



## ELECTRONIC VOTING REGULATION

Enacted under the *Election Law*

TNR 26/2016

Enacted on July 25, 2016.

Hegus [SIGNATURE]

Clint Williams

Hegus [NAME]

DEPOSITED IN THE TLA'AMIN  
REGISTRY

ON 09/08/16  
(day/month/year)

  
Signature of Law Clerk

## ELECTRONIC VOTING REGULATION

### INTRODUCTORY PROVISIONS

#### Authority

1. This regulation is made pursuant to the *Election Law*.

#### Definitions

2. Unless specifically provided otherwise in these regulations, the terms used have the same meaning as defined in the *Election Law*.

“PIN” means a personal identification number; and

“system” means an electronically accessible platform upon which electronic voting will be conducted.

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#### Rules for Electronic Voting

3. The elections officer, with the assistance of elections officials, may make written rules regarding the following:
  - a) How an eligible voter may vote by electronic voting;
  - b) The administration of electronic voting, and
  - c) The counting and tallying of votes cast by electronic voting.

#### Electronic System

4. The elections officer, with assistance of an identified elections official, as required, is responsible for:
  - a) Establishing the technology, including software, for electronic voting; and
  - b) Administering, maintaining, monitoring and performing the audits of the system.
5. For certainty, for the purposes of carrying out the duties under section 4, the elections officer or designated elections official must have direct access to the electronic voting system beyond the access necessary to vote by electronic voting.
6. When an eligible voter wishes to vote using electronic voting, the system must:
  - a) Request the PIN issued to the eligible voter and at least one other piece of information unique to the eligible voter so that the eligible voter can be reliably identified as an eligible voter and the individual that they claim to be;

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- b) Verify on the voters list whether or not the eligible voter has already voted;
- c) If an individual is an eligible voter and has not already voted in that election, issue an electronic ballot to the eligible voter in a manner that ensures the secrecy of the ballot and protects the secrecy of the eligible voter's vote;
- d) Provide to the eligible voter, in the form approved by the elections officer, instructions for marking the electronic ballot;
- e) Permit the eligible voter to mark the electronic ballot and record it in the electronic ballot box; and
- f) Indicate on the voters list that the eligible voter has voted as soon as the electronic ballot is recorded in the electronic ballot box.

### **Individuals needing assistance to mark their electronic ballot**

- 7. Where an eligible voter is unable to vote by electronic voting because of a physical disability, the eligible voter may enlist the assistance of another individual to enter the eligible voter's PIN, mark the eligible voter's electronic ballot and record it in the electronic ballot box.

### **Replacement PIN**

- 8. If an eligible voter did not receive a PIN, has lost his or her PIN or the PIN does not work, the elections officer may issue or instruct an elections official to issue a new PIN to the eligible voter to allow him or her to vote only if:
  - a) The elections officer is satisfied that the individual is an eligible voter and has not already voted in that elections; and
  - b) If applicable, the elections officer or an elections official has cancelled the original PIN assigned to that voter such that the original PIN cannot be used for electronic voting.
- 9. The elections officer must maintain a record of the original and any replacement PIN assigned to each eligible voter until the end of the retention period described in section 68 of the Law.

### **Suspension of Electronic Voting**

- 10. Electronic voting may be suspended by the elections officer if the elections officer considers that:
  - a) The health and safety of persons is at risk; or
  - b) The integrity of the voting is at risk.
- 11. Voting may be suspended under section 10:
  - a) To a later time on the same day; or
  - b) To a day and time to be set by the elections officer.
- 12. While voting is suspended under section 10, the elections officer and elections officials must make all reasonable efforts to ensure:
  - a) The electronic ballot box, the electronic ballots and other materials are secured; and
  - b) The integrity of the election is not compromised.

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13. Elections officials must give notice to persons affected by any suspension of voting under this section as directed by the elections officer or, in the absence of such direction, in any manner the elections officials consider necessary or advisable in the circumstances.

### **Suspension of Electronic Voting**

14. As soon as reasonably practicable after the closing of electronic voting, the elections officer or elections official must cause the system to:
  - a) Generate a list of all eligible voters who voted by electronic voting; and
  - b) Draw a line on the voters list through the name of all the eligible voters who voted by electronic voting.
15. A printed and electronic copy of the lists under subsection 14 a) must be delivered to the elections officer as soon as possible following the close of electronic voting and elections officer must, as soon as reasonably practicable, place a mark on the voters list opposite the name of each eligible voter who voted by electronic voting indicating the eligible voter has voted in that election.



## ORDER OF THE EXECUTIVE COUNCIL OF THE TLA'AMIN NATION

**Executive Order No.:** TNO-EC 45/2016

**Approved and Ordered:** July 25, 2016

### **Order**

The Executive Council hereby enacts the *Electronic Voting Regulation* under the Authority of the *Election Law* to take effect on the Effective Date.

### **Authority**

This Executive Order is made under the authority of the *Election Law*, 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).

A handwritten signature in black ink, appearing to be "Aec", is written above a horizontal line.

*Signed by the Hegus on behalf of the  
Executive Council 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:** *Election Law*

**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>26, 07, 16</u> (day/month/year)
<u>Judith King</u> Signature of Law Clerk