



CANDIDATES GUIDE

Territorial General Election 2021

TABLE OF CONTENTS

Contents

TABLE OF CONTENTS.....	1
Glossary.....	5
Notice – COVID 19 and Elections	7
General Information and Key Dates.....	8
ELECTORAL OPERATIONS	9
Election Operations during the Election Period.....	10
Ways To Vote	10
Registration	10
Registration ‘On Behalf of’	11
Special Ballots.....	11
Advance Polls	12
Polling Day (Ordinary Polls).....	13
Identification Requirements	13
Official Addition	13
Judicial Recount (if required)	14
Complaints	14
How to File a Complaint.....	14
Electoral Information	15
Election Calendar Highlights	15
CANDIDATES.....	16
General.....	17
Right to be a Candidate.....	17
Considering Becoming a Candidate?.....	17

Candidate Eligibility.....	18
Ineligibility (Legislative Assembly Act (sections 5 and 6)).....	19
NOMINATIONS.....	21
The Nomination Process.....	22
Candidate Residency and the List of Electors.....	22
The Nomination Period.....	23
Key Nomination Dates:.....	23
Early Submission of Nomination Paper.....	23
Nomination Papers.....	23
RO Candidate Nomination Package (Form 101).....	24
Nomination Deposit.....	25
Candidate Photo.....	26
Candidate Biography.....	26
Candidate Information.....	26
The Candidate Portal (VoterView).....	26
Candidate Materials.....	27
Candidate Withdrawal.....	27
Close of Nominations – Drawing of Lots.....	28
Drawing of Lots Process.....	28
Announcement of Candidates and Official Agents.....	28
Candidate’s Meeting.....	28
Public Access to Nomination Papers.....	28
The Candidate Portal (candidateaccess.ca).....	28
Statutory Guidance for Campaigning.....	29
OFFICIAL AGENTS.....	31

Role of Official Agents	32
Recruiting an Official Agent	32
Changing Your Official Agent	32
Appointment	32
Expectations	32
Responsibilities.....	33
Sponsor Responsibilities	33
Notices and Advertising	34
Financial Obligations	34
Election Returns	35
Deficit or Surplus Funds	35
SCRUTINEERS.....	37
Role of Scrutineers	38
Scrutineers may:.....	38
Scrutineers may not:	39
Confidentiality.....	39

Glossary

Acclamation

When only one person is listed as a Candidate for an electoral district at the close of the nomination period, that person is acclaimed. No poll is held and they are declared elected by acclamation as a member of the Legislative Assembly.

Additional Assistant Returning Officer (AARO)

An AARO is an election officer located in larger communities without a resident Returning Officer. An AARO can accept a nomination paper but only the returning Officer can approve it. An AARO registers electors, issues special ballots (but not receive them), and administers the advance and ordinary polls in the area.

Campaign Period

Period beginning with the issue of the writ and ends 30 days after the date of the return of the writ. Candidate Financial returns are due 90 days after the end of the campaign period.

Candidate

Once a Returning Officer accepts a properly completed Nomination Paper, and the applicant is a qualified elector, the application is review. Once confirmed, the prospective candidate becomes an official candidate.

Candidate Portal

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

Deputy Returning Officer

An election official responsible for a specific polling station and ballot box.

Election Period

The period from the issue of the writ to the return of the writ.

Campaign Period Contribution

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

Campaign Period 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.

Election Period

The period from the date of issue of the writ to the date of the return to the writ.

Elector

A person who is eligible to cast a ballot in an election.

Electoral District

A geographical area represented by a member of the Legislative Assembly.

Nomination Day

The day that marks the end of the nomination period. The nomination period, during which a candidate can submit their nomination paper for approval, starts the day the writ of election is issued by the Chief Electoral Officer and continues for ten days until the close of nominations, Nomination day, which is a Monday at 2 PM. To be a candidate the nomination must be approved by a returning officer no later than that time.

Official Agent

The person appointed by a candidate and responsible for all of a candidate's campaign transactions and financial reporting.

Poll Clerk

An election official who assists a Deputy Returning Officer (DRO). The PC maintains the voting book for a specific polling station.

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 at 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

The election official responsible for to administer the election in an electoral district. The Returning Officer is responsible to and answers directly to the Chief Electoral Officer.

Scrutineer

An individual appointed by a candidate to observe the voting process and ballot counting at a polling place.

Voter Information Card (VIC)

A card mailed or emailed to a registered elector that confirms the elector is on the list of electors voters and provided information where and when to vote.

Writ of Election

A document issued by the Chief Electoral Officer to Returning Officers that signals the official start of an election.

Notice – COVID 19 and Elections

Elections Yukon has put a great focus on the planning for the next territorial election which will likely be in a COVID-19 pandemic or post-pandemic context. It is a major focus to ensure the administration and delivery of fair, compliant and impartial elections that are safe and accessible to all. To this end, we have consulted with public health officials, political entities, electoral management bodies, election workers, and other stakeholders in developing our policies and procedures to administer an election over a number of COVID-19 scenarios.

