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TSAWWASSEN FIRST NATION

Elections Act (2025)

VOTING AND BALLOT COUNTING REGULATION (2026)

Date Enacted: [Click here to enter a date.](#)

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Citation

- 1 This regulation may be cited as the Voting and Ballot Counting Regulation.

Definitions

2 In this regulation:

“Act” means the *Elections Act* (2025);

“ancestral name” means a name in hənq̓əminəm̓ or other Indigenous language

“PIN” means a unique personal identification number issued by the election officer to an eligible voter for the purpose of electronic voting;

“Second Notice of Election” means the notice issued under section 6(2) of the *Election Notice, Nomination, and Campaigning Regulation*.

“voting station” means a place where an eligible voter may vote in person on general voting day or at an advance voting opportunity.

Interpretation

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

PART 1 – VOTING ARRANGEMENTS

Voting station

- 4 (1) The election officer must designate a voting station on Tsawwassen Lands for in-person voting on general voting day.
(2) If advance voting has been authorized in accordance with section 17, Executive Council may, by order, require the election officer to designate additional voting stations.
(3) An order issued under subsection (2) must be made no later than 90 days before general voting day.
(4) So far as reasonably possible, voting stations must be easily accessible to persons with a disability or whose mobility is impaired.

Voting station hours

- 5 (1) Voting stations must be open on general voting day from 8 a.m. to 8 p.m., unless subsection (3) applies.
(2) An eligible voter waiting inside or in line outside a voting station when the voting station closes is entitled to vote and the ballot box must remain unsealed until their ballot is deposited.
(3) If the election officer is satisfied that eligible voters are unable to enter the voting station to vote before 8:00 p.m., the election officer may extend the period for voting but must not permit voting for a longer length of time than would have been permitted had eligible voters been able to enter the voting station.

Voting booths

- 6 (1) Each voting station must have one or more voting booths.

- (2) The election officer must arrange voting booths so that eligible voters can mark their ballots in secrecy without interference.
- (3) Each voting booth must include:
 - (a) instruments for marking ballots, and
 - (b) instructions for marking ballots, in essentially the form set out in Schedule A [*In-Person Voting instructions*].

Ballot boxes

- 7 (1) Each voting station must contain a ballot box.
- (2) The election officer must provide ballot boxes that are capable of being sealed to prevent tampering.
- (3) Mail-in voting return envelopes must be deposited in separate ballot boxes that are used only for mail-in voting return envelopes.
- (4) Before a ballot box is used for the purpose of receiving ballots, the election officer must, in presence of at least one witness,
 - (a) inspect the ballot box to ensure that it is empty,
 - (b) seal the ballot box in a manner that prevents it from being opened without breaking the seal, and
 - (c) record, in the form set out in Schedule B [Ballot Box Certification Form], that the ballot box was empty and sealed prior to use.

Ballots

- 8 (1) A ballot must not include any indication:
 - (a) that a candidate is holding or has held an elected office;
 - (b) of a candidate's occupation;
 - (c) of a title, honour, degree or other decoration received or held by a candidate.
- (2) A ballot must contain the full name of each candidate in the election, or, if a candidate specified a different usual name in the nomination documents, their usual name.
- (3) A candidate may request that their ancestral name be included on the ballot.
- (4) The names of candidates must be arranged on a ballot in an order determined by the election officer.
- (5) If two or more candidates:
 - (a) have the same surnames and given names, or
 - (b) have names so similar that, in the opinion of the election officer, they are likely to cause confusion

the election officer may modify the names to include additional information to assist voters to identify the candidates, subject to the restrictions under subsection (1), and may establish their order on the ballot.
- (6) If a candidate withdraws under section 28 [*Withdrawal of candidate*] of the Act, the election officer must, as time allows,
 - (a) have the ballots prepared without the name of the individual,
 - (b) indicate on the ballots that the individual has ceased to be a candidate, or

- (c) have posted at each voting station a notice that the individual has ceased to be a candidate.
- (7) A ballot must be prepared in the form set out in Schedule C [*Sample Ballot*].

Voting Book

- 9 (1) The election officer must prepare a voting book for the purpose of recording when an eligible voter has cast a vote.
- (2) A voting book may be in paper or electronic format.

PART 2 – VOTING PROCEDURES

Division 1 – In-Person Voting

Individuals who may be present at voting proceedings

- 10 (1) Only the following individuals may be present at a voting station while voting is taking place:
 - (a) election officials;
 - (b) scrutineers;
 - (c) eligible voters who are attending the voting station for the purpose of voting;
 - (d) other individuals permitted to be present by the election officer.
- (2) Other than for the purpose of voting, a candidate must not be present while voting is taking place.

Scrutineers

- 11 A candidate appointing scrutineers pursuant to section 31 [*Scrutineers appointed by candidates*] of the Act must use the form set out in Schedule D [*Notice Appointing Scrutineers*] of this regulation.

