

ACADIA FIRST NATION

ELECTION 2015 HANDBOOK

Prepared under the authority of
Electoral Officer

In accordance with the Bylaws of the Acadia First Nation, the process to be followed for the 2015 Election is set out below.

Advance Poll Date – Friday, May 29, 2015

Election Date – Saturday, June 13, 2015

PREPARATIONS

1. The List of Electors, containing the names, in alphabetical order, of all Electors, will be posted at the offices of the Acadia Band on or before Tuesday, May 12, 2015.
2. All Acadia Band members 18 years of age and older are entitled to vote.
3. Any Elector may apply to have the voters' list revised on the ground that the name of an elector is incorrectly set out, that the name of a member has been incorrectly deleted or that the name of a person not qualified to vote is included.
4. If the Electoral Officer is satisfied that a list should be corrected, he shall make the necessary corrections.
5. Ballot papers will be prepared containing the names of the candidates for the one available Councillor position, listed in alphabetical order.
6. The Electoral Officer shall, before any poll is opened, cause ballot papers to be delivered to the poll.
7. Any candidate who has been nominated may withdraw his / her nomination by notice in writing filed with the Band office prior to May 25, 2015.

GENERALLY APPLICABLE RULES

1. Voting at all Elections shall be by secret ballot.
2. Every person in attendance at a polling place or at the counting of the votes has a responsibility to maintain the secrecy of the voting.
3. No person shall interfere or attempt to interfere with a voter when marking his / her ballot paper or obtain, or attempt to obtain at the polling place, information as to how a voter is about to vote or has voted.
4. Where a person is eligible to vote, the Electoral Officer, or one of his deputies, shall provide him with a ballot paper on which to register his/her vote.

5. The Electoral Officer, or one of his deputies, shall cause to be placed in the proper column of the voters' list a number opposite the name of every voter receiving a ballot paper.
6. The Electoral Officer, or one of his deputies, may, and when requested to do so shall, explain the mode of voting to a voter.
7. A voter who mistakenly spoils his/her ballot can obtain a new ballot by returning it to the Electoral Officer or one of his deputies, who shall write the word "Cancelled" on the spoiled ballot paper and preserve it.
8. No person shall vote whose name is not on the Electors List.
9. No person can vote by proxy, voting letter or power of attorney.
10. All Electors shall show their Band card before getting a ballot. The only exception would be for people who did not yet have a Band card and they would be permitted to show their confirmation letter from Aboriginal Affairs and Northern Development Canada, with a Government issued photo identification.
11. Every Elector who is inside the polling place at the time fixed for closing the poll shall be entitled to vote before the poll is closed.

ADVANCE POLL

1. There will be one advance poll ballot box, under the supervision of the Electoral Officer or his deputies.
2. The advance poll will be open on Friday, May 29, 2015, at the following times and locations:
 - a. Yarmouth Band office from 9:30 a.m. to 11:00 a.m.
 - b. Milton Canoe & Camera Club, Liverpool, from 1:00 p.m. to 2:30 p.m.
 - c. Mic Mac Native Friendship Centre, 2158 Gottingen Street, Halifax from 4:30 p.m. to 6:00 p.m.
3. Ballot papers will be available during all times and places that the advance poll is open.
4. The voting process at the advance poll will be the same as on election day, except as modified by this section.
5. The Electoral Officer, or one of his deputies, shall immediately before the commencement of the advance poll at each location, open the ballot box and

call such persons as may be present to witness that it is empty. He shall then lock, and properly seal, the box to prevent it from being opened without breaking the seal and shall place it in view for the reception of the ballots, and the seal shall not be broken nor the box unlocked during the time appointed for taking the poll. The seal will not be broken or the box opened until the close of the polls on election day for the purpose of counting the votes.

6. The Electoral Officer, or one of his deputies, will note on a List of Electors who voted at the advance poll, and the information from that list will be used on election day to prevent any Elector from voting a second time. The Electoral Officer will notify the Band Manager within two business days of the close of the advance poll of the number of votes cast at the advance poll (but not the identities of the Electors) and the Band Manager will communicate this information on the First Nation's website.
7. The Electoral Officer, or one of his deputies, shall provide a safe and secure storage place for the sealed advance poll ballot box until election day and cause it to be delivered to the polling station at which the Electoral Officer is present on election day to be dealt with as described in the "Counting the Votes" section below.