The COVID-19 pandemic and post-pandemic health environment introduces extraordinary challenges to election administrators to ensure workers, the electorate and public are safe. To this end, you are encouraged to keep yourself informed as changing circumstances may require modifications to processes, administration and, as we have seen, potentially modify the options and timelines to vote.

As a candidate, you and your team have an important role in helping keep the territorial election safe and accessible. You will be provided materials to remind you of safe practices such as mask, sanitization, physical distancing (Safe Six), additional guidelines concerning campaigning, the expected conduct of your scrutineers. Integral to these measures is the understanding of the ways that electors can vote and how they can get additional information.

General Information and Key Dates

KEY CONTACT INFORMATION

Electoral District _____

Returning Officer: _____

Returning Office Address: _____

Offices in the communities of Beaver Creek, Faro, are staffed by an Additional Assistant Returning Officer. By appointment they are able to assist with revision, special ballot applications and for those applying for employment.

Returning Officer Contact Info: phone: _____ **email:** _____

Returning Office Hours: Throughout the election period (except for statutory holidays), Returning Offices will be open on:

- Monday to Friday: 3 pm to 8 pm
- Saturday: 10 am to 5 pm
- Sunday: 12 noon to 4 pm
- Returning Offices will be open from 8:00 a.m. to 8:00 p.m. on the days of advance and polling day voting.

KEY DATES

Nomination Day: Monday, _____

Returning Offices will be open on Day 10 of the election period (Nomination Day) from 10:00 a.m. to 2:00 p.m. to accept Nomination Papers. Candidates can submit their nomination papers to the Returning Officer where they are seeking to be a candidate once the election has been called until the close of nominations. Book an appointment to get your nomination papers submitted at the earliest opportunity.

End of Revision Period: _____

Advance Polls: **Sunday,** _____ **Monday,** _____

Close of Applications for Special Ballots: **Friday,** _____

Polling Day: **Monday,** _____

For additional information, please contact your Returning Officer. : Elections Yukon, Box 2703 (A-9) Whitehorse Y1A 2C6 Phone: (867) 667-8683/1-866-668-8683 – Fax: (867) 393-6977 e-mail: info@electionsyukon.ca Website: www.electionsyukon.ca For information on the pay, expenses and benefits of Members of the Legislative Assembly, contact the Legislative Assembly Office by email: Helen.Fitzsimmons@gov.yk.ca or by phone: 867-667-5618

ELECTORAL OPERATIONS

Election Operations during the Election Period

One of the key roles of the Returning Officer (RO) for your electoral district is to assist you and your Official Agent throughout the election period. A prospective Candidate must be an eligible elector and submit their nomination paper to the RO of the electoral district in which they want to run. They do not need to reside in that ED.

The RO will plan to meet with all confirmed candidates (preferably all together at the same time) shortly after the close of nominations to answer questions they may have, to inform them of key dates and processes and to ensure that all candidates have the materials they require.

Ways To Vote

There are three voting options:

- Special Ballots: in person at the RO office or by mail/email. Applications are available online and from any returning office.
- Advance Polls: In person voting on the Sunday and Monday the week before polling day.
- Polling Day: In person voting on a Monday normally 31 days after the issue of the writ.

In order to vote via any of the three options you must be registered; pre-registered on the List of Electors or register prior to voting

Registration

An elector must be registered to vote. Approximately 29,000 Yukoners are on the current list of electors; they were previously registered with Elections Yukon or Elections Canada. With the move to a permanent register, a number of addresses could not be verified to assign to the correct electoral district or polling division. Addresses of other electors may have errors, which preclude registration matching; this occurs more often in rural areas where highway mileage or kilometer markers or lot numbers may be used instead of addresses. As such, some electors may not be able to confirm their registration online. They should be advised to reregister; it is quick and convenient process online. Identification is required; this can be uploaded as a file or photo or document scan.

- Online registration to confirm, update or register between elections. Early registration makes the voting process faster, simpler and more convenient at the poll. No identification is required. As well, registered electors are sent Voter Information Cards about a week after the writ is issued. This provides information and options about voting including places and times.
- During the election period, the revision period during the election period is 21 days after the issue of the writ. This period is to update the list of electors prior to the advance Polls.

- Registration can take place online, at the returning office (to Day 21), and after day 21 an elector can register when they go to vote by special ballot, when they go to vote and the advance poll, and when they vote at the ordinary poll on polling day.

Registration 'On Behalf of'

- An elector may be added by another person, with the elector's consent during the revision period.
- Application forms to register 'On Behalf Of' another elector are available from Returning Officers and in the Candidate portal after confirmation.
- While this option was primarily introduced to support enumeration and improved list accuracy, it is convenient for electors to register at returning offices or online.
- If registering on behalf of an elector, there is a statutory limit is 10 'on behalf of' electors for any person. The person registering on behalf of another elector must be an elector.

