

ELECTIONS NWT ÉLECTIONS TNO



CANDIDATES GUIDE

CONTACT INFORMATION

Election Officers

Visit [electionsnwt.ca/returning officers](http://electionsnwt.ca/returning_officers) for an up-to-date listing of Returning Officers' contact information. Use the space below to keep that information handy.

OFFICE OF THE RETURNING OFFICER	
Address:	
Phone:	
Email:	
RETURNING OFFICER NAME:	
Phone:	Email:
ASSISTANT RETURNING OFFICER NAME:	
Phone:	Email:
ADDITIONAL ASSISTANT RETURNING OFFICER NAME (if applicable):	
Phone:	Email:
OFFICE OF THE CHIEF ELECTORAL OFFICER	
Location: 3 rd Floor, YK Centre East 4915 48 Street, Yellowknife	Mailing Address: Elections NWT 4915 48 th Street Yellowknife NT, X1A 3S4
Phone: 867-767-9100 Toll-free: 1-844-767-9100	Email General Inquiries: info@electionsnwt.ca Finance Questions: finance@electionsnwt.ca
Website www.electionsnwt.ca	Candidate Portal www.candidateaccess.ca (access granted after nomination paper is accepted)

To receive this information in another official language, contact the Office of the Chief Electoral Officer toll free at 1-844-767-9100

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CANDIDATE

Who can be a candidate?

You can be a candidate if:

- ✗ You are a Canadian citizen
- ✗ You are 18 years of age or older
- ✗ You have been a resident of the NWT for 12 Consecutive months prior to election day

You CAN NOT be a candidate if:

- ✗ You are the Chief Electoral Officer or another election officer
- ✗ You are the official agent for another candidate
- ✗ You are a sitting member of Parliament or of another territorial or provincial legislature
- ✗ You are currently imprisoned in a correctional institution as a result of conviction
- ✗ You have been convicted of a major election offence in the previous 5 years

Many employers, such as the Government of Northwest Territories, have rules or policies about how employees participate in political activities and election campaigns.

You should check with your employer to see if they have any rules or policies you must follow about being a candidate. You may have to take a leave of absence from your work during the election period.

Choosing an Electoral District

Candidates are not required to live in the electoral district in which they are seeking election. You cannot file a Nomination Paper to be a Candidate in more than one electoral district.

Choosing an Official Agent

A candidate **MUST** have an Official Agent. Choose an Official Agent prior to completing your Nomination Paper. Your Official Agent's key role will be to manage all aspects of the campaign finances. They will receive contributions, issue tax receipts, account for contributions and expenses, and keep detailed records and receipts. The Official Agent will also be responsible for completing and filing the Candidates Financial Report (Form 2120) within 45 business days following election day.

An official agent **MUST** be a resident of the Northwest Territories. They **cannot** be:

- ✗ A candidate
- ✗ A territorial election officer
- ✗ A government employee, as defined by section 1(1) of the *Public Service Act*

If an official agent resigns or dies, a new official agent must be appointed immediately. To appoint a new official agent, you must inform the Returning Officer in writing and provide the name and residential address of the new Official Agent.

THE NOMINATION PROCESS

The Nomination Period

Candidate nominations may occur during the first five days of the 29-day Writ period. The Chief Electoral Officer will issue the Writs on a Monday morning and potential candidates may submit their nomination papers to an election officer until the nomination period ends on Friday, the 5th day of the Writ period at 2:00pm. Any nominated person may withdraw their nomination papers and not stand as a candidate until 5:00pm on Friday, the 5th day of the Writ period.

Any eligible person who is interested in becoming a candidate may either download the Nomination Paper (form 2010) from electionsnwt.ca or obtain a copy from their Returning Officer or the Returning Officer's designated representative in the communities without a resident Returning Officer.

Nomination Papers

The Nomination Paper is the form an individual MUST fill out to indicate you want to become a candidate and to appoint your Official Agent.

The nomination paper will need to be completed in FULL and submitted in person to a Returning Officer (RO), Assistant Returning Officer (ARO), or Additional Assistant Returning officer (AARO) in the district you wish to be a candidate in.

Nomination papers are NOT accepted by email, fax, or courier.

If your Nomination papers are accepted, you will become an Official Candidate.

Candidate Declaration

The potential candidate must sign part 4 of the Nomination Paper confirming they have reviewed all the information provided with the nomination paper.