In-person voting procedures

- 12 (1) To vote in-person, an eligible voter must attend a voting station at a time and location specified in the Second Notice of Election.
- (2) To obtain a ballot for in-person voting, the following requirements must be met:
 - (a) the eligible voter must
 - (i) present identification in accordance with section 13, or
 - (ii) if the eligible voter cannot provide identification, have their identity vouched for in accordance with section 14.
 - (b) the eligible voter must
 - (i) be on the voters list, or
 - (ii) have their entitlement to vote confirmed by an individual with access to the enrolment register.
 - (c) the eligible voter must make an oral or written declaration that they are entitled to vote in the election,
 - (d) the election officer must consult the voting book to confirm that the individual has not voted in the current election.

- (3) Once the requirements referred to in subsection (2) have been met, the election officer must
 - (a) announce the name of the eligible voter;
 - (b) initial the back of the ballot in a distinctive manner;
 - (c) hand the initialed ballot to the eligible voter;
 - (d) provide oral instructions for marking the ballot.
- (4) After receiving the ballot, the eligible voter must
 - (a) proceed directly to a voting booth;
 - (b) mark and fold the ballot in accordance with the instructions provided,
 - (c) return the ballot to the election officer, who must confirm the ballot is the one that was given to the eligible voter by examining the initials on the ballot, and
 - (d) accept the ballot back and deposit it in the appropriate sealed ballot box while observed by the election officer.
- (5) Once the eligible voter's ballot has been deposited in the appropriate sealed ballot box, the election officer must record in the voting book that the eligible voter has voted.

Eligible voters to provide identification

- 13** To obtain a ballot in accordance with section 12(2), an eligible voter must satisfy the election officer of the eligible voter's identity by providing
- (a) one document, issued by a provincial, federal, territorial, or state government that contains the eligible voter's name, date of birth and photograph, or
 - (b) two documents considered satisfactory by the election officer, both of which contain the eligible voter's name and at least one of which contains the eligible voter's
 - (i) address,
 - (ii) signature, or
 - (iii) date of birth.

Procedure if an eligible voter does not have identification

- 14** (1) Despite section 13, an eligible voter who is unable to produce the documents required by section 13 may be permitted to cast a ballot at a voting station if the identity of the eligible voter is confirmed in accordance with subsection (2) by one of the following who has produced the documents required by section 13:
- (a) a spouse, a parent, a grandparent, or an adult child, adult grandchild or adult sibling of the eligible voter;
 - (b) a person having legal management of the affairs of the eligible voter;
 - (c) another eligible voter; or
 - (d) an employee of Tsawwassen First Nation.
- (2) The eligible voter and the voucher referred to in subsection (1) must each make a solemn declaration, in writing, as to the eligible voter's identity and the voucher's relationship to the eligible voter using the form in Schedule E *Declaration of Eligible Voter's Identity*].

- (3) A commissioner for taking affidavits for British Columbia or an election official may take solemn declarations made under subsection (2).

Spoiled ballots

- 15** (1) An eligible voter who spoils a ballot may exchange their spoiled ballot for another ballot issued by the election officer.
- (2) The election officer must write the word “Cancelled” on the spoiled ballot and store it separately.

Forfeited ballots

- 16** (1) An eligible voter who obtains a ballot but refuses to vote or leaves the voting station without returning their ballot to the election officer forfeits their right to vote in the election.
- (2) If an eligible voter forfeits their right to vote, the election officer must mark “Forfeited” in the voting book beside the person’s name.
- (3) If a ballot is returned by an eligible voter who has forfeited their vote, the election officer must write the word “Cancelled” on the ballot and store it separately.

Division 2 – Advance Voting

Advance voting opportunities

- 17** (1) Executive Council may, by order, authorize the use of advance voting opportunities for an election.
- (2) Advanced voting opportunities must be held during a period that
 - (a) begins no earlier than 10 days before general voting day, and
 - (b) ends no later than the day before general voting day.
- (3) An order issued under subsection (1) must be made no later than 90 days before general voting day.
- (4) If Executive Council authorizes advance voting for an election, the election officer must determine the date, location, and voting hours for the advance voting opportunity and include that information in the Second Notice of Election.

Advance voting procedures

- 18** (1) To vote at an advance voting opportunity, an eligible voter must attend a voting station on the date and at the time and location specified in the Second Notice of Election.
- (2) A vote cast in accordance with this section is subject to the voting procedures in Division 1 of this Part.