Special Ballots

The Special Ballot is a special (write-in) ballot to vote independently for a registered political party **or** candidate. Applications can be made up to the Friday before polling day; completed ballots must be returned to the elector's electoral district returning officer or Elections Yukon headquarters by close of polls to be counted. During the election period, an elector may obtain a special ballot application by:

- Going to any of the 19 Returning Offices in the Territory
 - To apply for and receive a special ballot kit. If it is in the elector's electoral district, the elector can complete their write-in vote in the office and deposits their ballot (inside a secrecy envelope inside a certification envelope) into the ballot box.
 - If the elector goes into one of the other 18 returning offices across the territory or one of the five satellite offices in the communities of Beaver Creek, Carmacks, Faro, Marsh Lake and Ross River, they may apply for and receive a ballot kit. They will given a postage paid return envelope to mail the special ballot to the Elections Yukon Headquarters where it will be counted on polling day and the results relayed to the Returning Office in their district on election night for the tabulation of the results
- Going to the Elections Yukon website electionsyukon.ca to:
 - Apply for a special ballot online by completing an application. It will be mailed out and when completed; either returned to the returning office of their district or returned to Elections Yukon headquarters by close of polls on polling day.
 - An elector can also email an application to info@electionsyukon.ca

- An elector can apply for special ballot by mail at Elections Yukon Box 2703 (A-9) Whitehorse Yukon Y1A 2C6. Identification must be provided.

After approval of the application, the special ballot kit will be mailed out with a postage paid return envelope.

- The envelope containing your completed special ballot may either be:
 - returned by mail to **Elections Yukon Box 2703 (A-9) Whitehorse Yukon Y1A 2C6** or
 - Placed in the special ballot in the secure drobox at the Legislative Assembly Building at the front of the Old Library on 2nd Avenue, Whitehorse or
 - Returned to the Returning Officer of your electoral district. Special ballots will not be accepted at Returning Offices other than for the electors' district. They will not be accepted at any polling places.

The Special Ballot will be counted on polling day and on Election night the results will be relayed to the Returning Officer for the electoral district in which the elector is a resident, for the tabulation of the results

Advance Polls

- Advance polls are open to all eligible electors
- Advance polls will be open from 8 a.m. to 8 p.m. on the Sunday and Monday the week before polling day (Day 23 and 24 of the election period)
- One or more advance polls will be established by the Returning Officer for each electoral district. Where there are more than one Advance poll in an electoral district, the polling divisions will be assigned to the appropriate Advance Poll.
- Voting will be conducted in a similar manner for the advance and polling day polls.
- A deputy returning officer and poll clerk will be appointed by the Returning Officer to staff each polling station.
- Several polling stations may be located in a polling place.

A Revising Agent may be appointed to assist in registering electors and in taking the declarations of electors who are added to the List of Electors at the time of voting at either an advance poll or on polling day

A poll attendant may be appointed to assist electors and direct them to the registration station staffed by the information and resource officer, if required.

The Returning Officer will designate an election officer in charge of each polling place. An information and resource officer (poll supervisor) will be appointed to supervise any polling places where there are two or more polling stations and to assist in taking the declarations of electors who are added to the List of Electors at the time of voting. They are responsible for the smooth operation at the polls.

Any questions or concerns should be directed to that poll supervisor for referral to the Returning Officer as necessary.

Polling Day (Ordinary Polls)

- Electors vote at their assigned polling divisions and polling place. There may be multiple polling places in an electoral district.
- Polling stations will be open from 8 a.m. to 8 p.m. on polling day
- Polling stations will be open from 8:00 a.m. to 8:00 p.m. on polling day.
- Polling day is no earlier than the 31st day following the issue of the Writ of Election; the date will appear on the Proclamation.

Identification Requirements

- Electors who are on the List of Electors are not required to produce identification prior to receiving a ballot.
- Identification is required when applying for a special ballot.
- Electors may be added to the List of Electors during targeted revision or the revisions period (Day 1 to 21 of the election period)
- Electors who are not on the List may register at the time of special ballot voting, when voting at the advance poll or on polling day. They will be required to provide identification.
- A list of authorized identification will be posted in each polling place. Electors who are unable to produce identification may have another elector on the List of Electors in their electoral district vouch for them.

Official Addition

Within 10 days of polling day, the Returning Officer will complete an official addition of the vote from the Statements of the Poll that were completed on polling day. You will be notified of the date, place and time that the official addition will take place. You and your official agent are entitled to be present.

During the Official Addition the Returning Officer will review all statements of the poll and up the number of ballots cast for each candidate, and the rejected ballots to confirm results. Once the official addition is completed, the Returning Officer will complete a certificate of the official addition and deliver a copy to each candidate or official agent.

Judicial Recount (if required)

The Returning Officer will automatically apply for a judicial recount if:

- two (or more) candidates with the greatest number of votes are tied (received an equal number of ballots cast), or
- there is a difference of 10 votes or less between the candidate with the greatest number of votes and any other candidate

A credible witness may also apply for a judicial recount before the end of the 6th day following the official addition, if:

- a deputy returning officer in counting the ballots has improperly counted or rejected ballots or made an incorrect statement on the number of ballots cast for any candidate or
- the Returning Officer has improperly conducted the official addition

If a judicial recount is conducted, you will be notified and are entitled to attend with up to three representatives and legal counsel. Following the recount, the judge will certify the result.

Complaints

If a person believes that someone's actions contradict what is set out in the Elections 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.