Candidate Photo

Potential candidates have the option to submit a photo of themselves with their nomination paper. This photo will appear on the ballot for their electoral district and on Election NWT's website.

The submitted photo must have been taken within the past 12 months and must present a frontal view of the candidate's head and shoulders.

No head coverings are allowed in the photo unless required for religious or medical reasons.

Digital photos cannot exceed 2MB and must be at least 500x500 pixels. Printed (hardcopy) photos must be at least 2.54cm in width and 3.81cm in height.

The photo must be submitted with the nomination paper. Photos cannot be submitted after the nomination paper has been accepted.

Nomination Deposit

A \$200 deposit must accompany the nomination paper when it is being submitted for acceptance. The deposit may be provided to the election officer in either cash, a money order or certified cheque made out to the Government of the Northwest Territories.

Personal cheques will NOT be accepted.

The \$200 deposit will be returned to the potential candidate when and accurate and complete Candidate's Financial Report is submitted in the 45 business days following election day. Deposits that are not returned to potential candidates, are deposited to the Government of Northwest Territories Consolidated Revenue Fund.

A 'Receipt of Official Candidacy' will be issued to whomever submitted the nomination paper to verify their candidacy.

Withdrawing Your Candidacy

Candidates have until **5:00pm** on the Friday, the 5th day of the Writ period to withdraw their Nomination Paper. Withdrawal is done by completing **Candidate's Withdrawal** form. This form must be signed by the Candidate and witnessed by two eligible electors who are resident in the electoral district listed on the form.

The form must be submitted in person by the Candidate to the Returning officer or other authorized person before the deadline to withdraw. The candidate will NOT receive their \$200 deposit back.

CANDIDATES PORTAL

The Candidate Portal is an online platform that contains information and administration resources for a candidate and their Official Agent's use. The portal provides easy access to all necessary forms and to the List of Electors, also known as the Voter's List, for their electoral district. The list is provided in an excel format that can be downloaded and sorted. The list is a real-time strike list, which means that it is refreshed at regular intervals to update and show electors that have been struck. Electors showing as having been struck are electors who have voted in any of the special voting opportunities that occur before election day.

Candidate Portal Access

Once an individual's nomination papers have been accepted, the election officer will provide candidates or their Official Agent with access to the portal through an email to the email address provided in the nomination paper. The email will contain a username, a temporary password, and instructions on how to access the portal.

Resetting your Password

If a candidate or their agent forgets their portal password, they must contact their Returning Officer to have it reset.

The Returning Officer will **NOT** provide a new password over the phone.

All password resets will be sent to the email address provided in the Nomination Paper.

Changing your email address

If a candidate wishes to change the email address they provided to Elections NWT, they must make the request to the Returning Officer.

FUNDRAISING

Contributions

Contributions can only be accepted once an individual's nomination paper is accepted and ends on election day (unless the candidate has a campaign deficit). However, candidates can start spending their own funds as soon as the pre-election period starts (3 months before the writ is issued).

A contribution is a donation of money, property, or services (including advertising) to be used during the campaign period. Contributions do not include volunteer labour or goods produced by volunteer labour; however, goods or services provided by a person who normally charges for those goods or services are considered contributions.

Contributions to a campaign may only be made by:

- Individuals who are currently resident in the NWT
- A corporation that has an office or conducts business in the NWT
- An association or organization that operates in the NWT

An individual, corporation, association, or organization may only contribute up to a maximum of \$1,500 to a candidate. Anonymous contributions must not be more than \$100 each, and any campaign may collect no more than \$1,500 in anonymous donations. The \$1,500 limit includes monetary contributions and in-kind donations. For Example, if someone donated the use of an office to a campaign which would otherwise cost \$1,000, then that individual would only be able to donate up to \$500 in cash.

Monetary contributions to a campaign are eligible for an official receipt up to the maximum value of \$1500. There is no minimum contribution required for issuing an official receipt. Anonymous contributions and non-monetary contributions are NOT eligible for official receipts.

In the event of a deficit, the candidate may donate more than \$1,500 to their own campaign.

REBATE PROGRAM

For any personal contributions a candidate makes to their own campaign, up to a maximum of \$6,000, the candidate is eligible for a rebate of half their personal contribution, to a maximum of \$3,000. Any declared surpluses and liquor and cannabis expenses will not be counted towards the candidate's personal contribution amount for the rebate.