Division 3 – Mail-in Voting

Mail-in voting packages

- 19** (1) Mail-in voting packages must include
 - (a) a ballot in essentially the form set out in Schedule C [Sample Ballot], initialed by the election officer,

- (b) instructions for voting by mail in essentially the form set out in Schedule F [Mail-in Voting Instructions]
 - (c) a secrecy envelope into which the ballots will be placed,
 - (d) an identification envelope into which the secrecy envelope will be placed and on which the information set out in Schedule G [Identification Envelope] is printed,
 - (e) a mail-in voting return envelope, and
 - (f) anything else the election officer considers advisable.
- (2) Mail-in voting packages must be sent to all eligible voters no later than 30 days before general voting day.

Replacement mail-in voting package

- 20** (1) An eligible voter who
- (a) loses, damages, or destroys their mail-in voting package,
 - (b) spoils a ballot before it is delivered, or
 - (c) did not receive a mail-in voting package,
- may request a replacement voting package from the election officer.
- (2) A request made under subsection (1) must be made no later than 10 days before general voting day.
- (3) The election officer is not required to provide a replacement mail-in voting package under this section if the election officer considers that there is insufficient time for the mail-in voting package
- (a) to be received by the eligible voter, and
 - (b) to be delivered in accordance with section 21(f).
- (4) If the election officer provides a replacement mail-in voting package under this section, the election officer must
- (a) record that a replacement mail-in voting package was sent to the eligible voter, and
 - (b) instruct the eligible voter on what to do with the cancelled mail-in voting package, if applicable.

Mail-in voting procedures

- 21** To vote using a mail-in voting package, an eligible voter must do the following:
- (a) mark the ballot in accordance with the instructions provided in the mail-in voting package;
 - (b) place the marked ballot in the secrecy envelope provided and seal the secrecy envelope;
 - (c) place the secrecy envelope into the identification envelope and seal the identification envelope;
 - (d) complete the information form printed on the front of the identification envelope;
 - (e) place the completed and signed identification envelope into the prepaid return envelope and seal the envelope;

- (f) arrange for the sealed outer envelope containing the materials referred to in paragraphs (a) to (d) of this subsection to be delivered to
 - (i) the address printed on the outer envelope, or
 - (ii) a drop-off location authorized by the election officer.

Handling of mail-in voting packages

- 22** Prior to being deposited into the ballot box, mail-in voting package must only be handled by the following individuals:
- (a) the eligible voter;
 - (b) a mail carrier or courier;
 - (c) the election officials.

Receipt of mail-in voting packages

- 23**
- (1) A mail-voting return envelope received as required by section 21(f) before the close of voting on general voting day must be deposited in a ballot box.
 - (2) A mail-in voting return envelope received as required by section 21(f) after the close of voting on general voting day must be dealt with by the election officer as follows:
 - (a) on receipt, the election officer must record the date and time of receipt on the mail-in voting return envelope and in the voting book;
 - (b) the mail-in voting return envelope must be marked as cancelled, set aside, remain unopened, and not be considered in the count or any recount;
 - (c) the mail-in voting return envelope must be destroyed in accordance with section 56 [Retention and destruction of election materials] of the Act.
 - (3) The election officer is responsible for the safe-keeping of mail-in voting return envelopes until such time that they are opened and processed in accordance with Part 3 of this regulation.

Division 4 – Voting from Residence

Process if an eligible voter is unable to attend the voting station on election day

- 24**
- (1) This section sets out the rules and procedures for voting in accordance with section 42 [*Voters with a disability or physical incapacity voting from residence*] of the Act.
 - (2) An eligible voter who, due to disability or physical incapacity, is unable to attend a voting station on general voting day may request that the election officer arrange for that eligible voter to vote from their residence.
 - (3) The election officer must comply with a request made under subsection (2) if the eligible voter
 - (a) resides on Tsawwassen Lands, and
 - (b) makes the request no later than 48 hours before the close of voting on general voting day.
 - (4) The election officer may, at their discretion, comply with a request under subsection (2) if the eligible voter
 - (a) does not reside on Tsawwassen Lands, or

- (b) makes the request less than 48 hours before the close of voting on general voting day.
- (5) When complying with a request made under subsection (2), the election officer must:
 - (a) issue a ballot to the eligible voter in accordance sections 12 (2) and (3),
 - (b) arrange for the eligible voter to mark their ballot in secret,
 - (c) if necessary, provide the eligible voter with assistance in marking their ballot,
 - (d) confirm that the marked ballot is one that was given to the eligible voter by examining the initials on the ballot, and
 - (e) ensure that the eligible voter's marked ballot is placed in the ballot box, taking whatever steps the election officer considers necessary to maintain the secrecy of the ballot.

Division 5 – Electronic Voting

Electronic voting opportunities

- 25 (1) Executive Council may, by order, authorize the use of electronic voting opportunities for an election.
- (2) An order issued under subsection (1) must be made no later than 90 days before general voting day.
- (3) Electronic voting must be held during a period that
 - (a) commences no earlier than 10 days before general voting day, and
 - (b) ends no later than the close of voting on general voting day.
- (4) If Executive Council authorizes electronic voting for an election, the election officer must determine the dates and voting hours for the electronic voting opportunity and include those in the Second Notice of Election.