Sections 286 through 347 list all contraventions of the Act that are considered election offences.

How to File a Complaint

When filing a complaint, the following information is to be included:

- Name, address, telephone number, and email address of person filing a complaint;
- a factual description of the matter including dates, circumstances, and the actions or inactions that you believe may be an offence;
- the section of the Elections Act that is believed has been violated;

Electoral Information

Electors with special circumstances are encouraged to contact their Returning Officer or Elections Yukon early in the election period to get more information. During the election period, you will find more information on Elections Yukon's website.

Election Calendar Highlights

Based on a countdown from Day 31 (when writ is issued, to Day 0 which is Polling Day)

- Day 31: Issue of Writ (Day 31)
- Day 31 – Day 21: Nomination period and papers may be submitted to the Returning Officer. Must be received by Nomination Day (10 days after issue of writ)
- Day 31 – Day 11: Revision Period at RO offices and online. Registration continues at Advance polls, when applying for special ballots or at the ordinary pol.
- Day 31 – Day 3 (Friday): Applications open for Special Ballot Voting
- Day 21 Mon: Day 21 – Nomination Day
- Day 10 Fri: End of Revision period. Electors can still register when applying for special ballots or at the Advance and Ordinary poll.
- Day 8 and Day 7: Sunday and Monday. Advance Polls
- Day 3 (Friday): End of application period for special ballots.
- Day 0: Polling Day (Day 0) – Monday. Special Ballots must be received by close of polls to be counted.
- Unofficial Results: After close of Polls
- Official Addition – within 10 days after polling day
- Certified results of the election reported to the Commissioner by the Chief Electoral Officer
- Candidate Financial Reports are due 90 days after the end of the campaign period.

CANDIDATES

General

This guide is provided for information; it summarizes key statutory direction contained in the Elections Act and details some of the processes in the administration of an election. For additional information consult the *Elections Act*. If any discrepancy of information or process, the Elections Act takes precedence.

Right to be a Candidate

The Canadian Charter of Rights and Freedoms provides that every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein. Its purpose is to protect the right of each citizen to play a meaningful role in the electoral process.

Considering Becoming a Candidate?

Here are some things to consider:

- **Your Team:** Recruit a strong team to help you run your campaign
- **Your Time:** Allow yourself adequate time to plan, campaign, and report. The election period formally begins with the issue of the writs and ends with the results on polling day. For a candidate and their official agent, the election begins as soon as you decide to run, and ends once you fulfill your reporting obligations.
- **Your Election Knowledge:** Review election materials such as the Elections and Act and the Candidates and Official Agents Guide before nominations open. The Elections Act sets the rules and procedures governing territorial elections. It provides details of the electoral process and is the definitive source of information for Candidates, Official Agents, election officers, and electors.
- **Your Campaign Funding:** There is no limit to the amount of donations you may receive. You may spend money before you become a Candidate. Your Official Agent may not collect any money or issue any receipts until you have become a candidate. A receipt must be issued for any single contribution over \$50. Any contributions over that amount that do not have supporting receipts must be forfeited.
- **Your Official Agent should familiarize themselves with all pertinent sections of the Act.** Your Official Agent must open a bank account: Your official agent is the only individual who should accept contributions and issue tax receipts. Your Official Agent must complete a Financial Report which includes supporting documentation within the 90 days following ordinary polling day.
- **Know the Forms:** Forms required for nomination will be made available to prospective Candidates and Official Agents through elections.yukon.ca
- **Be familiar with the reporting requirements.**

- Know the Election Yukon Web Services: Nominated Candidates will have access to the Candidate Portal, where they will be able to access all the forms required for their campaign as well as financial reporting.
- Your nomination deposit of \$200 will be refunded when you complete your Election Financial report and file it within the 90 days. Extensions may be authorized by the Chief Electoral Officer.

Candidate Eligibility

To become a candidate in an election under the Elections Act, in order to have your name appear on the ballot paper as a candidate, you must meet the following requirements

- You must be an eligible elector
- A person is qualified to vote at the election if he or she:
 - is at least 18 years of age on Polling Day
 - is a Canadian Citizen
 - has been resident in Yukon the previous 12 months as of Polling Day.
- You do not have to reside in the electoral district in which you file a Nomination Paper. You may file a Nomination Paper in only one electoral district in an election.
- You must not be ineligible to become a Member and to sit and vote in the Legislative Assembly of Yukon, pursuant to any other Act, unless you undertake to rectify the ineligibility within 30 days of being declared elected
- You must file a properly completed Nomination Paper with the Returning Officer in that electoral district before 2:00 p.m. on Nomination Day (Day 10 of the election period). You can obtain a Nomination Paper from the Returning Officer in the electoral district in which you intend to be a candidate or from the Elections Yukon website at electionsyukon.ca
- A \$200 nomination deposit and, if applicable, a letter of endorsement from a registered political party must accompany your Nomination Paper
- You must appoint an official agent, who consents to the appointment, to receive campaign contributions and pay bills, and to file the Election Financing Return required by the Elections Act

Ineligibility (Legislative Assembly Act (sections 5 and 6))

It is your responsibility to determine whether you are ineligible to sit and vote in the Legislative Assembly of Yukon, pursuant to any Act.