The Finance Officer of Elections NWT will determine if a candidate is eligible for the rebate and will calculate the rebate amount that is applicable based on the information submitted in the Candidates Financial Report.

Contributions VS volunteering

You have purchased some lumber and need some stands built for your campaign signs...

Scenario 1

Non-Monetary Contribution

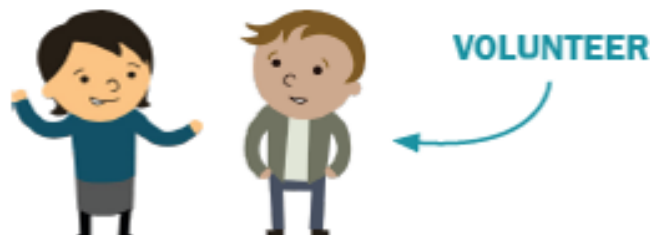


Your sister-in-law is a carpenter so you ask her to build them. She agrees, but because she builds things for a living, this would count as a non-monetary contribution.

You must record the amount she would normally charge for this service as the value of her contribution.

Scenario 2

Volunteering



Your cousin, who works as a tour guide, is pretty handy. You ask him if he can build your stands for you in his spare time.

He agrees, and because he does not normally earn a living this way, his labour does NOT count as a contribution.

CAMPAIGNING

Campaign Advertising

Campaign Material

Placement

Material that identifies someone as a candidate can be distributed as soon as a Returning Officer accepts a Candidate's Nomination Paper.

- ✗ **Near voting places**

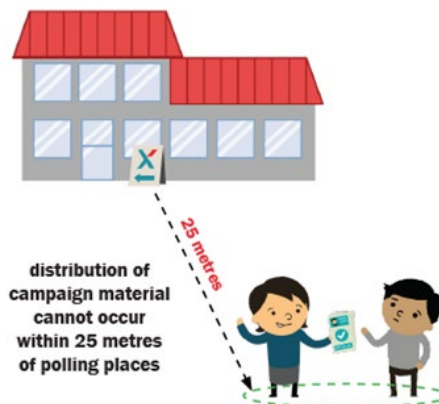
Campaign signs or posters cannot be placed within 25 meters of a polling station or the office of a Returning Officer.

- ✗ **On public property**

Regarding placing campaign materials on public property, local bylaws must be observed. Check which laws apply to your selected locations.

- ✗ **On private property**

A landlord or condo corporation cannot prohibit a tenant or condo owner from displaying campaign materials on the premises of their unit. However, landlords or condominium corporations may set conditions on the size or type of materials that may be displayed. They may also prohibit or restrict the display of campaign materials in common areas such as hallways, elevators, stairwells, lobbies, or parking areas.



Campaigning Near Polling Stations

On polling days, no campaign activity is permitted within 25 meters of a polling station.

Such activities include:

- ✗ Promoting or opposing a candidate's election
- ✗ Distributing campaign materials near a polling station

A Returning Officer or Deputy Returning Officer has the authority to determine if an activity counts as campaigning, and to request participants to stop the activity, or relocate to an area beyond the 25-metre boundary.

Sign Removal

Campaign materials on public property must be **removed within 14 days** after polling day. Candidates are responsible for removing campaign material after the election.

It is an election offence for an unauthorized person to take down, remove, cover up, mutilate, deface, or alter campaign materials. Such incidents should be reported to an election officer.

Identification of Sponsor

The Act requires that campaign advertising identify the name of its sponsor and their telephone number. The sponsor is any person, association, or organization who pays for the advertising. This is usually the Official Agent.