Election officer responsible for electronic voting system

- 26 The election officer is responsible for
 - (a) selecting an electronic voting system that meets the requirements set out in the Act and regulations, and
 - (b) administering, maintaining, monitoring, and performing audits of the system.

Style of electronic ballot

- 27 (1) An electronic ballot must be designed in accordance with sections 8(1) through 8(5) [*Ballots*].
- (2) The election officer must determine the form of an electronic ballot.
- (3) An electronic ballot must be designed so that the eligible voter's identity cannot be ascertained after the electronic ballot has been recorded in the electronic voting system.

Electronic voting system requirements

- 28 The electronic voting system must include the following:

- (a) security protocols to protect
 - (i) the electronic voting system,
 - (ii) the data recorded by the system, and
 - (iii) the privacy and anonymity of eligible voters;
- (b) the capacity to provide continuous service during periods of high demand;
- (c) vote verification and voter authentication;
- (d) means to prevent an eligible voter from voting more than once in an election;
- (e) system audits and recounting;
- (f) the ability to generate reports indicating the number of ballots that have been recorded;
- (g) the means to suspend electronic voting in accordance with section 34 [*suspension of electronic voting*].

Rules for electronic voting

- 29** The election officer may make written rules regarding
- (a) how an eligible voter may vote by electronic voting,
 - (b) the administration of electronic voting, and
 - (c) the counting and tallying of votes cast by electronic voting.

Electronic voting period

- 30** (1) At the start of the electronic voting period, the election officer must
- (a) cause the system to generate a report indicating that no ballots have been recorded,
 - (b) ensure the system is capable of recording ballots and does not allow ballots to be deleted, and
 - (c) ensure the counting and tallying of votes cannot be completed until the close of the electronic voting period.
- (2) During the electronic voting period, the election officer must
- (a) ensure the integrity of the electronic voting system, and
 - (b) provide support for eligible voters who have difficulty using the system.
- (3) At the end of the electronic voting period, the election officer must ensure that no further ballots may be recorded by the system.

Process for electronic voting

- 31** (1) When an eligible voter wishes to vote using electronic voting, the system must
- (a) verify that person's identity by requiring their PIN and at least one other piece of information that can be used to verify the identity of an eligible voter,
 - (b) use the voting book to verify whether the eligible voter has already voted in that election, or has forfeited the right to vote in the election under section 16 [*forfeited ballots*],

- (c) if the individual is an eligible voter and who has not already voted in that election, and has not forfeited the right to vote in the election under section 16 [forfeited ballots], issue an electronic ballot to the eligible voter,
 - (d) issue electronic ballots in a manner that ensures the secrecy of the ballot and protects the secrecy of the eligible voter's vote,
 - (e) provide to the eligible voter, in the form approved by the election officer, instructions for marking the electronic ballot,
 - (f) permit the eligible voter to mark and record the electronic ballot,
 - (g) permit the eligible voter to record their ballot without marking it or having only partially marked it, and
 - (h) indicate on the official voters list that the eligible voter has voted as soon as the electronic ballot is recorded.
- (2) The system must be designed so that on general voting day election officials are able to monitor the voting book in real time, indicate on it who has voted in person and mark if an eligible voter forfeits the right to vote under section 16.

Rules for accepting and rejecting electronic ballots

- 32** The system must be designed so that
- (a) each vote cast on an electronic ballot is accepted and counted as a valid vote,
 - (b) an electronic ballot recorded without any marks is deemed spoiled,
 - (c) an eligible voter who attempts to record an electronic ballot with no marks is advised that their ballot will be deemed spoiled and given the option to mark the ballot before recording the electronic ballot in the electronic ballot box,
 - (d) an eligible voter cannot make more marks on the ballot than votes permitted for that ballot under the Act, and
 - (e) for the purposes of this section, the portion of the ballot that deals with the election for the office of chief and the portion of the ballot that deals with election for the office of legislator are to be considered separate ballots.

Replacement PIN

- 33** (1) If an eligible voter did not receive a PIN, has lost their PIN, or the PIN does not work, the election officer may issue a new PIN to the eligible voter only if
- (a) the election officer is satisfied that the individual is an eligible voter who has not already voted in that election, and
 - (b) if applicable, the election officer has cancelled the original PIN assigned to that eligible voter such that the original PIN cannot be used for electronic voting.
- (2) The election officer must maintain a record of the original and any replacement PIN assigned to each eligible voter until the end of the retention period under section 58 [*Retention and destruction of election materials*].

Suspension of electronic voting

- 34** (1) The election officer may suspend electronic voting if they consider
- (a) the health or safety of persons is at risk, or
 - (b) the integrity of the voting is at risk.