ELECTION DAY

1. There shall be polls open from 10:00 am to 6:00 pm on June 13, 2015 at the following locations:

AREA	TIME	PLACE
Yarmouth	10:00 am to 6:00 pm	Yarmouth Band Office
Shelburne	10:00 am to 6:00 pm	Shelburne Band Office
Wildcat	10:00 am to 6:00 pm	Wildcat Community Hall
Liverpool	10:00 am to 6:00 pm	Milton Canoe and Camera Club
Gold River	10:00 am to 6:00 pm	Gold River Health Centre
Halifax	10:00 am to 6:00 pm	Halifax Native Friendship Centre

2. There will be one ballot box for each location, under the supervision of the Electoral Officer or one of his deputies.
3. Ballot papers will be available during all times and places that an election day poll is open.
4. The Electoral Officer, or one of his deputies, shall immediately before the commencement at each poll on election day open the ballot box and call such

persons as may be present to witness that it is empty. He shall then lock, and properly seal, the box to prevent it from being opened without breaking the seal and shall place it in view for the reception of the ballots, and the seal shall not be broken nor the box unlocked during the time appointed for taking the poll.

5. Each polling station will have a List of Electors, which will show who voted at the advance poll.

COUNTING THE VOTES

1. Immediately after the close of the poll on election day, the Electoral Officer or his deputies shall, at each polling location, in the presence of any of the candidates or their scrutineer as may be present, open the ballot box for that location. The Electoral Officer will also, in the presence of any of the candidates or their scrutineer as may be present, open the ballot box for the advance poll.
2. With each ballot box, the Electoral Officer or one of his deputies shall:
 - a. examine all the ballot papers and reject any that:
 - i. are not on a ballot form prepared by the Electoral Officer,
 - ii. gives votes for more than one candidate, or
 - iii. upon which anything appears by which the voter can be identified, but no word, letter or marks written or made or omitted to be written or made by the Electoral Officer or one of his deputies on a ballot paper shall avoid it or warrant its rejection.
 - b. subject to review on recount, or on an election appeal, take a note of any objection made by any candidate or his scrutineer to any ballot paper arising out of the objection.
 - c. number any objection and place a corresponding number on the back of ballot paper with the word, "Allowed" or "Disallowed", as the case may be, with his initials.
 - d. count the votes given for each candidate from the ballot papers not rejected and keep a written record of the number of votes given to each candidate and the number of ballot papers rejected and not counted, which statement shall be then signed by him and any of the candidates or their scrutineer as are present and who wish to sign it.

3. The deputy electoral officers at each polling location will advise the Electors at that location of the results of that particular poll. The deputy electoral officers will then promptly contact the Electoral Officer by telephone and email to advise him of the total votes from that poll given to each candidate.
4. The Electoral Officer will compile the votes for each candidate from each polling location, including from the advance poll, and then do the following:
 - a. where it appears that two or more candidates have an equal number of votes, the Electoral Officer shall give a casting vote for one of such candidates, but the Electoral Officer shall not otherwise be entitled to vote.
 - b. prepare a statement showing the total number of votes cast for each candidate, the number of rejected ballots and the name of the candidate declared elected.
 - c. sign the statement and give an opportunity for any of the candidates or their scrutineer as are present to sign it.
 - d. immediately and publicly declare to be elected the candidate having the highest number of aggregate votes.
5. The Electoral Officer will then post in some conspicuous place a statement signed by him showing the number of votes cast for each candidate and advise the Band Manager of the results for communication to the candidates and for posting on the Acadia First Nation website.
6. One copy of such statement shall be forwarded to the Band Manager, one copy to the Regional Office of the Department of Aboriginal Affairs and one copy for the Electoral Officer's records.

DISPOSITION OF BALLOT PAPERS

1. The Electoral Officer or one of his deputies shall deposit all used ballot papers in sealed envelopes with the Band Manager.
2. The Band Manager shall retain the used ballot papers in his possession for eight weeks and, unless an Election Appeal is filed, he shall then destroy the ballot papers in the presence of two witnesses who shall make a declaration that they witnessed the destruction of the papers.
3. If an Election Appeal is filed, the ballots shall be destroyed in that same manner after a decision is rendered by the Appeal Board.

ELECTION APPEALS

1. Within 30 days after an Election, any candidate at the Election or any elector who gave or tendered his vote at the Election who has reasonable grounds for believing that:
 - a. there was a corrupt practice in the connection with the Election,
 - b. there was a violation of the Election Regulations that might have affected the result of the Election, or
 - c. a person nominated to be a candidate in the Election was ineligible to be a candidate

may lodge an appeal by forwarding, by registered mail, to the Appeal Board c/o the Band Head Office, particulars thereof duly verified by affidavit.

2. If a valid election appeal is filed, an Appeal Board will be formed. Further details of the election appeal process can be found in the Bylaws of the Acadia First Nation.