



# ELECTION AMENDMENT LAW

TNL 22/2016

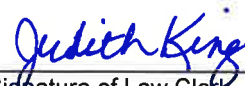
Enacted on July 7<sup>th</sup>, 2016.

  
\_\_\_\_\_  
Hegus [SIGNATURE]

Clint Williams  
\_\_\_\_\_  
Hegus [NAME]

DEPOSITED IN THE TLA'AMIN  
REGISTRY

ON 11 / 07 / 16  
(day/month/year)

  
\_\_\_\_\_  
Signature of Law Clerk

**THE TLA'AMIN LEGISLATIVE ASSEMBLY ENACTS AS FOLLOWS:**

- 1. Section 7(4) of the Election Law, TNL 04/2016, is amended by striking out** “of each elected official” **and substituting** “of each outgoing elected official”.
- 2. Section 12 is amended by striking out** “office of the Legislator” **and substituting** “office of Legislator”.
- 3. Section 13 is amended**
  - (a) by renumbering the second paragraph (a) as paragraph (b), and**
  - (b) by renumbering paragraph (b) as paragraph (c).**
- 4. Section 14 is amended**
  - (a) by renumbering section 14 as section 14(1), and**
  - (b) by adding the following subsection:**
    - (2) Elections officials must be 18 years of age or older on the date upon which the individual is appointed as an elections official.**
- 5. Section 18(4) is amended**
  - (a) by renumbering the second paragraph (a) as paragraph (b), and**
  - (b) by renumbering paragraph (b) as paragraph (c).**
- 6. Section 19(1) is amended by striking out** “voters list is prepared” **and substituting** “voters list is posted”.
- 7. Section 25(a) is amended by striking out** “time location and duration” **and substituting** “time, location and duration”.
- 8. Section 27(3) is amended**
  - (a) in paragraph (b) by striking out** “themselves” **and substituting** “themselves”, **and**
  - (b) by renumbering the second paragraph (a) as paragraph (c).**
- 9. Section 29(1) is amended**
  - (a) by striking out** “and” **at the end of paragraph (b),**
  - (b) by striking out** “.” **and substituting** “; and” **at the end of paragraph (c), and**
  - (c) by adding the following paragraph:**

- (d) a signed copy of the mandatory Tla'amin Nation Candidate Code of Fair Campaign Practices in the prescribed form.

**10. Section 30(1)(b) is amended by striking out** “notify the individual” **and substituting** “notify the complainant and the individual”.

**11. Section 30(2) is amended**

- (a) **by striking out** “that individual may” **and substituting** “that candidate may”,
- (b) **by adding** “.” **at the end of paragraph (b), and**
- (c) **by striking out** “and send a copy of the appeal and supporting documents to the elections officer”.

**12. Section 32 is amended**

- (a) **in subsection (1) by striking out** “the date, time and place it will be held” **and substituting** “the date, time, location and duration of the nomination meeting”, **and**
- (b) **in subsection (2) by striking out** “the date, time and place it will be held” **and substituting** “the date, time, location and duration of the nomination meeting”.

**13. Section 34(2) is amended by striking out** “certificate of qualification and other documents submitted” **and substituting** “certificate of qualification submitted”.

**14. Section 38(2) is amended**

- (a) **by renumbering the second paragraph (a) as paragraph (b),**
- (b) **by renumbering paragraph (b) as paragraph (c),**
- (c) **by renumbering paragraph (c) as paragraph (d),**
- (d) **by renumbering paragraph (d) as paragraph (e), and**
- (e) **by renumbering paragraph (e) as paragraph (f).**

**15. Section 40 is amended by renumbering section 40(1) as section 40.**

**16. Section 42 is amended by adding the following paragraph:**

- (b.1) ensuring that an eligible voter only votes once in each election;

**17. Section 45(e) is amended by adding** “and the conduct of those individuals” **after** “during and after voting takes place”.

**18. Section 48(3) is amended by adding** “or attempts to vote for more candidates than there are vacancies to be filled” **after** “for the same candidate”.

**19. Section 49 is amended**

- (a) in subsection (1) by adding “and” at the end of paragraph (d),**
- (b) in subsection (1) by striking out “; and” and substituting “.” at the end of paragraph (e),**
- (c) in subsection (1) by repealing paragraph (f), and**
- (d) by adding the following subsection:**

49(3) If the elections officer allows an individual to vote on election day in accordance with subsection 49(2), that individual’s name must be added to the voters list, accompanied by a notation that the individual has signed a statutory declaration.

