



**Town of Olds**

# **2017 General Election**

**Information for Potential Candidates for the Office of:**

- **Mayor**
- **Councillor**

Note: All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulation should be consulted for all purposes of interpreting and applying the law.

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## Appendices:

### **Government of Alberta Municipal Affairs, A Candidate's Guide**

<http://www.municipalaffairs.alberta.ca/documents/Running%20for%20Municipal%20Office%20in%20Alberta%20-%20A%20Candidate%27s%20Guide.pdf>

### **Government of Alberta Guidelines for the Installation of Election Signs (2012)**

[http://www.transportation.alberta.ca/Content/docType233/Production/14Election\\_SignsRevMar2012.pdf](http://www.transportation.alberta.ca/Content/docType233/Production/14Election_SignsRevMar2012.pdf)

### **Form 3: Nomination Paper and Candidate's Acceptance**

<http://municipalaffairs.alberta.ca/documents/msb/LGS0753.pdf>

### **Form 7A: Enumerator, Candidate or Official Agent Proof of Identification**

Available on election date at voting stations and may also be found here:

<http://municipalaffairs.alberta.ca/documents/msb/LGS1327.pdf>

### **Town of Olds Election Bylaw 2017-07**

<http://www.olds.ca/bylaws/election.pdf>

## INTRODUCTION

This information package has been assembled for your information and contains some of the provisions most frequently questioned. It also contains some very important but lesser-known facts of which candidates should be aware.

This information is certainly not all-inclusive, and any person wishing a complete copy of the Local Authorities Election Act and/or the Municipal Government Act may obtain copies from:

The Queens Printer for Alberta  
7<sup>th</sup> Floor, Park Plaza  
10611 – 98 Avenue  
Edmonton, AB T5K 2P7  
Telephone: 780-427-4953  
E-mail: [gp@gov.ab.ca](mailto:gp@gov.ab.ca)

or from their website at [www.gp.alberta.ca](http://www.gp.alberta.ca)

Should you wish to view any Provincial Statutes or Town Bylaws, or if you have any questions or desire further information, please do not hesitate to contact:

W.J.G. (Bill) Johnston  
Returning Officer  
Town of Olds  
Telephone: 403-507-3441  
e-mail: [bill@wcjohnstonconsulting.com](mailto:bill@wcjohnstonconsulting.com)

This is an information package only and has no legislative sanction. For certainty, the relevant statutes, regulations and bylaws should be consulted.

## COLLECTION OF PERSONAL INFORMATION

The personal information that is being collected under the authority of the Local Authorities Election Act will be used for the purposes under that Act. It is protected by the privacy provision of the Freedom of Information and Protection of Privacy Act.

If you have any questions about the collection of this information, contact Cara Cochrane, FOIP Coordinator, Town of Olds, at (403) 507-4810 or at email [ccochrane@olds.ca](mailto:ccochrane@olds.ca) during regular business hours.

## PURPOSES OF A MUNICIPALITY

The purposes of a municipality are as contained in Section 3 of the Municipal Government Act, are:

- (a) to provide good government,
- (b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and
- (c) to develop and maintain safe and viable communities.

These purposes are to govern the direction and decisions of a Council.

## **INFORMATION FOR PROSPECTIVE CANDIDATES FOR THE OFFICE OF MAYOR (CHIEF ELECTED OFFICIAL)**

Term of Office: four (4) years

Duties: Section 154 of the Municipal Government Act (MGA) General duties of chief elected official, provides as follows:

- 154 (1) A chief elected official, in addition to performing the duties of a councillor, must
- (a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and
  - (b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.
- (2) The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.
- (3) Despite subsection (2), the chief elected official may be a member of a board, commission, subdivision authority or development authority established under Part 17 only if the chief elected official is appointed in the chief elected official's personal name.
- (Part 17 of the Municipal Government Act deals with planning and development).

## **INFORMATION FOR PROSPECTIVE CANDIDATES FOR THE OFFICE OF COUNCILLOR**

Term of Office: four (4) years

Duties: Section 153 of the Municipal Government Act (MGA) General duties of councillor, provides as follows:

- 153 Councillors have the following duties:
- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
  - (b) to participate generally in developing and evaluating the policies and programs of the municipality;
  - (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
  - (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
  - (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
  - (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

Councillors are appointed by council to various boards and committees (described later in this document) and serve as Deputy Mayor as established at the annual organizational meeting held the fourth Monday in October.

## REMUNERATION

The following rates and fees from the Town of Olds Remuneration Policy No. 106C came into effect on November 1, 2013.

Members of Council rates:

- Mayor \$2,820.57 per month (2017 Rates)
- Councillor \$1,543.79 per month (2017 Rates)
- Included in the honorarium is \$20.00 for Councillor personal cell phone use for Town of Olds business.
- Additional honorarium may be claimed from the Town of Olds by a member of Council for attending a meeting, official function, course, conference or seminar on behalf of the Town of Olds provided that no other honorarium or fee has been accepted for that meeting:
  - Honorarium rates:
    - 1-2 hours \$50.00;
    - 3 hours 75.00;
    - 4 hours 125.00;
    - after 4 hours a full day to \$250.00;
    - after 8 hours a flat rate of \$325.00;
  - The flat rate would cover an actual full day of 10-14 hour days (includes travel time). The per diems would compensate for the actual time away from home, business or other activities.
- Per Diem of \$50.00 for special functions approved by Council
- Spousal and/or family expense for registration fees, meals, travel (excluding airfare) and accommodation are paid by the Town where appropriate.
- Travel by personal vehicle may be claimed at the rate of .52 cents per kilometer. Mileage will need to be logged and reimbursed along with other monthly expenses.
- The actual cost of lodging and meals supported by paid receipts while on Town business.
- Councillors are eligible to enroll in any benefit program(s), offered to elected officials by the carriers of Town benefit programs, with 100% of the cost of the premium paid by the council member.