- (2) Voting may be suspended under subsection (1)
 - (a) to a later time on the same day, or
 - (b) to a day and time to be set by the election officer.
- (3) While voting is suspended under subsection (1), the election officer must make all reasonable efforts to ensure
 - (a) the electronic voting system, electronic ballots and other election materials are secured, and
 - (b) the integrity of the election is not compromised.
- (4) The election officer must notify persons affected by any suspension of voting under this section in any manner they consider necessary or advisable in the circumstances.

List of persons who voted by electronic voting

- 35 (1) As soon as reasonably practicable after the close of electronic voting, the election officer must cause the system to generate a list of all eligible voters who voted by electronic voting.
- (2) The list of eligible voters who voted by electronic voting prepared in accordance with subsection (1) is proof that an individual on the list voted in that election.

Retention and destruction of electronic voting materials

- 36 For greater certainty, all materials used for voting under this division, including electronic records, are election materials for the purposes of section 56 [*Retention and destruction of election materials*] of the Act.

PART 3 – BALLOT COUNTING AND DECLARATION OF RESULTS

DIVISION 1 – Ballot Reconciliation and Counting

Procedure at the close of voting

- 37 (1) The election officer must be present at the close of a voting station to verify that only eligible voters waiting inside or in line outside a voting station at its close were permitted to vote after the closing of the station.
- (2) After the voting station has closed and any eligible voters waiting inside or in line outside a voting station at its close have voted, the election officer and at least one other election official must verify, by signing a form set out in Schedule H [*Certificate confirming ballot boxes are sealed*], that the seals of the ballot boxes are intact and that there is no evidence of tampering.
- (3) Immediately after the election officer and at least one other election official have verified the condition of the ballot boxes, the election officer must
 - (a) seal the ballot boxes such that no further ballots may be deposited in the ballot boxes,
 - (b) initial the seals, and
 - (c) transfer the sealed ballot boxes to the location designated in section 43 [*Where and when counting votes is to take place*] of the Act.

Procedures for counting electronic ballots

- 38** (1) If Executive Council has authorized the use of electronic voting under section 25 [*Electronic voting opportunities*], then all electronic ballots recorded in by the electronic voting system at the close of electronic voting must be counted in accordance with this section.
- (2) At the close of voting on general voting day, the election officer must cause the system to generate a report that contains
- (a) the number of ballots received,
 - (b) the number of ballots spoiled,
 - (c) the number of votes received for each candidate in each office, and
 - (d) any other information the election officer may reasonably require.
- (3) The report described in subsection (2) is the ballot account for the electronic voting system for the purposes of section 42 [Combining ballot accounts].

Accepting and rejecting mail-in ballots

- 39** (1) After transferring the ballot boxes to the location designated under section 43(1) [*Where and when counting votes is to take place*] of the Act, the election officer must do as follows:
- (a) remove the mail-in voting return envelopes from the mail-in voting ballot box;
 - (b) open each mail-in voting return envelope to examine the identification envelope contained inside;
 - (c) mark any identification envelopes with the word “cancelled” and store them separately from all other ballots if one or more of the following applies:
 - (i) the election officer is not satisfied that the information on the identification envelope has been correctly completed,
 - (ii) the individual on the identification envelope is not entitled to vote in the election,
 - (iii) the individual identified on the envelope appears to have voted more than once in the election.
 - (d) place identification envelopes that have not been marked “cancelled” in accordance with paragraph (c) in pile to be opened in accordance with subsection (2) and record the name of the voter set out in the identification envelope as having voted in the voting book.
- (2) Identification envelopes referred to in paragraph (1)(d) must be opened one at a time and dealt with as follows:
- (a) If an identification envelope contains multiple secrecy envelopes, the election officer must place the secrecy envelopes back inside the identification envelope, mark the identification envelope and secrecy envelope with the word “cancelled”, and store the identification envelope separately from all other ballots;
 - (b) If an identification envelope contains a ballot but no secrecy envelope, the election officer must deposit the ballot in a ballot box containing in-person ballots, taking care to conceal any marking on the ballot from other individuals present,

- (c) If an identification envelope contains one secrecy envelope, the secrecy envelope is to be removed from its identification envelope for opening in accordance with subsection (3).
- (3) The secrecy envelopes referred to in section 1(c) must be opened one at a time and dealt with as follows:
 - (a) if a secrecy envelope contains multiple ballots, the election officer must place the ballots back inside the secrecy envelope, mark the ballots and secrecy envelope with the word “cancelled”, and store the secrecy envelope separately from all other ballots;
 - (b) If a secrecy envelope contains only one ballot, the ballot must be deposited in a general voting day ballot box.
- (4) Any identification envelopes, secrecy envelopes, or ballots marked with the word “cancelled” must not be included in the count or any recount.

