THE COUNCIL OF THE KWANLIN DÜN FIRST NATION

Bill Entitled,

ACT TO AMEND THE ELECTION ACT

The Council of the Kwanlin Dün First Nation hereby enacts as follows:

1. **This Act amends the *Election Act*, KDFN-CR-2013-37.**

2. **In section 2, the definition** "official voter poll book" **is replaced with the following:**

   "official voters poll book" means the book maintained by the deputy returning officer containing a copy of the official voters list for recording issuance of ballots and the taking of the vote and in which other entries are made as required or permitted by this Act;

3. **In section 2, the definition** "voter sign-in sheet" **is replaced with the following:**

   "voter sign-in sheet" means a document prepared and maintained by the deputy returning officer that lists every individual named on the official voters list and is formatted so as to allow for entries made as required or permitted by this Act;

4. **In section 6(1) the phrase** "at least 63 days" **is replaced with the phrase** "at least 75 days"**.**

5. **In section 6(2) the phrase** "at least 21 consecutive days" **is replaced with the phrase** "at least 25 consecutive days"**.**

6. **In section 6(3) the phrase** "42 days before the voting date" **is replaced with the phrase** "50 days before the voting date"**.**

7. **The following section is added immediately after section 10(3):**

   10(4) Despite paragraph 10(2), at any time the Council may fill a vacancy on the election committee by appointing a person to fill that vacancy.

8. **Section 42 is replaced with the following:**

   42. (1) A citizen seeking office of either the chief or councillor shall submit to the chief returning officer their candidacy form and the results of a criminal records check prepared

by the Royal Canadian Mounted Police not more than 90 calendar days before being submitted to the chief returning officer.

(2) If a criminal record check submitted pursuant to subsection (1) discloses that a person has a criminal record, that person will not be eligible for candidacy unless that person provides documentary evidence to the chief returning officer's satisfaction that in respect of each conviction comprising the criminal record:

(a) the conviction was entered more than three years before the close of nominations;

(b) the person will not have been finally convicted before the close of nominations;

(c) the conviction was not entered in respect of an indictable offence; or

(d) the person has been granted a record suspension under the *Criminal Records Act* (Canada).

9. Section 44(1)(b) is repealed.

10. In section 50(2)(a) the phrase "not more than 21 days" **is replaced with the phrase** "not more than 25 days"**.**

11. In section 50(2)(b) the phrase "not more than 40 days" **is replaced with the phrase** "not more than 50 days"**.**

12. In section 52(1) the phrase "but at least 40 days before" **is replaced with the phrase** "but at least 50 days before"**.**

13. Section 56(f) is repealed.

14. In section 57 the phrase "official voters" **is added immediately before the phrase** "poll book"**.**

15. In section 74(2) is replaced by the following:

74(2) The mail-in voting package as described in subsection (1) shall be mailed to voters at least 40 days before the voting date.

16. In section 74(3) the word "envelop" **is replaced with the word** "envelope".

17. In section 82(3) the phrase "official voter poll book" **is replaced with the phrase** "official voters poll book"**.**

18. Section 94 is replaced with the following:

94. (1) The seals of a ballot box shall not be broken except as required by Part Thirteen.

(2) If the seals of a ballot box have been broken, that ballot box shall not be moved from its location.

(3) A sealed ballot box shall not be moved from its location except in accordance with instructions provided by the chief returning officer.

19. Paragraph 99(b) is replaced with the following:

(b) if the person's name is listed on the sign-in sheet ensure that the poll clerk:

(i) ensures that the voter places their initials next to their name on the sign-in sheet; and

(ii) puts a line through the voter's name in the official voters poll book;

20. Section 103 is replaced with the following:

103. At the request of a voter who is blind, unable to read, or so physically incapacitated as to be unable to vote in the manner prescribed by this Act, the deputy returning officer shall

(a) assist the voter in the presence of no other persons by marking the ballot paper in the manner directed by the elector;

(b) place the ballot paper in the ballot box; and

(c) in the official voters poll book, indicate the name of the voter and the reason for giving assistance.

21. In section 114(c), the word "envelop" **wherever it occurs is replaced with the word** "envelope"**.**

22. In section 115(2)(ii), the word "envelop" **is replaced with the word** "envelope"**.**

23. Section 165 the phrase "within seven days" **is replaced with the phrase** "within thirty days"**.**

24. Section 169 is replaced with the following:

169. The Council may make regulations providing for the following:

(1) the taking of the votes of the electors by voting machines, vote recorders, automated voting systems or other systems and devices, but excluding online or computer-mediated voting systems; and

(2) any matter that this Act permits or requires to be prescribed.

25. Section 173 is repealed.

26. This Act comes into force on January 1, 2023.