**NOTE:** On March 27, 2017 Council appointed 3 citizens to an AD HOC Citizens Committee to review Town of Olds Council Remuneration Policy 106C and provide recommendations within 90 days on the policy on honorarium and benefits. Council will receive these recommendations of the committee for consideration and implementation at a regular council meeting.

## MEETINGS AND TIME COMMITMENT

The time commitment required of an elected official is considerable. The rule of thumb is, for every scheduled Council, Board or Committee meeting, multiply that by two.

Regular council meetings are scheduled: the second Monday of each month at 1 p.m. and the fourth Monday of each month at 7 p.m. On average these meetings last two hours, however from time to time last much longer. Each year, at the Council Organizational Meeting (held the fourth Monday in October) the regular council meeting schedule is approved, by resolution, for the next twelve month period.

Policy and priority committee meetings are held the third Monday of each month at 3 p.m. On average these meetings last two hours, however, from time to time last much longer.

CAO briefings are held the first Monday of each month from 1 p.m. to 3 p.m.

A regional Council orientation is being scheduled for after the election and all elected officials will be strongly encouraged to attend. The session will be facilitated by an experienced municipal consultant. The session is to provide information on the duties of an elected official including: Council roles and responsibilities, policies, meeting procedures, resolutions, bylaws, planning documents, the budget process, the committees and their terms of reference and will include a presentation by a municipal lawyer on legal issues that elected officials need to be aware of.

Regional communities make up the Municipal Area Partnership (MAP): Carstairs, Cremona, Didsbury, Mountain View County, Olds and Sundre.

The Alberta Urban Municipalities Association (AUMA), of which the Town is a member, holds a convention in the fall of each year. The mayor and all councillors normally attend this convention. On election years the fall convention for 2017 will be held in November in Calgary and on non-election years the convention is held in the month of October. The convention location moves between and Edmonton, Calgary and Red Deer.

The AUMA Board of Directors schedules Mayors' Caucus meetings three to four times a year. They were designed as way to meet with groups of members based on population thresholds to facilitate decision-making by establishing direct communications on a regular basis.

The Alberta Association of Municipal Districts & Counties (AAMD&C), holds a convention in the Spring and Fall in Edmonton, AB. The mayor and a councillor typically attend one convention each year.

The Federation of Canadian Municipalities (FCM), of which the Town is also a member, holds a convention in the Spring, and moves between the Provinces from year to year. In an effort to offer the opportunity for each councillor to attend at least one FCM convention during their term, the Mayor and two councillors attend the FCM convention. The 2018 FCM Annual Convention and Trade Show will be held in Halifax, NS.

## EXTERNAL COMMITTEE MEETINGS

Only those elected officials who are appointed to serve on a committee and/or board are required to attend meetings of those boards or committees; only those appointed have the right to vote at those meetings.

There are several types of committees:

- Committees established under the Municipal Government Act.
- Committees established under other legislation.
- Other committees and/or boards that request or require representation by a councillor.

The following is a list of the boards, commissions and committees to which councillors are presently appointed:

- Assessment Review Board (3 members) - meet annually for 1 or 2 days.
- Local Assessment Review Board One Member Panel (1 member)
- Central Alberta Economic Partnership (1 member) – meet every 2<sup>nd</sup> month
- Chamber of Commerce - Olds & District (1 member) – meet monthly
- Citizens on Patrol (COP) (1 member) – meet every 2<sup>nd</sup> month
- Community Learning Campus (1 member) – meet 7 times a year
- Community Policing Society (Olds and District) (1 member)
- Emergency Management / Disaster Services (all of council)
- Family and Community Support Services Committee (1 member) – meet 5-6 times yearly
- Library Board - Olds & District Municipal (1 member) – meet monthly
- Library - Parkland Regional (1 member)
- Mountain View Seniors' Housing (1 member) – meet quarterly
- Mountain View Regional Emergency Services Commission (1 member)
- Mountain View Regional Waste Management Commission (1 member) – meet monthly
- Mountain View Regional Water Services Commission (1 member) – meet monthly
- Municipal Planning Commission (minimum 2 members from Council) – meet monthly
- Olds Institute of Community and Regional Development (OICRD) (1 member)
- Olds Institute Technology Committee (1 member) – meet twice a month
- Parkland Community Planning Services (1 member) – meet quarterly
- Red Deer River Municipal Users Group (1 member) – meet 5-6 times yearly
- REGION: Inter-Municipal Planning Commission (2 members)
- REGION: Inter-Municipal Subdivision & Development Appeal Board (2 members)
- REGION: Inter-Municipal Co-operation Committee (ICC) (3 members) – meet monthly
- REGION: Municipal Area Partnership (MAP) (1 member)
- Southern Alberta Energy from Waste Association (1 member) – meet monthly
- South Red Deer Regional Wastewater Commission (1 member) – meet every 2<sup>nd</sup> month
- Subdivision & Development Appeal Board (2 members)



## QUALIFICATIONS OF CANDIDATES

Federal Public Servant seeking nomination:

A Federal public servant may seek nomination but he/she must request permission from the Public Service Commission of Canada before filing the nomination paper by calling 1-866-707-7152 or emailing [pa-ap@psc.gc.ca](mailto:pa-ap@psc.gc.ca)

**The following are excerpts from the Local Authorities Election Act (LAEA) current as of May 14, 2014:**

- 21 (1) A person may be nominated as a candidate in any election under this Act if on nomination day the person
- (a) is eligible to vote in that election,
  - (b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately preceding nomination day, and
  - (c) is not otherwise ineligible or disqualified

**Note:** *if you moved your permanent residence to Olds after March 18, 2017 you will not be eligible to run for municipal office.*