One common reason for ineligibility applies to a person who “holds any office, commission, or employment in the service of, or at the nomination of, Her Majesty, the Government of Canada, or the Government of the Yukon”. “Government” includes any department, ministry, branch, board, commission, or agency of the government. The Legislative Assembly Act contains some exemptions that should be consulted with respect to ineligibility.

A determination of an individual candidate’s ineligibility will not be made by Elections Yukon or by Returning Officers. If you determine that you are ineligible, you must file a Statement of Ineligibility (Form 103) with the Returning Officer at the time you file your Nomination Paper, stating that you will remove the grounds for ineligibility within 30 days of being declared elected.

If a candidate fails to rectify the ineligibility within 30 days of being elected, the candidate is guilty of an offense and the election is void.

NOMINATIONS

The Nomination Process

ROs and AAROs can provide a nomination package to prospective candidates during regular office hours once the RO/AARO office is opened after the issue of the writ. Only the Returning Officer can approve a candidate's nomination papers.

These packages will also be made available online at www.electionsyukon.ca. Candidates are encouraged to make an appointment to file their nomination papers early, so there is time to resolve any issues that may arise and to allow them to access the available resources as soon as possible once their nomination is approved.

Candidate Residency and the List of Electors

Any qualified elector is eligible to be nominated as a candidate, they do not need to be resident in the electoral district. However, no one may be nominated as a Candidate in more than one electoral district at the same election.

The Elections Act s.9 allows candidates who were members immediately before dissolution may be included in the list of electors for the electoral district they represent if they do not live in that district. Any candidate who was not a Member of the Legislative Assembly prior to dissolution of the legislature must register and vote in the district where they live even if they are a candidate in a different electoral district.

Elections Act s.9

Each candidate at a general election who, on the day before the dissolution of the Legislative Assembly immediately preceding the election, was a member of the Legislative Assembly, and the spouse or any dependent who lives with the candidate and is qualified as an elector, is entitled to be included on the list of electors for, and to vote in, any one of the following places

- (a) the place of actual residence of the former member;
- (b) the place, if any, in the electoral district in which the former member is a candidate where the candidate has, at the time of enumeration, a residence or a temporary residence;
- (c) [Repeal S.Y 2004, c.9, s.4]
- (d) the place, if any, where the former member resided for the purpose of carrying out duties as a member. S.Y. 2002, c.63, s.9

This means a candidate who meet s 9 criteria may, along with their spouse and dependents, can register in the RO Office using a temporary residence address in the ED of their candidacy.

The Nomination Period

Candidate nominations may occur during the first ten days of the 31-day Writ period. These first ten days are commonly referred to as the nomination period.

In a 31-day election period, the Chief Electoral Officer will issue the Writs on a Friday. This opens the nomination period. Prospective candidates may submit their nomination papers to a returning officer until the nomination period ends on Monday at 2:00 pm on the 10th day of the Writ period.

Key Nomination Dates:

- Nomination Period Begins: After issue of the writ
- Nomination Period Ends: Monday at 2:00 pm on the 10th day after the issue of the writ
- Deadline to Withdraw Candidacy Before 2:00 PM on the 13th day after the issue of the writ.

Early Submission of Nomination Paper

Prospective candidates may wish to submit the Nomination Paper early in the nomination period in case corrections are needed to be made or additional information is required. The deadline for submissions is 2:00 pm on the Monday 10 days after the issue of the writ.

All documents must be completed and submitted by the deadline. If the Nomination Paper is not correct at Close of Nomination, the nomination will not be approved.

Once approved, and the candidate is confirmed, they can be issued their materials such as electoral maps, reference materials, included on the Elections Yukon website and be provided access to the candidate portal. The name of confirmed candidates will be posted with the registered political parties and provided to electors voting by special ballot

Nomination Papers

Any eligible person who is interested in becoming a Candidate may either download the Nomination Paper (form 101) from electionsyukon.ca or obtain a copy from their Returning Officer or the Returning Officer's Additional Assistant Returning Officer in select communities without a resident Returning Officer.

The Nomination Paper must be submitted in person by the prospective candidate or their Official Agent to a Returning Officer, Assistant Returning Officer, or Additional Assistant Returning Officer in the district in which the nomination contestant wishes to be a Candidate.

The Nomination Paper must be fully and correctly completed to be accepted by a Returning Officer. Any nomination papers that do not contain all the necessary information will be returned to the prospective candidate or their Official Agent for completion or corrections to be made.