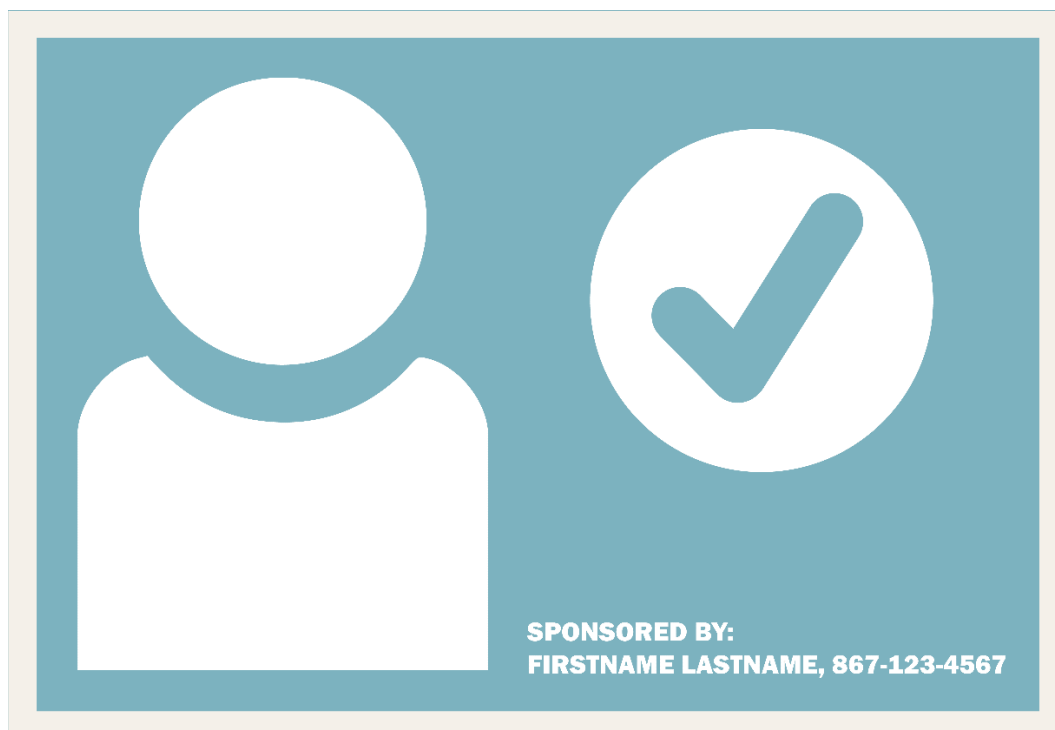
Use one of the following formats:

1. Authorized by **[name of Candidate], [telephone number]**
2. Authorized by **[name of Official Agent], Official Agent for [name of Candidate], [telephone number]**
3. Authorized by **[name of individual], [telephone number]**

A sponsor for any campaign material must be a resident of the NWT, and must be available at the telephone number provided to answer any questions from the public.

Exceptions

Any advertising that has a surface area of less than 64cm² or may reasonably be considered to be clothing, a novelty item, or an item intended for personal use does not require the identification of a sponsor.



Contributions of advertising

If the advertising is being provided as a non-monetary contribution, the donor providing the service must be identified as the sponsor. This might include a donation of signs or publishing material, or the donation of advertising space or airtime that would normally cost money.

In addition to identifying the sponsor on the campaign material, the value of the advertising expense must be recorded as a non-monetary contribution.

Election Officer's Authority

Any election officer acting on the instructions of the Chief Electoral Officer has the authority to remove, destroy, or discontinue any campaign advertising that does not comply with the requirements set out in the *Elections and Plebiscites Act*.

Access to Dwellings

At multiple dwelling sites, such as apartment buildings or condominiums, candidates or their representatives may access the door of each residential unit between 9:00am and 8:00pm.

To gain access, you must prove you are a candidate, or a representative of a candidate, to the landlord or building manager. For example, a candidate may use the Receipt of Official Candidacy and photo ID to properly identify themselves.

Campaign Workers

Campaigning can be a lot of work. Candidates often seek help to knock on doors, put up campaign signs, or hand out materials. Candidates and Official Agents must ensure that their campaign workers know the rules and present themselves responsibly.

Most campaign workers are volunteers. Volunteer labour is any service provided free of charge. Remember, volunteer labour does not include services provided by someone who would normally provide those services as part of their employment.

You are allowed to hire personnel to work on your campaign. Any money paid to campaign workers must be reported as an election expense.

Polling Agents (Scrutineer)

A Polling Agent is a person who represents a Candidate at a polling station on election day to observe the casting and counting of ballots.

Appointment

A Polling Agent must be appointed by a candidate using the **Appointment of Candidate's Polling Agent** (form 2160). More than one Polling Agent can be appointed, but only one Polling Agent per candidate can be at a polling station at any given time.

In central polling places, where ballots are being administered for more than one polling division in an electoral district, a Candidate may have one Polling Agent for each polling station.

Checking in at the poll

When they arrive at a polling station, the Polling Agent must show their completed Appointment of Candidate's Polling Agent form to the Deputy Returning Officer without delay and take an oath.