Combining ballot boxes

- 40** After all mail-in ballots have been addressed in accordance with section 39, the election officer must combine the contents of all ballot boxes into a single ballot box and mix the contents of the single ballot box to ensure the secrecy of the ballot.

Paper ballot counting procedures

- 41** (1) After the ballot box has been prepared in accordance with section 40, the election officer must commence ballot counting in accordance with this section
- (2) Each ballot considered in the count must be dealt with as follows:
 - (a) the election officer must consider in accordance with section 42 whether the ballot is to be accepted as a vote or whether it is to be rejected;
 - (b) after making the consideration, the election official responsible must call out in a distinct voice, as applicable,
 - (i) the name of the candidate for whom the vote is recorded, if the ballot is accepted as a vote, or
 - (ii) that the ballot is rejected;
 - (c) the election officer must place the ballot in such a manner that individuals observing the count are able to see how the ballot is marked.
- (3) The election official responsible must record, or have another election official record, the votes for each candidate on a ballot account as they are counted.
- (4) Once started, counting must proceed as continuously as practical.

Rules for accepting and rejecting paper ballots

- 42** (1) A ballot must be rejected if any of the following applies:
 - (a) the ballot was not issued by the election officer,
 - (b) the ballot has no markings,
 - (c) ballot is uniquely marked in such a manner that the voter could reasonably be identified,
 - (d) the ballot is marked as voting for more than candidates than there are vacant offices in that election;

- (e) the ballot does not clearly indicate the intention of the voter to vote for a candidate;
 - (f) the ballot is marked as cancelled.
- (2) Unless rejected under subsection (1), either of the following on a ballot is to be accepted and counted as a vote for the applicable candidate:
- (a) a filling in of the blank space provided on the ballot opposite the name of the candidate;
 - (b) a mark that clearly indicates the intention of the voter to vote for the candidate.
- (3) Unless rejected under subsection (1), the votes contained on a ballot that include less than the number of vacant offices to be filled in that election must be counted.
- (4) For the purposes of this section, the portion of the ballot that deals with the election for the office of chief and the portion of the ballot that deals with election for the office of legislator are to be considered separate ballots.

Combining ballot accounts

- 43** (1) After all ballots have been counted, the election officer must document the total number of votes received by each candidate in the election using the form set out in Schedule I [*Official Statement of Results of Election*]
- (2) The election officer must give notice of the official election results as soon as practicable

DIVISION 5 – Post Election Procedures

Application to Judicial Council respecting the validity of election

- 44** The deposit required for an application to Judicial Council respecting the validity of the election under section 53 [*Application to Judicial Council respecting the validity of the election*] of the Act is \$150.

Report of the election

- 45** The report of the election required under section 57 [*Report of the election*] of the Act must be completed using the form set out in Schedule J [*Election Officer's Report*].

Disposal of election materials

- 46** The election officer must document the destruction of the ballots and other election materials using the form set out in Schedule K [*Certificate of destruction of ballots*].

Election officer to submit election manual

- 47** The election manual described in section 58 [*Completion of election manual*] of the Act must contain one copy of each of the following
- (a) the service agreement between the election officer and Tsawwassen First Nation,
 - (b) all forms and notices completed under the Act or the regulations, and
 - (c) the Election Officer's report described in section 45.

Schedules

48 Schedules A through K form part of this regulation.

SCHEDULE A
IN-PERSON VOTING INSTRUCTIONS

ONE (1) PERSON FOR CHIEF TO BE ELECTED

FOURTEEN (14) LEGISLATORS TO BE ELECTED

- (1) Mark an “X” in the box immediately to the right of the name of the candidate(s) of your choice.
- (2) You may vote for ONE (1) candidate for Chief.
- (3) You may vote for no more than FOURTEEN (14) candidates for legislator.
- (4) If you make a mistake with your ballot, return it to the election official who will give you another ballot.
- (5) Do not make any other mark on the ballot.
- (6) When you are done, fold the ballot so that the initials of the election officer can be seen, and hand the ballot to the election official without showing how you voted.
- (7) Please wait for the election official to examine the ballot. The election official will then return the folded ballot to you.
- (8) Deposit the ballot into the ballot box.

SCHEDULE B - BALLOT BOX CERTIFICATION FORM

BALLOT BOX INFORMATION		
ELECTION DATE (YYYY/MM/DD)	BALLOT BOX #	BALLOT BOX LOCATION
ELECTION TYPE <input type="checkbox"/> General Election <input type="checkbox"/> By-Election		
VOTING METHOD <input type="checkbox"/> In-Person Voting <input type="checkbox"/> Mail-In Voting		
DATE OF INSPECTION (YYYY/MM/DD)	TIME OF INSPECTION	

I, the undersigned, certify that:

- The above referenced ballot box was inspected and confirmed to be empty prior to being sealed
- The ballot box was locked and sealed immediately after inspection
- The actions above were performed in the presence of a witness
- I understand that it is an offense to make a false or misleading statement under the *Elections Act*.