RO Candidate Nomination Package (Form 101)

This package includes:

- Cover Page
- Table of Contents (Page 3)
- General Instructions (Page 4)
- Candidate Information (Page 5)
- Signature Pages (Pages 7, 8, 9, 10)
- Address for Service of Papers (Page 11)
- Appointment of Official Agent (Page 12)
- Statement of Ineligibility (Form 103) (Page 13)
- Statement of Endorsement (Form 151) (Page 15)
- Privacy information (Form 115) (Pages 16, 17, 18)
- Candidate Declaration (Form 116) (Page 19)

Key points include:

- Use the name as it is to appear on the Ballot including given name and surname. It does not have to be your full legal name
- You may include a nickname or names commonly known by, may not include title, degree, prefix or suffix
- Public Contact information including email, phone and official address to be used for publication, in accordance with the Elections Act
- Indicate the electoral district in which you are being nominated and whether it is your electoral district of residence or not
- If you are endorsed by a registered political party, you must provide the Returning Officer with a written statement, signed by the leader of the registered political party or the leader's designate, stating that you are endorsed by the registered political party. The leader may request a deferral for the filing of the statement, but it must be received no later than 2:00 p.m. on Nomination Day (Day 10)
- The declaration that the qualified elector nominating this candidate is a qualified elector and resides in the electoral district of nomination, the printed name, location (civic) address, and signatures of at least 25 electors in the electoral district in which you file the Nomination Paper

- Each elector who signs the Nomination Paper must include a location (civic address) to allow the Returning Officer to confirm that each is an elector in the electoral district
- Electors' names do not have to appear on the List of Electors to nominate a candidate
- Each witness to the electors' signature must use their own page. The witness on the page must be the same person who initials for all the signatures on that page
- Candidates are strongly encouraged to obtain more than 25 signatures in case one or more of the electors have omitted information or are not resident in the electoral district
- Your properly completed Nomination Paper must be filed:
 - with the Returning Officer or Assistant Additional Returning Officer in the electoral district in which you intend to be a candidate.
 - filed before 2:00 p.m. on Day 10 of the election period, but may be filed before that date.
 - accompanied by your \$200 nomination deposit and your written statement of endorsement from the leader/designate of a registered political party, if applicable.
- The Returning Officer can accept Nomination Papers as soon as the Proclamation is posted
- A Returning Officer cannot accept a Nomination Paper:
 - submitted after 2:00 p.m. on Day 10 of the election period.
 - that is incomplete or has not been properly witnessed.

Nomination Deposit

One of the nomination requirements is a \$200.00 deposit which must accompany the Nomination Paper when it is being submitted to the returning Officer for acceptance. This can be in the form of a bank note. If a certified cheque or money order is provided, it must be made out to Yukon Consolidated Revenue Fund. Personal cheques will NOT be accepted.

The \$200 deposit will be returned to the candidate when the Election Finance Report is submitted in the 90 days following the campaign period. Deposits that are not returned to candidates are deposited to the Government of Yukon Consolidated Revenue Fund.

Once the Nomination Paper and deposit have been accepted by the returning officer, the prospective candidate is confirmed and becomes a candidate in the territorial general election. A 'Receipt of Official Candidacy' will be issued to verify their candidacy.

Candidate Photo

Candidates have the option to submit a photo of themselves with their nomination paper. This photo will appear on the Elections Yukon website “Who Is My Candidate?” accessible to electors in their electoral district.

The submitted photo must:

- Be of professional quality; digital photos cannot exceed 2MB and must be at least 500x500 pixels.
- Have been taken within the past 12 months
- 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
- The photo must be submitted before close of nominations.

Candidate Biography

If a Candidate wishes to submit a short statement they may do so by providing the returning officer with the electronic text for the Candidate Biography.

Submitting a biography is optional, and must be submitted before the close of nominations. The statement must be no longer than 100 words. It will be included in the Candidates list posted on the Elections Yukon website Who Is My Candidate?

Candidate Information

Candidate information, such as party, name and public contact information as well as website links will be published in the ‘Who Is My Candidate’ section of the elctionsyukon.ca website.

The Candidate Portal (VoterView)

The Candidate Portal is an online platform that contains information and administration resources for a Candidate. The portal provides easy access to all necessary forms and to the List of Electors 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. That means it is refreshed at regular intervals to update and show electors that have been struck. Electors showing as having being struck are electors who have voted in any of the special voting opportunities that occur before ordinary polling day.

Once an individual's Nomination papers has been accepted, the Election Officer will provide Candidates 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.

To reset your Password If a Candidate 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.

If a Candidate wishes to change the email address, they provided to Elections Yukon, they must put the request in writing to the Returning Officer.

Separate instruction to access the candidate portal is available from the returning officer once nominations are accepted.

Candidate Materials

Once your nomination is confirmed, and you are a candidate, you will be provided the following materials

- one copy of the Proclamation, which identifies key dates in the election period
- an election calendar
- three copies of the electoral district map, with polling divisions
- one copy of the Official Agent Replacement, for use in appointing a replacement official agent, if necessary
- copies of the Appointments of Scrutineer, for use in appointing persons to observe election activities on your behalf
- A USB with one electronic copy of the Elections Act and election documents
- Access to the candidate portal to access List of Electors for the electoral district on which you are a candidate
- Street keys for your electoral district
- You will be required to sign the privacy document in the Nomination paper to be granted access to the Candidate Portal. Use of the Lists of Electors is prescribed by the Elections Act and is for electoral purposes only.

Candidate Withdrawal

Any nominated person may withdraw their nomination papers and not stand as a candidate until 2PM on the 13th day of the Writ period. Withdrawal is done by completing the 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 Candidate must submit the form to the Returning Officer, or designated election officer by or before the deadline for withdrawing.