Once the Polling Agent has taken the oath and received a name tag from the Deputy Returning Officer, they can come and go from the polling station for the duration of the poll. The Polling Agent must have their Appointment of candidate's Polling Agent form with them whenever they are at a polling station.

As the use or display of any campaign material or messages is prohibited inside polling places, Polling Agents may not wear items such as buttons or apparel that would be considered campaign material.

Conduct during the poll

During the time the poll is open, a Polling Agent may examine the Poll Book or the List of Electors at the convenience of the Deputy Returning Officer. However, when doing so, they must not delay an elector from casting a ballot or interfere with an elector in any way. A polling Agent cannot assist an elector in the polling station.

A Polling Agent is also allowed to convey any information they obtain from examining the Poll Book or List of Electors to another Polling Agent who is outside the polling station.

While inside the polling station, a Polling Agent must adhere to the guidelines on the use of electronic devices as issued by the CEO and may not interfere in any way with electors or the voting process.

Observing the count

At the close of election day, Polling Agents may witness the counting of ballots cast at Advance Polls, in the Office of the Returning Officer, and at an Ordinary Poll.

The Deputy Returning Officer will provide a Polling Agent with a tally sheet and at the end of the count Candidates or their Polling Agent will be provided with a **Copy of Statement of Poll for Candidates and Agents** (form 5060) for each ballot box counted in their presence.

A complete list of rules, instructions, and expectations for Polling Agents is found on page two of the Appointment of Candidate's Polling Agent form and in sections 126 through 128 of the Act.

Campaign Conduct

All campaign workers need to know and respect territorial election laws. Volunteers working on behalf of a Candidate are reminded to conduct themselves respectfully, and to know and act in accordance with the *Elections and Plebiscites Act*.

Unlawful Behaviour

Compliance

Election laws exist to ensure fairness and accountability and must be applied to everyone equally with no exceptions. Elections NWT expects all candidates, Official Agents, campaign workers, and electors to behave respectfully and lawfully.

Make sure you know the rules and contact the Office of the Chief Electoral Officer immediately if circumstances beyond your control may prevent you from complying with any part of the Act.

Election Offences:

General Offence

- ✗ Fine of up to \$2000, or
- ✗ Up to 6 months in prison, or
- ✗ Both

Major Offence

- ✗ fine of up to \$5000, or
- ✗ up to 1 year in prison, or
- ✗ both

Additionally, anyone convicted of a major election offence

- ✗ cannot be elected to the Legislative Assembly
- ✗ sit as a member of the Legislative Assembly
- ✗ vote in a territorial election
- ✗ hold any office appointed by the Commissioner or the Legislative Assembly

for 5 years starting the day after their conviction.

COMPLAINTS

If a person believes that someone's actions violate the *Elections and Plebiscites Act*, they may submit a written complaint to the Chief Electoral Officer. The Chief Electoral Officer will review all written complaints and decide if an investigation is warranted based on the evidence provided. A written complaint must be submitted within 6 months after the day on which the offence is alleged to have occurred.

How to file a complaint

When filing a complaint, be sure to include:

- ✗ Your name, address, telephone number, and (if applicable) your email address;
- ✗ A factual description of the matter including dates, circumstance, and the actions or inactions that you believe may be an offence;
- ✗ The section of the *Elections and Plebiscites Act* that you believe has been violated;
- ✗ Copies of any documents you believe to be relevant; and
- ✗ If submitting by email, include a title relating to the nature of the complaint in the subject line.

Submitting by Regular Mail

Send the written complaint and copies of all documentation to:

The Chief Electoral Officer of the NWT

#7, 4915-48th Street

Yellowknife NT, X1A 3S4

Submitting by Email

Attach the written complaint and electronic copies of all documentation to:

info@electionsnwt.ca

Glossary

Acclamation

If an electoral district has only one candidate when the nomination period ends, that candidate is acclaimed. There is no voting, and that candidate becomes the member-elect for that electoral district.

Additional Assistant Returning Officer (AARO)

An AARO is an election officer located in communities without a resident Returning Officer. This position reports to the Returning Officer. An AARO can accept Nomination Papers and issue Official Receipt Books to Candidates and Official Agents.

Campaign Advertising

The transmission to the public of an advertising message that promotes or opposes a person's candidacy or election.

Campaign Contribution

A donation made to a campaign that includes money (monetary) or goods and services (non-monetary).

Campaign Expense

Election expenses refer to any amount paid, liability incurred, or the fair market value of any non-monetary contribution accepted to promote or oppose a Candidate's campaign.