NAME OF ELECTION OFFICER	SIGNATURE OF ELECTION OFFICER	DATE (YYYY/MM/DD)
NAME OF WITNESS	SIGNATURE OF WITNESS	DATE (YYYY/MM/DD)

SCHEDULE C – SAMPLE BALLOT

ELECTION OF THE TSAWWASSEN GOVERNMENT

SATURDAY OCTOBER 17, 2026

To vote, place an **X** in the circle to the right of the candidate(s) of your choice. Make no other markings on the ballot.

Candidates for

CHIEF

Vote for ONE (1)

First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>

Candidates for

LEGISLATOR

Vote for no more than FOURTEEN (14)

First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>
First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>	First name LAST NAME <i>Ancestral name</i>	<input type="radio"/>

* Note that this ballot is a sample and may be adjusted from time to time.

SCHEDULE D - NOTICE APPOINTING SCRUTINEERS

APPOINTMENT OF SCRUTINEER
SCRUTINEER NAME
CANDIDATE NAME
DATE OF GENERAL VOTING DAY (YYYY/MM/DD)

I hereby appoint the above-named individual to act as Scrutineer to observe the conduct of voting and counting proceedings on the date specified above.

SIGNATURE OF CANDIDATE	DATE (YYYY/MM/DD)
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SCHEDULE E - DECLARATION OF ELIGIBLE VOTER'S IDENTITY

ELIGIBLE VOTER INFORMATION		
LAST NAME	FIRST NAME	MIDDLE NAME(S)
HOME ADDRESS		

SOLEMN DECLARATION BY ELIGIBLE VOTER

I, the undersigned, swear (or solemnly affirm) that:

- I am a Tsawwassen Member,
- I am at least eighteen years of age,
- I am in fact the individual under whose name I am voting,
- I have not previously voted in this election and will not vote again this election, and
- I understand that it is an offense to make a false or misleading statement under the *Elections Act*.

SIGNATURE OF VOTER	SIGNATURE OF ELECTION OFFICER OR COMMISSIONER FOR TAKING AFFIDAVITS	DATE (YYYY/MM/DD)
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VOUCHER INFORMATION		
LAST NAME	FIRST NAME	MIDDLE NAME(S)
HOME ADDRESS		

SOLEMN DECLARATION BY VOUCHER

NOTE: The voucher must provide identification that meets the requirements of section 13 of the *Voting and Ballot Counting regulation* to the Election Officer or Commissioner for Taking Affidavits

I, the undersigned, swear (or solemnly affirm) that:

- I am the person named as voucher in this declaration,
- The voter is the person named as such in this declaration
- The eligible voter is a Tsawwassen Member who is at least eighteen years of age
- I understand that it is an offense to make a false or misleading statement under the *Elections Act*.

Circle Option A or B or C (*circle all that apply*)

- (A) I am a spouse, a parent, a grandparent, or an adult child, grandchild or sibling of the eligible voter;
- (B) I am a person having legal management of the affairs of the eligible voter; or
- (C) I am an eligible voter
- (D) I am an employee of Tsawwassen First Nation.

SIGNATURE OF VOUCHER	SIGNATURE OF ELECTION OFFICER OR COMMISSIONER FOR TAKING AFFIDAVITS	DATE (YYYY/MM/DD)
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SCHEDULE F - INSTRUCTIONS FOR MAIL-IN VOTING

CAREFULLY FOLLOW THE STEPS BELOW TO ENSURE THAT YOUR BALLOT IS VALID AND WILL NOT BE REJECTED.

- (1) Mark an “X” in the box immediately to the right of the name of the candidate(s) of your choice.
- (2) You may vote for ONE (1) candidate for Chief.
- (3) You may vote for no more than FOURTEEN (14) candidates for legislator.
- (4) Do not put any other mark on the ballot.
- (5) After marking the ballot, fold the ballot in the same way as you received it, so that the Election Officer’s initials on the back are visible.
- (6) Place the ballot into the “secrecy envelope”. Seal the envelope.
- (7) Place the “secrecy envelope” into the “identification envelope”. Seal the envelope.
- (8) Complete the information form printed on the front of the identification envelope. **Ensure you have completed it correctly, or your ballot will be rejected.** You do not require a witness to sign.
- (9) Place the completed and signed “identification envelope” in the larger, postage-paid pre-addressed return envelope and seal the envelope.
- (10) You may return the envelope to the Election Officer by:
 - (a) returning by mail, courier or hand delivery as soon as possible to _____, or;
 - (b) hand deliver to the voting station on voting day yourself.

It must be received by the Election Officer no later than 8 p.m. on general voting day.

