appointed under the *Government Organization Act* (Tsawwassen);

“**election manual**” means the election manual referred to in section 67 of the Act; and

“**election officer**” means the election officer appointed under the Act.

[Amended by Order number O.084-2015]

Interpretation

3 Unless specifically provided otherwise in these regulations, other terms used have the same meanings as in the Act.

Election officer’s declaration

3.1 The written acceptance and statutory declaration that the election officer must provide under sections 68(3) and 71(4) of the Act shall be in the form prescribed in Schedule A [*Acceptance and declaration of election officer*]

[Amended by Order number O.084-2015]

Election officer’s power to delegate

4 The election officer may delegate any of his or her responsibilities under this regulation to an appointee.

Access to voters list

5 The voters list containing addresses and dates of birth of eligible voters may only be viewed and used by the election officer or an appointee.

Election officer to submit election manual

6 (1) The election officer must compile and submit an election manual to the Executive Council within two weeks of the final completion of the election or, if permitted by the Executive Council, a period of time reasonably considered practicable for the completion of the election manual.

(2) The final completion of election referred to in section 67 of the Act is 45 days after election day, or, if there is an appeal, 45 days after the appeal is conclusively resolved.

[Amended by Order number O.084-2015]

Election report

7 Upon final completion of an election, the election officer must

(a) complete Schedule B [*Election Officer’s Final Report*];

(b) send a copy of the completed form to the chief administrative officer; and

(c) include a copy of the report in the election manual pursuant to section 67(f) of the Act.

[Amended by Order number O.084-2015]

Schedules

8 Schedules A and B to this regulation form a part of this regulation
[Amended by Order number O.084-2015]

SCHEDULE A

ACCEPTANCE AND DECLARATION OF ELECTION OFFICER

Acceptance of appointment

I, _____, accept appointment to the position of election officer / interim election officer for the election to be held on the _____ day of _____, 20 _____.

I am aware of the duties and responsibilities of this position as established under the *Election Act* (Tsawwassen).

(Signature of (interim) electoral officer)

(Date)

Statutory Declaration of Election Officer

I, _____ solemnly declare that:

1. I am not a Tsawwassen Member;
2. I am not an employee of the Tsawwassen First Nation or an employee of a Tsawwassen Institution;
3. I will act faithfully as election officer or interim election officer, without partiality, fear, favour or affection; and
4. I will in all respects maintain and aid in maintaining the absolute secrecy of the voting.

I make this solemn declaration conscientiously believing it to be true and knowing that it has the same force and effect as if made under oath. I understand that it is an offense to make a false statement in this declaration.

DECLARED BEFORE ME at the
town/city of _____, Province)
of British Columbia, this ____ day of)
_____, 20____.)

) Signature of election officer / interim
) election officer

)
) A Commissioner for taking Affidavits
) within British Columbia.)

[Amended by Order number O.084-2015]

10. The second notice of election was posted on the _____ day of _____, 20 _____, at the following locations:

11 In the case of a cancelled by-election, the notice to cancel a by-election was posted on the _____ day of _____, 20 _____, at the following locations:

12 On election day, the voting station was at the following location(s):

13 Ballot Reconciliation

		For Chief	For Legislator
A	Number of mail-in ballot packages sent to electors (does <i>not</i> include second or third packages sent to the same elector)		
B	Number of mail-in packages returned as undeliverable		
C	Number of replacement mail-in ballots issued pursuant to section 10 [<i>Lost mail-in ballot</i>] of the <i>Voting and Mail-In Ballot Regulation</i>		
D	Number of mail-in ballots declined due to incomplete or incorrectly completed identification envelopes		
E	Number of mail-in ballots deposited in the ballot box		
F	Number of in-person ballots issued on voting day		
G	Number of eligible voters who have the word “Declined” written beside their names on the voters list, pursuant to section 48 (2) of the Act		

H	Number of ballots cast by electors voting in person		
I	Number of ballots marked “Declined” (not including the number of identification envelopes marked “Declined” as per D above)		
J	Number of ballots cast and declined during the counting of the ballots		
K	Number of valid ballots cast (should equal E plus H minus D minus I minus J)		

14. Please complete all three columns:

Name of Candidate for Chief	Mailing Address	Total Votes Received

15. Number of declined ballots for chief: _____

Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____

19. The term of office commences on the _____ day of _____, 20_____ .

20. Additional Comments:

21. Declaration

I, _____, appointed to the position of election officer on the _____ day of _____ 20 _____, for the Tsawwassen First Nation, declare that the voting station(s) was kept open between the hours of 9:00 a.m. and 8:00 p.m. (local time), and that I have correctly counted the votes cast for each candidate and have performed all other duties required of me by the *Election Act* (Tsawwassen) and regulations under the Act.

Signature

Date

(Address)''

[Amended by Order number O.084-2015]