**Note:** *it is not the responsibility of the Returning Officer to ensure a candidates' eligibility.*

- 22 (1) A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day
- (a) the person is the auditor of the local jurisdiction for which the election is to be held;
  - (b) the person is an employee of the local jurisdiction for which the election is to be held unless the person takes a leave of absence under this section;
  - (c) the person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount
    - (i) any indebtedness for current taxes, and
    - (ii) any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement;
  - (d) the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days.
  - (d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada).
- (4) Subsection (1) does not apply to a person by reason only
- (a) that the person is a shareholder in a corporation having a contract or dealings with the local jurisdiction or elected authority for which the election is being held,
    - (i) unless the person holds or there is held by the person and the person's spouse or adult interdependent partner, parents, children, brothers and sisters more than 25% of the issued capital stock of the corporation, or

- (ii) unless the contract or dealings are for the building or construction of a public work of the local jurisdiction;
- (b) that the person has a contract with the local jurisdiction for the supplying to the person, the person's spouse or adult interdependent partner or child of a service, utility or commodity that the local jurisdiction has statutory authority to supply;
- (c) that the person holds an interest in a publication
  - (i) in which official advertisements of the local jurisdiction appear, or
  - (ii) that is supplied to the local jurisdiction at the usual rates;
- (d) that the person sells or leases to the local jurisdiction land or interest in land that the local jurisdiction has authority to expropriate;
- (e) that the person supplies goods, merchandise or services to the local jurisdiction or to persons contracting with the local jurisdiction if they are supplied at competitive prices and in the ordinary course of the person's business or profession;
- (f) that the person renders
  - (i) services to indigents who are residents of the local jurisdiction and for which the local jurisdiction is or may become liable to pay, or
  - (ii) services for which the local jurisdiction has provided a subsidy;
- (g) that the person is appointed to a position under the Emergency Management Act;
- (h) that the person has rendered professional services as a lawyer to the local jurisdiction, if the fees for the services have been reviewed or assessed under the Alberta Rules of Court;
- (i) that the person has received a gratuity or allowance for services on a committee or board appointed by or responsible to the local jurisdiction;
- (j) that the person is a member of an association under the Rural Utilities Act or is a member of a cooperative under the Cooperatives Act;
- (k) that the person is a vendor, purchaser, assignor or assignee of land bought or sold under the Agriculture Financial Services Act;
- (l) that the person is a party to a contract for the purchase or lease of real or personal property from the local jurisdiction entered into before nomination day;
- (m) that the person is a volunteer chief, officer or member of a fire, ambulance or emergency measures organization established by a local jurisdiction or that the person is a volunteer for another purpose who performs duties under the direction of the local jurisdiction.

Other portions of this section deal with an employee who wishes to be nominated for a municipal election.

## INELIGIBILITY FOR NOMINATION

- 23 (1) A person is not eligible to be nominated for more than one office of the same elected authority.
- (2) A member who holds office on an elected authority is not eligible to be nominated for or elected to the same or any other office on the elected authority
- (a) unless the member's term of office is expiring, or
- (b) if the member's term of office is not expiring, unless the member has resigned that office effective 18 days or more before nomination day.

## NOMINATION DAY

- 25 Nomination day shall be 4 weeks before Election Day.

**Note: Nomination Day is MONDAY, SEPTEMBER 18, 2017**

- 27 (1) Every nomination of a candidate shall be in the prescribed form and signed by at least 5 electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated, stating
- (a) that the person is eligible to be elected to the office,
- (a.1) the name, address and telephone number of the person's official agent, and
- (b) that the person will accept the office if elected,

**Note: For greater security and that the nomination papers are valid we suggest that additional signatures be placed on the reverse side of the nomination form.**

<p style="text-align: center;"><b>NOMINATION DAY</b> <b>September 18, 2017</b> <b><u>8:30 a.m. to 12 noon</u></b> <b>Town Office 4512 46 Street, Olds</b></p>
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- 28 (1) The Returning Officer shall receive nominations at the local jurisdiction office between 8:30 a.m. and 12 noon Nomination Day.

**Note: Town of Olds Election Bylaw 2017-07 provides that the Returning Officer will receive nominations of candidates for the local jurisdiction elections between the hours of 8:30 a.m. and 12:00 noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.**

- 28 (1.1) The person who is nominated as a candidate is responsible for ensuring that the nomination filed under subsection (1) meets the requirements of section 27.
- (2) Notwithstanding subsection (1), an elected authority may, by a bylaw passed prior to June 30 of a year in which an election is to be held, provide that the returning officer
- (a) may receive nominations earlier than 10 a.m., and

- (b) may establish locations, in addition to the local jurisdiction office, where a deputy may receive nominations.
- (3) Any person may file a nomination described in section 27 with the returning officer or deputy.
- (3.01) If a nomination is not signed by at least the minimum number of electors required to sign the nomination, the returning officer shall not accept it for filing.
- (4) At any time after 12 noon on nomination day until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy or secretary.

## **QUALIFICATIONS OF ELECTORS WHO SIGN NOMINATION FORMS**

IT IS IMPERATIVE THAT A PERSON WHO SIGNS A NOMINATION FORM IS ELIGIBLE TO VOTE.

### **ELIGIBILITY TO VOTE**

- 47 (1) A person is eligible to vote in an election held pursuant to this Act if the person
- (a) is at least 18 years old,
  - (b) is a Canadian citizen, and
  - (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the area on election day.
- (2) Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.

**Note:** *"area" means the area within the boundaries of a local jurisdiction, in this case the Town of Olds.*

### **WITHDRAWAL OF NOMINATION**

- 32 (1) Subject to subsection (2), if more than the required number of candidates for any particular office are nominated, any person so nominated may, at any time within 24 hours after the close of the nomination period, withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.
- (2) If, after one or more candidates have withdrawn, the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.

### **ELECTION BY ACCLAMATION**

- 34 (1) When at the close of nominations the number of persons nominated for any office is the same as the number required to be elected, the returning officer shall declare the persons nominated to be elected to the offices for which they were nominated.