Close of Nominations – Drawing of Lots

At 3 pm on the day of close of nominations (10 days after the issue of the writ), which is one hour after the deadline to receive Nomination Papers, the Returning Officer will draw lots to establish the order in which the names of the candidates will appear on the ballot paper.

Drawing of Lots Process

You and your official agent are entitled to be present and may act as witnesses, in addition to any elector, who may also serve as one of the two witnesses. The two witnesses must print their name and address & sign the Drawing of Lots

After the drawing of lots, the Returning Officer will complete a Notice of Grant of Poll listing all candidates' names in the order in which they will appear on the ballot paper and identifying polling places. You will receive a copy of the Notice of Grant of Poll.

Announcement of Candidates and Official Agents

The returning officer will announce, at the place of nomination and immediately after close of nomination, the names, addresses and political affiliation of every candidate and the name and address of official agents.

A notice of candidates and official agents will be posted in the returning office and provided to the chief electoral officer.

Candidate's Meeting

The Returning Officer will invite and provide notice to all candidates of a meeting to review any processes and to answer questions. The Returning Officer will provide a draft agenda prior to the meeting.

Public Access to Nomination Papers

Nomination Papers may be viewed at the returning Office by members of the public, on request, but cannot be copied.

The Candidate Portal (candidateaccess.ca)

Once a candidate is confirmed they will be granted access to the candidate portal for the duration of the election period. It is a secure website from which a candidate can download electoral information. An update can be accessed once every 24 hours. Paper copies of revision lists may be provided on request at certain periods.

This information includes:

- A current list of electors for their electoral district. An extract can be downloaded which will contain elector number, name and address, mailing address, and status of vote (they will be struck off if they have voted by special ballot or at an advance or ordinary poll).
- A List of Revisions. The candidate can download the changes to the list of electors from an earlier selectable day the current day. This will indicate new registrations, changes, and voting status over that period.
- Candidate documents. This documents will be available for download as provided by Elections Yukon headquarters and your Returning Officer for the electoral district.

Paper copies can be requested; this would only include the preliminary list (on confirmation), a Revised List (prior to Advance Polls), and an Official List (prior to the Ordinary Poll). Most candidates will print their own once they have access to the portal.

Statutory Guidance for Campaigning

The Elections Act details a number of statutory guidelines for notices and advertisements. These include:

- Posted material for a candidate of political party shall be removed within 30 days after polling day. Failure to comply is an offence.
- Candidates and their election workers have free access to any building having more than one dwelling. Anyone who obstructs or interferes with such access is guilty of an offense.
- copies of any documents believed to be relevant; and
- if submitting by email, include a title relating to the nature of the complaint in the subject line.

OFFICIAL AGENTS

Role of Official Agents

An official agent acts on behalf of a candidate and has signing authority for campaign financing and other administrative authorities where allowed.

One of the key roles of an Official Agent is to manage all aspects of their Candidate's campaign finances. An Official Agent is required to receive contributions, issue tax receipts, account for contributions and expenses, and keep detailed records and receipts. Within 90 days following the end of the campaign period the Official Agents completes and submits the candidate's Election Financial Report

Recruiting an Official Agent

Qualities of a good Official Agent may include:

- strong organizational skills
- have basic bookkeeping abilities
- are familiar with computers
- have good time management, and
- pay attention to detail

Changing Your Official Agent

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

Appointment

Candidates must appoint an Official Agent during the nomination process. Information about the Official Agent must be included in the Nomination Paper.

Expectations

Official Agents manage of a candidate's campaign finances and reporting. They assist in raising funds, are responsible for receiving funds, paying campaign expenses, issuing tax receipts and managing financial accounts. The Official Agent should keep detailed well organized records and receipts of all contributions and campaign expenditures. Well organized records will prove beneficial for completion of the Election Financial Report (EFR). A complete and accurate EFR with all supporting documentation must be submitted to the Chief Electoral Officer within 90 days following the end of the campaign period.

Responsibilities

The Official Agent is responsible for a number of activities that take place before and after ordinary polling day. It is important for the Official Agent to understand that their obligations continue until all post-election reporting is complete.

- Before Polling Day: Campaign Period (min 61 days)
 - Receiving all contributions for the Candidate's campaign
 - Issuing official tax receipts for monetary contributions
 - Reimbursing the Candidate for any expenses incurred prior to the campaign period, to be paid using contributions received
 - Depositing all contributions into a bank account or another institution approved by the Chief Electoral Officer (if applicable)
 - Recording all contributions received and election expenses incurred during the campaign period
 - Recording the name and address of each person or organization who contributes more than \$100
 - Authorizing and paying all campaign expenses • Authorizing other people, in writing, to receive contributions or incur expenses on behalf of the Official Agent
- After Campaign Period: Reporting Period (90 days)
 - Ensuring all bills are received and paid within 90 days after the campaign period
 - Returning all tax receipt books to the Office of the Chief Electoral Officer
 - Submitting an accurate and complete Candidate's Financial Report to the Office of the Chief Electoral Officer
 - Requesting (if required) an extension to the deadline for submitting the Candidate's Financial Report, or any accompanying documentation

Sponsor Responsibilities

The Elections Act (sec 326) requires the name of the sponsor be included on election notices and advertisements during the election period. This includes election signs and other materials.

