TSAWWASSEN FIRST NATION
sc̓əwaθən məsteyəxʷ

Election Act

ELECTION RECOUNT AND APPEAL DEPOSIT REGULATION

Date Enacted: 29 July 2009
Order Number: O.086-2009

Last Amended: 18 November 2015

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Tom McCarthy
Chief Administrative Officer

Table of Regulation Changes

Section(s) Amended	Date	Order number	Come Into Force Date
s.2 amended s.4 amended s.5, 5(a) and 5(b) amended s.7 amended, s.7(a) and 7(b) repealed	18/11/2015	O.085-2015	18/11/2015

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Citation

1   This regulation may be cited as the Election Recount and Appeal Deposit Regulation.

Definitions

2   In this regulation:

"Act" means the *Election Act* (Tsawwassen);

"candidate" means an individual that has been declared a candidate for election for Chief or a legislator under section 30 [Declaration of recognized candidates] of the Act; and

"election officer" means the election officer appointed under the Act.

[Amended by Order number O.085-2015]

Interpretation

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

Judicial recount

4   Where a candidate, an eligible voter or an election officer makes application in writing for a judicial recount of votes for the office of chief or for the office of legislator under section 59 [*Judicial Council recount*] of the Act, the deposit required under subsection (2) of that section will be in the amount of $50.

[Amended by Order number O.085-2015]

Process if applicant's request for a judicial recount is substantiated

5   If the outcome of the applicant's request for a judicial recount results in a finding by the Judicial Council that

      (a) there was incorrect acceptance or rejection of votes,

      (b) there was inaccurate count or recount, or

      (c) that the election officer's report and results do not accurately record the number of votes for a candidate,

then the deposit will be returned to the applicant.

[Amended by Order number O.085-2015]

Process if applicant's request for a judicial recount results in no change

6   If the outcome of the applicant's request for a judicial recount results in no change to

      (a) the acceptance or rejection of votes,

      (b) the count or recount of votes, or

      (c) the election officer's report and results of the number of votes for a candidate,

then the deposit will be not be refunded to the applicant.

Appeal of election to Judicial Council

7   Where an eligible voter files an appeal of election under subsection 62 (1) [*Appeal of election to Judicial Council*] of the Act, the deposit required under section 62 (2) [*Appeal of election to Judicial Council*] will be in the amount of $150.

[Amended by Order number O.085-2015]