Candidate

A person who wants to represent an electoral district in the Legislative Assembly. Once a Returning Officer accepts the Nomination Paper, the contestant becomes an official Candidate.

Candidate Portal

A website where Candidates can log in and access several specific services, including the list of electors for their district, and all the forms they will need during and after their campaign.

Election

The event during which electors vote to select members to serve in the Legislative Assembly.

Elector

A person who is eligible to cast a ballot in an election. Must be a Canadian Citizen, 18 years old on or before election day, and has been an NWT resident for a least 6 months before election day.

Electoral District

A geographical area that a member of the Legislative Assembly represents.

Nomination Period

The five-day period that starts the day the writ of election is issued by the Chief Electoral Officer. Your Nomination Paper must be accepted by the Returning Officer during this period if you wish to run as a Candidate in the election.

Official Agent

The candidate appoints this person to run their campaign. The Official Agent is responsible for campaign finances and post-election reporting.

Polling Place

A polling place is a building or room where electors go to cast a ballot. A polling place may contain a single poll, or multiple polls.

Polling Station

Polling stations are areas set up within a polling place where electors cast a ballot for their designated poll. A polling station consists of a ballot box and a voting screen and is administered by a Deputy Returning Officer and a Poll Clerk.

Returning Officer

This election officer is responsible for everything related to an election in their electoral district. The Returning Officer answers directly to the Chief Electoral Officer.

Writ of Election

The legal document that the CEO issues to each Returning Officer/electoral district to declare an election.

CANDIDATE'S CHECKLIST

Pre-Campaign Period (July - September)

- Get organized! Recruit an Official Agent and a campaign team
- Start assembling your campaign material
 - You may spend your own money during this period to prepare for your campaign, but you cannot accept contributions.
 - Any money you spend during this period is included in your \$30,000 total spending limit for the election
- Visit www.electionsnwt.ca to download and review the Nomination Paper (form 2010)
- Start filling out the Nomination Paper, so it's ready to submit once the nomination period begins

Remember: You are not legally a Candidate until your Nomination Paper has been accepted by the Returning Officer or other authorized election officer.

Nomination Period (October 16-20)

- Appoint an Official Agent
- Complete your Nomination Paper
- Submit the completed Nomination Paper in person, to the Returning Officer or authorized election officer in the district where you wish to run as a Candidate.

Remember: your Official Agent may assist you with the preparation of your Nomination Paper and submit it for you.

Campaign Period (October 21 - November 14)

- Provide your Official Agent with a statement and receipts for any expenses you incurred during the pre-election period
- Provide your Official Agent with the information they need to access the Candidate Portal on your behalf
- Ensure your Official Agent provides written authorization to anyone they designate to accept contributions on their behalf.
- Ensure your Official Agent provides official receipts to anyone who makes a monetary contribution to your campaign
- Make sure you and your campaign team comply with all election laws
- Ensure that the placement of all your campaign materials complies with the Act and any other laws applicable to its location (See page 9)

- Check **electionsnwt.ca** and the Candidate Portal regularly for any election administration updates
- Appoint polling agents
- Ensure your Official Agent is aware that they are responsible for all post-election financial reporting.

Remember: your Official Agent is responsible for the recording all campaign contributions and expenses and keeping all associated backup documentation.

Post Election Period

- Remove any campaign signage and materials from public property within 14 days of polling day
- Make yourself available in case a judicial recount is required in your electoral district
- Ensure your Official Agent has balanced your campaign finances
- Ensure any surplus funds are donated to a charitable organization or submitted to the Chief Electoral Officer

Remember: if you ran a deficit, you have 45 business days after polling day to collect additional contributions, or you may use your own personal funds to pay any outstanding expenses.

Remember: Candidate's Financial Reports are due within 45 business days of polling day, so its best to plan ahead to avoid having to raise funds within this period.

Reporting Period

- Sign the Candidate's Declaration (section 6) in the Candidate's Financial Report (form 2120)
- Ensure that your Official Agent submits a complete and accurate Candidate's Financial Report (Form 2120) within 45 business days of polling day
- If your Official Agent is not able to complete your Candidate's Financial Report on time, ensure they have applied to the Chief Electoral Officer for an extension

Remember: there may be legal and/or financial consequences for a Candidate/Official Agent fails to submit a complete and accurate Candidate's Financial Report on time.