- The election period is the from the date of the issue of the writ to the return of the writ. Return of the writ may be up to 10 days after polling day.

- The sponsor is any person, association, or organization who pays for the advertising. This is usually the candidate or the official agent.
- The address is the physical address of the sponsor; for candidates and official agents it may be office of the candidate or may be a political party [website or email address](#).

Notices and Advertising

- During an election period, every notice or advertisement that refers to an election, whether printed, broadcast or published electronically, shall include the name and address of its sponsor.
- No sponsor information is required if a printed notice or advertisement bears, with no information, message or symbol that relates to an election or voting, only one or more of the following
 - the colours or logo of a registered political party;
 - the name of a registered political party;
 - the name of a candidate, no sponsor
- Examples: notices and advertisements must contain the name and address of the sponsor. It is not necessary to include the name of the party.
 - “Authorized by [name of Candidate], [address/party web address].”
 - “Authorized by [name of Official Agent], Official Agent for [name of Candidate], [address/party web address].”
 - “Authorized by [name of individual/association/organization], [address].”

Financial Obligations

Financial provisions for candidates and political parties are detailed in the Elections Act sections 370 – 406. Official agents should be familiar with these statutory requirements. Typical official agent duties include:

- Collecting Contributions. This includes monetary contributions and contributions in-kind
- Issuing and Managing Receipts all tax receipts
- Authorizing and paying expenses
- Reporting Obligations and Supporting Documentation.

Election Returns

Three returns must be submitted within 90 days of the end of the campaign period. These are::

- Election Revenue Return
- Elections Expenses Return, and
- Election Financing Return.

Deficit or Surplus Funds

If a deficit is reported, the Election Financing Return shall set out the names and addresses of all debt holders. If a surplus is reported, the surplus funds shall be paid to the registered political party with proof of payment provided. If the candidate is not endorsed, the surplus funds shall be remitted to the chief electoral officer for the Yukon Consolidated Revenue Fund.

Returns are available for public inspection during working hours. Names of donors of contributions of \$250 or less are not disclosed.

SCRUTINEERS

Role of Scrutineers

It is important that candidates are familiar with the duties and responsibilities of the scrutineers that observe proceedings and act on your on your behalf.

Scrutineers may observe election activities on your behalf. Up to two scrutineers per candidate may attend at one station at a time (Note: This could be changed to one scrutineer per polling station due to COVID-19 protective measures) Scrutineers will receive identification badges to wear in the polling place. Political affiliation is not permitted on the badges or elsewhere

The candidate or the official agent must appoint them in writing on the Appointment of Scrutineer forms, which are available from your Returning Officer. They must have a properly completed appointment and take a declaration of secrecy to be authorized to remain in the polling place. Scrutineers must present the Appointment of Scrutineer form to the election officer and complete a declaration of secrecy at each polling station they attend

On the form, you must designate the polling station(s) or registration station(s) they have been appointed to observe. The Elections Act authorizes scrutineers to remain in the polling place while the vote and the ballot count take place.

Scrutineers may observe polling day activities. Election officers are authorized to ask scrutineers to leave if they obstruct the taking of the poll, communicate with an elector who has asked not to be spoken to, disrupt the voting process, or commit any offence against the Elections Act

Scrutineers may:

- be present at polling stations (managed by deputy returning officers for single polls and information and managed by information and resource officers (poll supervisor) at polls where there are two or more polls) and registration stations (managed by registration officers)
- be present 15 minutes before a poll is opened, and request the counting of ballot papers and inspect the ballot papers, ballot box and any other poll documents
- request the deputy returning officer to have an elector take a declaration of qualification and identity if, in good faith, the elector's eligibility is questioned (only before the elector receives a ballot)
- view the poll book and record information from it at a time that will not interfere with voting
- view the identification provided by an elector
- convey information to another scrutineer or a candidate outside the polling place in a manner that does not interfere with voting
- at the unofficial count, examine any ballot and object to its acceptance or rejection and ensure that the objection is recorded in the poll book

- receive a tally sheet to record the results of the unofficial count
- receive a copy of the Statement of Poll at the conclusion of the unofficial count
- sign the official seals used to seal the envelopes containing ballots and ballot papers

Scrutineers may not:

- record images or take photos inside the polling place
- interfere with the work of election officers
- influence electors to vote or to refrain from voting
- request an elector to complete an oath; all requests must be directed to the election officer
- request an elector to produce documents proving identity
- record any information from the identification documents provided by electors
- attempt to determine how an elector is voting or has voted
- conduct cell phone conversations or take pictures of the bingo sheet, or text results in the polling place
- request a deputy returning officer to reverse a decision to accept or reject a ballot at the ballot count: the deputy returning officer's decision is final

Confidentiality

- Electors are entitled to cast a secret ballot. Every candidate, election officer, scrutineer or other person in attendance at a polling station has an obligation to maintain and aid in maintaining the secrecy of the voting.
- Electors' votes are confidential.