### **ELECTION DAY AND VOTING STATION**

**Election Day is Monday October 16, 2017.**  
**Voting station is the Royal Canadian Legion, Olds Branch.**  
**The Voting Station shall open promptly at 8:00 a.m. and will close at 8:00 p.m.**

## ELIGIBILITY TO VOTE

- 47 (1) A person is eligible to vote in an election held pursuant to this Act if the person
- (a) is at least 18 years old,
  - (b) is a Canadian citizen, and
  - (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the area on election day.
- (2) Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.
- (4) In the case of the performance of any function or the exercise of any right under this Act, a person shall be a resident on the day on which that function is performed or that right is exercised in the area, ward or voting subdivision in respect of which that function is performed or that right is exercised and shall have been a resident of Alberta for the 6 consecutive months immediately preceding the day on which that function is performed or that right is exercised, unless otherwise required by this Act.

## VOTING AT A VOTING STATION

At the poll on election day, a voter will be required to sign a statement declaring that he/she is eligible to vote. Section 53 of the Local Authorities Election Act states:

## PROOF OF ELECTOR ELIGIBILITY

- 53 (1) Every person who attends at a voting station for the purpose of voting must be permitted to vote
- (a) if the person's name appears on the list of electors, if any, or
  - (b) if the person makes a statement in the presence of an officer at the voting station, in the prescribed form, that the person is eligible to vote as an elector **and produces for inspection the following proof of the person's identity and current residence** and, where required by a bylaw passed under subsection (3), age:
    - (ii) if a bylaw has been passed under subsection (3), the number and types of identification required by the bylaw to verify the person's name and current address and, if applicable, age.

## Town of Olds Election Bylaw 2017-07 Forms of Identification:

- 12 Pursuant to Section 53(1)(b)(i) of the Local Authorities Election Act each person shall provide one piece of identification in order to vote in addition to completing a Voting Register (Form 8).

Acceptable forms of identification are:

- (1) Identification issued by a Canadian Government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address; or

- (2) Identification authorized by the Chief Electoral Officer under the Election Act that establishes the electors name and current address including:
  - i. Bank/Credit card statement or personal cheque
  - ii. Correspondence issued by a school, college or university
  - iii. Government cheque or cheque stub
  - iv. Income/property tax assessment notice
  - v. Insurance policy or coverage card
  - vi. Letter from a public curator, public guardian or public trustee
  - vii. One of the following, issued by the responsible authority of a shelter or soup kitchen: Attestation of residence, letter of stay, admission form or statement of benefits
  - viii. Pension Plan statement of benefits, contributions or participation
  - ix. Residential lease or mortgage statement
  - x. Statement of government benefits, e.g. employment insurance, old-age security social assistance, disability support or child tax benefit.
  - xi. Utility bill, e.g. telephone, public utilities commission, television, hydro, gas or water.
  - xii. Vehicle ownership or insurance certificate.
- (3) In addition to the above forms of identification an elector voting in an institution the following forms of identification may also be accepted:
  - a. Correspondence issued by a hospital, auxiliary hospital, nursing home or seniors or special care accommodation facility attesting residency such as a letter of stay, admission form, or patient profile sheet that includes the name and current address of the person.

## PERSON OBJECTED TO

Section 54 of the Local Authorities Election Act states:

- 54 (1) If a candidate or the candidate's official agent or scrutineer objects to a person who makes a statement, a deputy shall note in the voting register the reason for the objection and the name of the candidate or official agent or scrutineer making the objection and shall initial the objection.
- (1.1) A candidate, official agent or scrutineer may only make an objection under subsection (1) at the time the person makes the statement under section 53(1)(b) or (2), 77 or 78.
- (2) If a returning officer on reasonable and probable grounds believes that a person is not eligible to be an elector, the returning officer must note in the voting register the reason for the belief and initial it.

## RULES OF RESIDENCE

- 48 (1) For the purposes of this Act, the place of residence is governed by the following rules:
  - (a) a person may be a resident of only one place at a time for the purposes of voting under this Act;
  - (a.1) if a person has more than one residence in Alberta, that person shall, in accordance with subsection (1.1), designate one place of residence as the person's place of residence for the purposes of this Act;
  - (b) the residence of a person is the place where the person lives and sleeps and to which, when the person is absent, the person intends to return;

- (c) a person does not lose the person's residence by leaving the person's home for a temporary purpose;
- (d) subject to clause (e), a student who
  - (i) attends an educational institution within or outside Alberta,
  - (ii) temporarily rents accommodation for the purpose of attending an educational institution, and
  - (iii) has family members who are resident in Alberta and with whom the student ordinarily resides when not attending an educational institution is deemed to reside with those family members;
- (e) if a person leaves the area with the intention of making the person's residence elsewhere, the person loses the person's residence within the area.

## OFFICIAL AGENT

- 68.1 (1) Each person nominated as a candidate may, on the nomination form, appoint an elector to be the candidate's official agent.
- (1.1) If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the returning officer in writing of the contact information of the new official agent.
- (2) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada) is not eligible to be appointed as an official agent.
- (3) No candidate shall act as an official agent for any other candidate.
- (4) The duties of an official agent are those assigned to the official agent by the candidate.

## CANDIDATES' SCRUTINEER

- 69 (1) If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer,
- (a) signed by a candidate, and
  - (b) stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station,
- the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.
- (1.1) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.
- (2) Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.
- (3) The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.

- (3.1) The presiding deputy shall not permit a candidate to have both an official agent and a scrutineer present at the same time in a voting station during voting hours.
- (4) A candidate or official agent personally may
  - (a) undertake the duties that the candidate's scrutineer may undertake, and
  - (b) attend any place that the candidate's scrutineer is authorized by this Act to attend.
- (5) The presiding deputy may designate the place or places at a voting station where a candidate, an official agent or a scrutineer of a candidate may observe the election procedure, and in designating the place or places, the presiding deputy shall ensure that the candidate, official agent or scrutineer can observe any person making a statement under section 53(1)(b) or (2), 77 or 78.
- (6) When, in the provisions of this Act that relate to the election of a member of an elected authority, expressions are used requiring or authorizing an act or thing to be done or implying that an act or thing is to be done in the presence of an official agent, a scrutineer or a candidate, the expression is deemed to refer to the presence of those an official agents and scrutineers
  - (a) that are authorized to attend, and
  - (b) that have in fact attended at the time and place where that act or thing is being done,

and if the act or thing is otherwise properly done, the non-attendance of an official agent or a scrutineer at that time and place does not invalidate it.