**20. Section 50 is amended by striking out “anyone to stay” and substituting “anyone other than scrutineers to stay”.**

**21. The heading “Spoiled ballots” under Part 5, Division 1 Section 48(3) is repealed and the following substituted:**

**Cancelled ballots**

**22. Section 53(2) is amended by striking out “the ballot is the same ballot issued” and substituting “the ballot is an official ballot issued”.**

**23. Section 55 is amended**

- (a) in paragraph (a) by striking out “in person must be” and substituting “in person or by electronic voting must be”, and**
- (b) in paragraph (b) by striking out “in person must be” and substituting “in person or by mail-in ballot must be”.**

**24. Section 56(1) is amended by striking out “unless section 58(1) applies”.**

**25. Section 57 is amended**

- (a) by repealing paragraph (j), and**
- (b) in paragraph (l) by striking out “rejected or set aside” and substituting “rejected, cancelled or set aside”.**

**26. Section 58(2) is amended by striking out “section 59(1)” and substituting “section 58(1)”.**

**27. Section 59(1) is amended by striking out “Tla'amin Citizens are entitled” and substituting “Tla'amin Citizens and scrutineers are entitled”.**

**28. Section 61(1)(c) is amended by striking out “spoiled”, “cancelled” or “declined” and substituting “spoiled” or “declined”.**

**29. Section 63(3) is amended**

(a) *in paragraph (a) by striking out* “pieces of paper, one paper per candidate” *and substituting* “pieces of paper of the same size and quality, one paper per candidate”, *and*

(b) *in paragraph (c) by striking out* “drawn from the receptacle, in the order in which they are drawn, shall constitute” *and substituting* “drawn from the receptacle shall constitute”.

**30. Section 65(1) is amended by striking out** “eligible voter” *and substituting* “eligible voter”.

**31. Section 66(4) is amended**

(a) *in paragraph (a) by adding* “and uphold the original decision” *after* “dismiss the appeal”,

(b) *in paragraph (c) by striking out* “or” *at the end of paragraph (c), and*

(c) *by adding the following paragraph:*

(c.1) issue a declaration with respect to whether the results of an election are valid; or

**32. Section 67(a) is amended by striking out** “the final result of the election” *and substituting* “the outcome of the election”.

**33. Section 68 is amended**

(a) *in subsection (1) by striking out* “the ballots and documents related to the election in a secure location” *and substituting* “the ballots in a secure location”,

(b) *in the first subsection (2) by striking out* “must dispose of the ballots and election material used in the election” *and substituting* “must only dispose of the ballots in the election”,

(c) *by renumbering the second subsection (2) as subsection (3) and by striking out* “the ballots and election material used in the election” *and substituting* “the ballots from the election”.

#### Coming Into Force

**34.** This Law comes into force on the date it is enacted by the Legislative Assembly.

THIS LAW IS HEREBY DULY ENACTED by the Legislative Assembly on the 7<sup>th</sup> day of July 2016, at the Tla'amin Governance House, in the Province of British Columbia.



## ORDER OF THE LEGISLATIVE ASSEMBLY OF THE TLA'AMIN NATION

**Legislative Assembly Order No.:** TNO-LA 44/2016

**Approved and Ordered:** July 7, 2016

### **Order**

Having been introduced in the Legislative Assembly on June 23, 2016, and having gone through second and third readings on July 7, 2016, the Legislative Assembly hereby enacts the *Election Amendment Law*.

The provisions in the *Election Amendment Law* will serve to amend the corresponding sections of the *Election Law* 04/2016.

### **Authority**

This Legislative Assembly Order is made under the authority of the *Constitution* and in accordance with the *Order of the Legislative Assembly of the Tla'amin Nation* TNO-LA 02/2016 (respecting the Legislative Assembly and Executive Council Transitional Rules and Procedures).

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*Signed by the Hegus on behalf of the  
Legislative Assembly of the Tla'amin Nation*

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*(Note: This portion is for administrative purposes only and is not part of the Order)*

**Authority under which the Order is made:**

**Law:** *Constitution*

**Other (please specify):** *The Order of the Legislative Assembly of the Tla'amin Nation TNO-LA 02/2016 (respecting the Legislative Assembly and Executive Council Transitional Rules and Procedures).*

DEPOSITED IN THE TLA'AMIN REGISTRY
ON <u>19, 07, 16</u> (day/month/year)
<u>Judith King</u> Signature of Law Clerk