SCHEDULE G - IDENTIFICATION ENVELOPE

VOTER DECLARATION FOR MAIL-IN VOTE		
LAST NAME	FIRST NAME	MIDDLE NAME(S)
DATE OF BIRTH (YYYY/MM/DD)		

I, the undersigned, declare that:

- I am a Tsawwassen Member,
- I am at least eighteen years of age,
- I have not previously voted in this election and will not vote again this election, and
- I understand that it is an offense under the *Elections Act* to make a false or misleading statement

SIGNATURE OF ELIGIBLE VOTER	DATE (YYYY/MM/DD)
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SCHEDULE H
CERTIFICATE CONFIRMING BALLOT BOXES ARE SEALED

BALLOT BOX INFORMATION	
ELECTION DATE (YYYY/MM/DD)	VOTING STATION LOCATION
ELECTION TYPE <input type="checkbox"/> General Election <input type="checkbox"/> By-Election	
VOTING METHOD <input type="checkbox"/> In-Person Voting <input type="checkbox"/> Mail-In Voting	
DATE OF INSPECTION (YYYY/MM/DD)	TIME OF INSPECTION

I, the undersigned, certify that:

- I was present for the close of voting at the voting station specified above
- Only eligible voters waiting inside or in line outside the voting station at its close were permitted to vote after the closing of the voting station.
- I examined the ballot boxes prior to their opening and found that they were sealed and there was no evidence of tampering
- The ballot box was locked and sealed immediately after inspection
- The actions above were performed in the presence of a witness
- I understand that it is an offense to make a false or misleading statement under the *Elections Act*.

NAME OF ELECTION OFFICER	SIGNATURE OF ELECTION OFFICER	DATE (YYYY/MM/DD)
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SCHEDULE J - ELECTION OFFICER'S REPORT

ELECTION INFORMATION		
ELECTION TYPE		
<input type="checkbox"/> General Election <input type="checkbox"/> By-Election		
GENERAL VOTING DAY DATE (YYYY/MM/DD)		
GENERAL VOTING DAY STATION LOCATIONS		
OPTIONAL VOTING METHODS USED		
<input type="checkbox"/> Advance Voting <input type="checkbox"/> Electronic Voting		
ADVANCE VOTING STATION LOCATIONS (if applicable)		
ADVANCE VOTING START DATE (if applicable)		ADVANCE VOTING END DATE (if applicable)
ELECTRONIC VOTING START DATE (if applicable)		ELECTRONIC VOTING END DATE (if applicable)
ELIGIBLE VOTERS		
TOTAL NUMBER OF ELIGIBLE VOTERS	TOTAL RESIDING ON LANDS	TOTAL RESIDING ON LANDS
NOMINATION MEETING		
NOMINATION MEETING DATE (YYYY/MM/DD)	MEETING START TIME	MEETING END TIME
NOTICES		
NOTICE OF NOMINATION MEETING	DATE ISSUED (YYYY/MM/DD)	
FIRST NOTICE OF ELECTION	DATE ISSUED (YYYY/MM/DD)	
SECOND NOTICE OF ELECTION	DATE ISSUED (YYYY/MM/DD)	
ELECTION CLERK APPOINTMENTS		
NAME	POSITION	
NAME	POSITION	
NAME	POSITION	
NAME	POSITION	

BALLOT RECONCILIATION		
	For Chief	For Legislator
Mail-in Voting		
Number of mail-in voting packages issued (not including replacements)		
Number of mail-in voting packages returned as undeliverable		
Number of replacement mail-in voting packages issued		
Number of mail-in ballots marked cancelled		
Number of mail-in ballots deposited in the ballot box		
In-person voting		
Number of in-person ballots issued at Advance Voting (write "0" if not applicable)		
Number of in-person ballots issued on General Voting Day		
Number of eligible voters who forfeited their right to vote		
Number of in-person ballots cast by electors voting in person		
Number of in-person ballots marked cancelled		
Paper ballots		
Number of paper ballots rejected during the counting of the ballots		
Number of valid paper ballots cast		
Electronic voting		
Number of electronic ballots cast		
Number of electronic ballots marked as spoiled		
Number of valid electronic ballots cast		
Total		
Number of paper and electronic ballots cast		
Number of paper and electronic ballots rejected		
Number of valid paper and electronic ballots cast		

SCHEDULE K
CERTIFICATE OF DESTRUCTION OF BALLOTS

I, the undersigned, certify that the ballots and other election materials not required for the completion of the election manual under section 58 of the *Elections Act* were destroyed

- (a) 45 days after the declaration of election results, or
- (b) if an application to Judicial Council was made under Division 3 of the *Elections Act*, 45 days following the resolution of the application.

NAME OF ELECTION OFFICER	SIGNATURE OF ELECTION OFFICER	DATE (YYYY/MM/DD)