## **POST VOTE PROCEDURE**

Town of Olds Bylaw 2017-07 prescribes the voting procedures to be used, including procedures for the counting of votes taken; Section 40, 41 and 42 are excerpts from Bylaw 2017-07.

### **Sealing of Ballot Boxes**

- 40 (1) Prior to the removal of the ballot box(es) from any voting station, the ballot box(es) containing the printed ballot tapes shall be:
  - (a) closed and sealed with the presiding deputy's seal so that it cannot be opened without breaking the seal; and
  - (b) marked on the outside with the voting station name and number.
- (2) Electronic equipment used to acquire electronic votes is deemed to be a sealed ballot box.
- (3) The mobile electronic voting system used in the institutional and incapacitated elector vote will be closed and sealed upon the completion of the institutional and incapacitated electors votes and will remain like that until opened for the counting of ballots on election day.
- (4) The Returning Officer may direct that the locked mobile electronic voting system be delivered to the counting centre until it is opened for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said devices.



## **Post Vote Procedures**

- 41 (1) Immediately after the close of the voting station, the presiding deputy shall in the presence of at least one deputy and any additional officers that he or she considers necessary, and the candidates or their agents if any and:
- (a) produce the required number of copies of the tally register tape(s) detailing the number of votes cast for each candidate as directed by the Returning Officer;
  - (b) together with another deputy, certify the tally register tape(s) as directed by the Returning Officer;
  - (c) package separately, in ballot boxes, the printed ballot tape along with the voting register and all statements;
  - (d) seal and initial the ballot boxes and ensure they are ready to be delivered to the Returning Officer;
  - (e) ensure that the deputy supervising the electronic voting system and one other deputy designated by the presiding deputy report the results to the Returning Officer by immediately delivering the tally register tapes to the counting centre;
- (2) The Returning Officer may also require that results be reported by telephone.
- (3) The presiding deputy shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

## **Ballot Counting**

- 42 The deputy supervising at the counting centre will:
- (a) receive all sealed ballot boxes containing printed ballot tapes and number in a check-in book and initial each entry;
  - (b) after 8:00 p.m. on election day, insert a key into the master control units used for the advance vote and the institutional vote and produce the required number of copies of the tally register tape(s), as directed by the Returning Officer, and deliver those tapes to the Returning Officer and the sealed ballot boxes containing the printed ballot tape(s) along with the voting register and all statements.

## **DECLARATION OF ELECTION RESULTS**

- 97 (1) The Returning Officer may publish unofficial results of the counting of ballots after an election as the results are received from voting stations.
- (2) The Returning Officer shall, at 12 noon on the 4th day after Election Day, at the office of each local jurisdiction for which an election was held,
- (a) announce or cause to be announced, or
  - (b) post or cause to be posted
- a statement of the results of the voting for candidates, including a declaration that the candidate receiving the highest number of votes for each office to be filled is elected.
- (3) The Returning Officer shall, if the result was announced, post in some conspicuous place

a statement signed by the Returning Officer showing the number of votes for each candidate.

- (4) On complying with subsection (2), the Returning Officer shall forward a signed statement showing the number of votes for each candidate and indicate each candidate declared to be elected to the secretary and the relevant Minister's Deputy Minister.

## **PRINTING OF CAMPAIGN LITERATURE**

- 148 (5) No person shall print or distribute or cause to be printed or distributed in any advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the Returning Officer, indicating or showing it to be marked for any candidate or candidates.
- (6) Notwithstanding anything in this section, the Returning Officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an elected authority, bylaw or question to be published as often as the Returning Officer considers necessary in a newspaper circulating in the area, for the information of the electors.
- (7) A person who contravenes subsection (1), (2), (3), (4) or (5) is guilty of an offence and liable to a fine of not more than \$10,000 or imprisonment for not more than 6 months or to both fine and imprisonment.

## **POSTING OF CAMPAIGN LITERATURE**

Pursuant to the Electrical Protection Act of the Province of Alberta, it is illegal to post handbills on electric light or telephone poles. Action may be taken against candidates or their agents who deface bridges, light or telephone poles with election campaign literature.

Permission must be obtained from the owner of any parcel of land before any signs are erected. If questioned the Returning Officer will advise the owner of any parcel of land that the owner may remove any election sign from the owner's property for which the owner has not given approval.

The Town of Olds will permit election campaign signs on boulevards adjacent to Town-owned parcels as long as each candidate removes the signs within 24-hours of the election. If the Town must remove the signs, the cost of removing them will be charged to the candidate.

The following web link is provided as reference to the Guidelines for the Installation of Election Signs.  
[http://www.transportation.alberta.ca/Content/docType233/Production/14Election\\_SignsRevMar2012.pdf](http://www.transportation.alberta.ca/Content/docType233/Production/14Election_SignsRevMar2012.pdf)

## **USE OF THE TOWN OF OLDS LOGO**

The Town of Olds Logo is strictly prohibited from use on any campaign materials.

## **ADVERTISEMENT DISTRIBUTION ON ELECTION DAY**

- 152 (1) Subject to subsection (2), a person who, on election day,
- (a) displays inside or on the outside of a building used for a voting station, or
  - (b) distributes within a building used for a voting station,

an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine of not more than \$500.

- (2) When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the store, office or facility comprising the area used as a voting station.
- (3) The distribution by or on behalf of a candidate or the candidate's official agent or scrutineer of newspapers, pamphlets or other literature containing articles or reports on matters of public interest is not a contravention of this section.
- (4) Where a person displays an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper contrary to subsection (1), the deputy may cause it to be removed, and neither the deputy nor any person acting under the deputy's instructions is liable for trespass or damages resulting from or caused by the removal.

