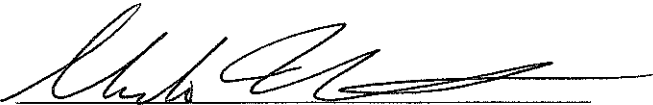


YUULU?IL?ATH FIRST NATION GOVERNMENT
ELECTIONS ACT AMENDMENT ACT

YFNS 27/2012



This law enacted on November 6, 2012

Signed 
Charles McCarthy, President of the
Yuulu?il?ath First Nation


DEPOSITED IN THE
REGISTRY OF LAWS
ON 06 / Nov / 2012

Signature of Law Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Elections Act Amendment Act.

Executive oversight

1.2 The President is responsible for the executive oversight of this Act.

Definitions

1.3 In this Act,

“Act” means the Elections Act YFNS 8/2011

PART 2 - ELECTION ACT AMENDMENTS

Definitions

- 2.1 Section 1.4 of the Act is amended by adding the following definitions in alphabetical order:

“election clerk” means an individual appointed under section 3.3;

Voting place

- 2.2 Section 2.3 of the Act is repealed and the following substituted:

Voting place

- 2.3 The voting place for all elections must be at

- (a) Government House, and
- (b) a location in the city of Port Alberni, British Columbia, selected by the chief electoral officer that is suitable for voting purposes and is open and accessible to eligible voters during voting hours.

Nomination papers

- 2.3 Section 4.4(b) of the Act is amended by striking out “at the Government House” and substituting “by the chief electoral officer or a deputy electoral officer”.

Nomination fee

- 2.4 Section 4.5 of the Act is amended by adding the following subsection:

- (b) Nomination fees must be made payable to the Yuu?u?i?ath government.

All candidates meeting

- 2.5 Section 4.7 of the Act is amended by

- (a) striking out “10 days” in subsection (a) and substituting “14 days”, and
- (b) adding the following subsection:
 - (d) The chief electoral officer may, upon the written request of a Yuu?u?i?ath citizen if there has been a death in the immediate family of that Yuu?u?i?ath citizen and after considering the recommendation of the director of operations on the matter, postpone the all candidates meeting for not more than three days.

Voters list

- 2.6 (a) Section 5.2(a) of the Act is amended by striking out “information” and substituting “the Yuulu?il?ath citizenship register”.
- (b) Section 5.2 of the Act is amended by adding the following after subsection (a):
- (a.1) At least
- (i) 90 days before the date of a regular election, or
- (ii) within 21 day after an elected office becomes vacant,
- the citizenship and enrolment registrar must provide the chief electoral officer with a copy of the Yuulu?il?ath citizenship register.

Correcting the voters list

- 2.7 Section 5.6 of the Act is amended by repealing subsection (a) and substituting the following:
- (a) If a request is made by an eligible voter under section 5.5,
- (i) the chief electoral officer must, as soon as is reasonably practicable, inform the citizenship and enrolment registrar of the request,
- (ii) the citizenship and enrolment registrar must, as soon as is reasonably practicable, consider the request and provide the chief electoral officer with
- (A) whatever information the citizenship and enrolment registrar considers necessary or advisable in order that the chief electoral officer may make a decision regarding the request, and
- (B) his or her recommendation regarding the request, and
- (iii) if, after considering the information and recommendation provided by the citizenship and enrolment registrar under paragraph (ii), the chief electoral officer is satisfied that the voters list should be corrected, the chief electoral officer must make the necessary correction.

Voting in person

- 2.8** Section 6.4(b) is amended by striking out every occurrence of the phrase “election official” and substituting “electoral officer”.

Advance voting

- 2.9** Section 6.5(a) is amended by striking out “at least one day during the week immediately preceding the” and substituting “on a day that is at least seven days and not more than 14 days before”.

Voting by mail

- 2.10** (a) Section 6.6(a) of the Act is amended by striking out “who is unable to vote at the voting place on the general voting day or on advanced voting”.
- (b) Section 6.6(b) of the Act is repealed and the following substituted:
- (b) The chief electoral officer must provide a mail-in ballot and a pre-addressed pre-paid return envelope to
- (i) each eligible voter whose mailing address as it appears in the Yuulu?il?ath citizenship register provided to the chief electoral officer under section 5.2(a.1) is outside a 25 kilometer radius of the closest voting place, and
- (ii) an eligible voter who is unable to vote at a voting place on general voting day or on advanced voting, if requested to do so by that eligible voter in writing.

By-election for elected office

- 2.11** Section 9.1(a) of the Act is amended by striking out “60 days” and substituting “90 days”.

PART 3 - GENERAL PROVISIONS

Commencement

3.1 This Act comes into force on the date it is enacted.