## **INTERFERENCE WITH POSTED DOCUMENTS**

- 153 A person who, without authorization, takes down, covers up, mutilates, defaces or alters any notice or other document required to be posted under this Act is guilty of an offence and liable
- (a) if the person is an officer, to a fine of not more than \$1,000, and
  - (b) in any other case, to a fine of not more than \$200.

## **BRIBERY**

- 116 A person commits the offence of bribery
- (a) who directly or indirectly by himself or herself or by any other person on his or her behalf,
    - (i) gives, lends or agrees to give or lend or offers or promises money or valuable consideration, or gives or procures or agrees to give or procure or offers or promises an office, place or employment to or for an elector or to or for a person on behalf of an elector or any person, in order to induce an elector or a person to vote or to refrain from voting at an election, or
    - (ii) corruptly does an act described in sub clause (i) because a person has voted or has refrained from voting at an election,
  - (b) who directly or indirectly by himself or herself or by any other person on his or her behalf, makes a gift, loan, offer, promise or agreement described in clause (a) to or for a person in order to induce that person to procure or defeat or endeavour to procure or defeat
    - (i) the election of a candidate,
    - (ii) the passing of a bylaw,
    - (iii) the result of a vote on a question, or
    - (iv) the vote of an elector at an election,

- (c) who in return for a gift, loan, offer, promise or agreement procures or defeats or engages or promises or endeavours to procure or defeat
  - (i) the election of a candidate,
  - (ii) the passing of a bylaw,
  - (iii) the result of a vote on a question, or
  - (iv) the vote of an elector at an election,
- (d) who
  - (i) advances or pays or causes to be paid money to or for the use of any other person with the intent that the money or part of it be expended in bribery at an election, or
  - (ii) knowingly pays or causes to be paid any money to a person in discharge or repayment of any money wholly or in part expended in bribery at an election,
- (e) who, being an elector, before or during an election directly or indirectly by himself or herself or by any other person on his or her behalf receives, agrees to, accepts or contracts for any money, gift, loan or valuable consideration, office, place or employment for the elector or any other person for
  - (i) voting or agreeing to vote,
  - (ii) refraining or agreeing to refrain from voting, or
  - (iii) voting or agreeing to vote for or against a particular candidate, bylaw or question, at an election, or
- (f) who after an election directly or indirectly by himself or herself or by any other person on his or her behalf receives any money or valuable consideration because some person
  - (i) has voted or refrained from voting,
  - (ii) has induced any other person to vote or refrain from voting, or
  - (iii) has voted for or against or has induced any other person to vote for or against a candidate, bylaw or question, at an election.

## OFFENCES

- 148 (3) No person shall vote knowing that the person has no right to do so.
- (4) No person shall make or sign a false statement for any purpose related to an election or vote held or to be held under this Act.
- (5) No person shall print or distribute or cause to be printed or distributed in any advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the Returning Officer, indicating or showing it to be marked for any candidate or candidates.
- (6) Notwithstanding anything in this section, the Returning Officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an

elected authority, bylaw or question to be published as often as the Returning Officer considers necessary in a newspaper circulating in the area, for the information of the electors.

- (7) A person who contravenes subsection (1), (2), (3), (4) or (5) is guilty of an offence and liable to a fine of not more than \$10,000 or to imprisonment for not more than 6 months or to both fine and imprisonment.
- 150 (1) Every Returning Officer, deputy, candidate, constable, official agent and scrutineer in attendance at a voting station shall maintain and aid in maintaining the secrecy of the voting at the voting station.
- (2) No person shall interfere with or attempt to interfere with an elector when the elector is marking the elector's ballot, or shall otherwise attempt to obtain at the voting station information as to which candidate or candidates any elector at that voting station is about to vote or has voted for.
- (3) No person shall
- (a) during the hours when a voting station is open, canvass or solicit votes in a building where the voting station is located, or
- (b) make any communication to an elector in a voting station respecting the election otherwise than through the deputy.
- (4) When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (3) applies only to the store, office or facility comprising the area used as a voting station.
- (5) No person shall display at the voting station or distribute or post in it a specimen ballot paper marked for a candidate or any other material purporting to explain to the electors how to vote or leave or post a ballot or other material in a voting compartment other than the material that is required to be posted in accordance with this Act.
- (6) No person shall communicate at any time to any person any information obtained at a voting station as to which candidate any elector at that voting station is about to vote or has voted for.
- (7) No Returning Officer, deputy, official agent or scrutineer in attendance at the counting of the votes shall communicate or attempt to communicate any information obtained at that counting as to which candidate or candidates any vote is given for.
- (8) No person shall directly or indirectly induce an elector to display the elector's ballot, after the elector has marked it, so as to make known to any person the name of any candidate for whom the elector has or has not marked the elector's ballot.
- (9) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5,000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment.
- 151 A candidate for elective office who signs a candidate's acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1,000.

## **ALLOWABLE ELECTION EXPENSES**

- 118 (1) In any election under this Act, the following expenses shall be held to be lawfully incurred

and the payment of them is not a contravention of this Act:

- (a) the actual personal expenses of the candidate;
- (b) the cost of acquiring premises, accommodation, goods or services used for proper election campaign purposes;
- (c) bona fide payments for the fair cost of printing and advertising;
- (d) reasonable and ordinary payment to any person for the hire of transportation used
  - (i) by a candidate or speakers in travelling to and from public meetings, or
  - (ii) by any person in connection with and for the proper purposes of an election.

## **PART 5.1 MUNICIPAL ELECTION FINANCE AND CONTRIBUTION DISCLOSURE:**

### **DEFINITIONS**

147.1 (1) In this Part,

- (a) “campaign contribution” means any money, personal property, real property or service that is provided to or for the benefit of a candidate or the candidate’s election campaign without fair market value compensation from that candidate but does not include services provided by a volunteer who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or time spent providing the services;
- (b) “campaign expense” means any expense referred to in section 118(1);
- (c) “campaign period” means
  - (i) for a candidate in a general election, the period of time from January 1 immediately following a general election to December 31 immediately following the next general election;
  - (ii) for a candidate in a by-election, the period of time from January 1 immediately following a general election to 60 days immediately following the by-election;
- (d) “candidate” means an individual nominated as a candidate for election as a councillor of a municipality under this Act or an individual who intends to be nominated as a candidate for such an election and accepts campaign contributions or incurs campaign expenses;
- (e) “employee organization” means any organization other than a trade union that bargains collectively for any employees in Alberta, and for the purposes of this Part all branches in Alberta of an employee organization are deemed to be one organization;
- (f) “person” includes any individual other than a candidate, and any organization other than a corporation, employee organization or trade union;
- (g) “prohibited organization” means

- (i) a municipality,
  - (ii) a corporation that is controlled by a municipality and meets the test set out in section 1(2) of the Municipal Government Act,
  - (iii) a non-profit organization that has received since the last general election any of the following from the municipality in which the election will be held:
    - (A) grants,
    - (B) real property, or
    - (C) personal property,
  - (iv) a Provincial corporation as defined in the Financial Administration Act, and includes a management body within the meaning of the Alberta Housing Act,
  - (v) a Metis settlement,
  - (vi) a school board under the School Act,
  - (vii) a public post-secondary institution under the Post-secondary Learning Act,
  - (viii) any corporation that does not carry on business in Alberta, or
  - (ix) any organization designated by the Lieutenant Governor in Council as a prohibited organization;
- (h) “trade union” means a trade union as defined by the Labour Relations Code, the Public Service Employee Relations Act or the Canada Labour Code (Canada) and that holds bargaining rights for employees in Alberta, and for the purposes of this Part all locals in Alberta of a trade union are deemed to be one trade union.
- (2) Corporations that are associated with one another under section 256 of the Income Tax Act (Canada) shall be considered as a single corporation for the purposes of this Part but in determining whether and at what time corporations are associated for the purposes of this Part, subsection 256(1) of the Income Tax Act (Canada) shall be read as though the words “at any time in the year” were struck out.
- (3) Nothing done or omitted to be done by a corporation is a contravention of this Part solely because that corporation subsequently becomes associated with any other corporation.

## **CANDIDATE SELF-FUNDED ELECTION CAMPAIGN**

- 147.11 (1) Any money up to and including \$10,000 paid by a candidate out of the candidate’s own funds for the purposes of the candidate’s election campaign is not a campaign contribution for the purposes of this Part.
- (2) If a candidate’s entire election campaign is funded exclusively out of the candidate’s own funds, the candidate is not required to
- (a) open and deposit the funds in a campaign account at a financial institution in the name of the candidate’s election campaign or of the candidate,
  - (b) file a disclosure statement with the municipality setting out the total amount contributed by the candidate to the candidate’s own election campaign, or

- (c) file a disclosure statement with the municipality listing the campaign expenses incurred during the candidate's election campaign.
- (3) This section does not apply if the candidate receives or accepts any campaign contribution from any other person, corporation, trade union or employee organization.

## **LIMITATIONS ON CONTRIBUTIONS**

- 147.2 (1) Campaign contributions by any person, corporation, trade union or employee organization to a candidate shall not exceed \$5,000 in any year.
- (1.1) Money paid by a candidate out of the candidate's own funds to the candidate's election campaign shall not exceed \$10,000 in any campaign period.
  - (3) No prohibited organization, person normally resident outside Alberta or trade union or employee organization other than a trade union or employee organization as defined in this Part shall make any campaign contributions to a candidate.
  - (4) A corporation, trade union or employee organization that contravenes this section is guilty of an offence and liable to a fine of not more than \$10,000.
  - (5) A person or a candidate who contravenes this section is guilty of an offence and liable to a fine of up to \$5,000.

## **REGISTRATION OF CANDIDATES**

- 147.21 (1) No candidate may accept campaign contributions, including the funds of the candidate, unless the candidate is registered under this Act with the municipality in which the candidate intends to run.
- (2) The municipality shall maintain a register of candidates in relation to each election and shall register in it any candidate who is eligible to be nominated at the time of registration and who files with the municipality an application for registration setting out
    - (a) the full name and address of the candidate,
    - (b) the addresses of the place or places where records of the candidate are maintained and of the place to which communications may be addressed,
    - (c) the names and addresses of the financial institutions to be used by or on behalf of the candidate as depositories for campaign contributions made to that candidate, and
    - (d) the names of the signing authorities for each depository referred to in clause (c).
  - (3) When there is any change in the information required to be provided under subsection (2), the registered candidate shall notify the municipality in writing within 48 hours after the change, and on receipt of the notice the municipality shall update the register of candidates accordingly.
  - (4) Notice under subsection (3) may be sent by fax or electronic mail.
  - (5) A candidate who contravenes subsection (1) or (3) is guilty of an offence and liable to a fine of not more than \$1,000.



- (6) This section does not apply to a candidate if the candidate's entire election campaign is funded exclusively out of the candidate's own funds up to a maximum of \$10,000.
- (7) This section applies to a campaign period beginning on or after January 1, 2014.

## **DUTIES OF CANDIDATE**

147.3 (1) A candidate shall ensure that

- (a) a campaign account in the name of the candidate's election campaign or of the candidate is opened at a financial institution for the purposes of the election campaign as soon as possible after
    - (i) the total amount of campaign contributions from any person, corporation, trade union or employee organization first exceeds \$5,000 in the aggregate, or
    - (ii) the total amount of campaign contributions from any person, corporation, trade union or employee organization in combination with any money paid by the candidate out of the candidate's own funds first exceeds \$5,000 in the aggregate;
  - (b) if a campaign account has been opened in accordance with clause (a), all contributions of money are deposited into the campaign account;
  - (c) money in the campaign account shall only be used for the payment of campaign expenses;
  - (d) contributions of real property, personal property and services are valued;
  - (e) receipts are issued for every contribution and obtained for every expense;
  - (f) disclosure statements are filed in accordance with section 147.4;
  - (g) records are kept of campaign contributions and campaign expenses and are retained by the candidate for a period of 2 years following the date on which disclosure statements were required to be filed under section 147.4;
  - (h) proper direction is given to the candidate's official agent and any other person who is authorized to incur campaign expenses and accept or solicit campaign contributions on behalf of the candidate;
  - (i) a campaign contribution received in contravention of this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
  - (j) an anonymous campaign contribution or a campaign contribution not returned to the contributor under clause (i) is paid to the secretary for the municipality in which the election is held.
- (2) A candidate who contravenes any of the provisions of this section is guilty of an offence and liable to a fine of not more than \$1,000.

## **CAMPAIGN DISCLOSURE STATEMENTS**

147.4 (1) If a candidate's election campaign is funded exclusively from campaign contributions from any person, corporation, trade union or employee organization or is funded from a combination of money paid by the candidate out of the candidate's own funds and

- campaign contributions from any person, corporation, trade union or employee organization, then, on or before March 1 immediately following a general election or, in the case of a by-election, within 120 days after the by-election, a candidate shall file with the municipality a disclosure statement in the prescribed form, which must include
- (a) the total amount of all campaign contributions received during the campaign period that did not exceed \$100 in the aggregate from any single contributor,
  - (b) the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the campaign period exceeded \$100 in the aggregate,
  - (c) the total amount of money paid by the candidate out of the candidate's own funds,
  - (d) the total amount of any campaign surplus, including any surplus from previous campaigns, and
  - (e) a financial statement setting out the total amount of revenue and expenses.
- (1.1) If a candidate does not file nomination papers before the next general election, the candidate shall, within 6 months after the date of the next general election,
- (a) if there is a surplus, donate the amount of money disclosed under subsection (1)(d) to a registered charity within the meaning of subsection 248(1) of the Income Tax Act (Canada) or to the municipality where the candidate was declared elected in a previous general election, or
  - (b) if there is a deficit, eliminate the deficit.
- (1.2) A candidate who has a deficit referred to in subsection (1.1)(b) shall, within 30 days after the expiration of the 6-month period referred to in subsection (1.1), file an amended disclosure statement showing any campaign contributions accepted and any other funds received to eliminate the deficit.
- (2) If a candidate becomes aware that any of the information reported in the disclosure statement required under subsection (1) has changed or has not been completely or accurately disclosed, the candidate shall, within 30 days, submit a supplementary statement in the prescribed form to the municipality.
- (3) The municipality must ensure that all documents filed under this section are available to the public during regular business hours.

## **CAMPAIGN SURPLUS**

- 147.5 (1) On or before March 1 immediately following a general election or, in the case of a by-election, within 120 days after the by-election, if a candidate's disclosure statement shows a surplus, the candidate shall pay the surplus to the municipality.
- (2) The municipality shall hold any money received under subsection (1) in trust for the candidate at a financial institution.
- (3) If the candidate in respect of whom the money is held under subsection (2) files nomination papers to be a candidate in the next general election or in a by-election called before that time, the municipality shall pay the money and interest calculated at the rate prescribed by the Lieutenant Governor in Council to the candidate for use in that election.

- (4) If the candidate in respect of whom money is held in trust under subsection (2) does not file nomination papers before the next general election, the candidate shall, within 6 months of the date of the election, direct the municipality to donate the money and interest on that money calculated at the rate prescribed by the Lieutenant Governor in Council to a registered charity within the meaning of subsection 248(1) of the Income Tax Act (Canada).
- (5) If the municipality does not receive a direction under subsection (4), the money and interest on that money calculated at the rate prescribed by the Lieutenant Governor in Council become the property of the municipality.

## **LATE FILING PERIOD/PENALTIES**

- 147.7 (1) A candidate who contravenes section 147.4 or 147.5 and who fails to
- (a) comply with that section within 30 days after the time period provided for in that section, and
  - (b) pay the municipality a late filing fee of \$500,
- is guilty of an offence and liable to a fine of not more than \$5,000.
- (2) If a candidate is found guilty of contravening section 147.5, the Court may, in addition to the penalty provided for in subsection (1), order the candidate to pay any surplus to the municipality as soon as possible.
  - (3) Section 147.5(2) to (5) apply to money paid to a municipality pursuant to a court order under this section.

## **EFFECT OF NON-COMPLIANCE IN RELATION TO DISCLOSURE STATEMENTS**

- 147.8 (1) If a candidate fails to file a disclosure statement as required by section 147.4 before the end of the late filing period provided under section 147.7, the secretary shall transmit a report to that effect to council, which shall on its receipt make the report public.
- (2) A candidate under subsection (1) may, within the 60-day period following the date on which the report under subsection (1) is made public, apply to the Court for relief.
  - (3) On hearing the application, the Court may
    - (a) dispense with compliance with section 147.4, or any provision of it, if it considers that the non-compliance is due to circumstances beyond the control of the candidate and that it is not reasonably possible to comply with the section,
    - (b) extend the time for compliance with section 147.4, or any provision of it, if it finds mitigating reasons for non-compliance with the section,
    - (c) make any order that it considers appropriate to secure compliance with as much of section 147.4 as it considers reasonable in the circumstances, or
    - (d) refuse the application.
  - (4) A candidate may apply to the Court under this section and name the municipality as the respondent.
  - (5) The decision of the Court is final and not subject to appeal.



# Town of Olds

If you have questions on the election process, or on the offices of Mayor and Council, please contact the Town of Olds, Legislative Services at 403-556-6981 or via email of [legislative@olds.ca](mailto:legislative@olds.ca)