



## **NTI ELECTIONS HANDBOOK FOR CANDIDATES**

### **INTRODUCTION**

#### **The purpose of this handbook**

The purpose of this handbook is to inform potential candidates about the election process and to outline the duties and responsibilities of candidates running for election to the executive offices of Nunavut Tunngavik Incorporated (NTI).

All potential candidates, their official agents and supporters must comply with the provisions of the NTI Elections Code. The NTI Elections Code consists of the NTI Elections Rules and Procedures, the NTI Elections Contribution, Expense and Reporting Rules, the NTI Elections Code of Conduct for Candidates, the NTI Elections Code of Conduct for Employees, and the NTI Return of Corporate Assets Policy.

This handbook summarizes the NTI Elections Code. However, potential candidates and their official agents should become thoroughly familiar with the NTI Elections Code. Even well intentioned candidates may unknowingly contravene the NTI Elections Code if they are not careful in observing its requirements. If there are any discrepancies between the Election Code and this handbook, the provisions of the Election Code shall govern.

### **THE NTI ELECTIONS CODE**

#### **What happens if a candidate does not follow the NTI Elections Code?**

Before, during and after the election, if a candidate believes that another candidate or campaign worker is violating a provision of the NTI Elections Code, the candidate may request that the Chief Returning Officer ask the Elections Commissioner to conduct a review. The Chief Returning Officer must be contacted first, before making any public complaint to the media. After conducting a review, the Elections Commissioner may:

- Take no action;
- Enter into a voluntary agreement with the candidate to remedy the violation;
- Where a candidate is elected, make a recommendation to the NTI Board of Directors that the election of the candidate be declared void.

Since candidates are responsible for the activities of their campaign workers, it is crucial that candidates and their official agents exercise caution when delegating responsibility and authority to campaign workers.

## **BEFORE NOMINATIONS OPEN**

### **Am I eligible to be a candidate?**

A potential candidate must be:

- A Canadian citizen;
- At least 16 years of age on or before voting day; and
- Enrolled under the *Nunavut Agreement* or be capable of meeting the requirements for enrolment.

Those persons who are not eligible to be candidates include:

- Any person who has been convicted of an indictable offence or whose imprisonment as a result of such conviction ended within the last three years, measured from voting day;
- Any person who has been indebted to NTI or a Regional Inuit Association (RIA) in the amount of \$500.00 or more for more than three months, measured from the day nominations open;
- The Chief Returning Officer;
- The Assistant Chief Returning Officer;
- Regional returning officers;
- Deputy returning officers;
- Poll clerks;
- NTI directors or employees who have not taken a leave of absence;
- A person, even if the person is an Inuk, who is not enrolled under the *Nunavut Agreement* or not capable of meeting the requirements for enrolment.

The election of a person who is subsequently discovered to be ineligible as a candidate is void.

### **What if I work for NTI or another Inuit organization?**

Potential candidates should check with their employers regarding rules about running for NTI executive office while employed with RIAs or regional development corporations. These organizations may require a candidate to take a leave of absence from his or her job while participating in the election campaign.

Any director or employee of NTI who wishes to stand for election to an NTI executive office must take a leave of absence beginning on the day that he or she submits his or her nomination papers and continuing until the day after voting day.

### **When may I start spending money on my campaign?**

A potential candidate may incur pre-election expenses up to three months before the campaign period begins. The date on which candidates may start to incur pre-election expenses for the 2022 election is August 8, 2022.

### **What is a pre-election expense?**

A pre-election expense is any amounts paid or liabilities incurred between August 8, 2022 and the opening of nominations on October 31, 2022 that promotes the election of a person who may be a candidate in the election, and includes any contribution of services or goods. A candidate may incur his or her own fund up to \$30,000.00 as pre-election expenses.

## **CAMPAIGN PERIOD / AFTER NOMINATIONS OPEN**

### **How do I become a candidate?**

The first task for a potential candidate is to apply for a Criminal Records check with the local RCMP detachment as this can take up to six weeks. As soon as the Nominations period opens, October 31, 2022 potential candidates should appoint a person to act as his or her official agent. Once the official agent has been appointed, and as soon as possible after October 31, 2022, a potential candidate must obtain nomination papers from the Chief Returning Officer or Community Liaison Officers (CLO). In addition to requiring information about the candidate, the nomination papers must indicate whom the candidate has selected to be his or her official agent. A candidate must include, with his or her nomination papers, a black and white or colour passport-sized photograph. The photograph may also be provided on a computer disk or by e-mail. This photograph must not have been taken more than 12 months before nomination day. It must show the potential candidate only, in frontal view, with his or her head uncovered. The nomination papers must contain the signature of the potential candidate, the official agent and at least 10 eligible voters.

A deposit of \$200.00 must be included with the nomination papers. The deposit must be made by money order, certified cheque or Northern Stores or Co-op draft and be made payable to NTI. The deposit will be returned to successful candidates, and candidates who win more than 10 per cent of the votes cast for the position being contested. The nomination papers must be filed with the Chief Returning Officer or Community Liaison Officers.

### **What does the official agent do?**

Only an official agent, or a person specifically delegated by the official agent, may accept contributions on behalf of a candidate. As well, only the candidate's official agent may enter into contracts to incur an election expense on behalf of a candidate. This means that a candidate must ensure that members of the general public do not send money directly to the candidate, or spend money directly to support the candidate (by purchasing newspaper advertisements, for example). The official agent must also keep proper records of all contributions and expenses and submit financial reports to the Chief Returning Officer after the election.

### **Who can be an official agent?**

A candidate may appoint a person of his or her choice to be his or her official agent. However, no candidate, Chief Returning Officer, assistant chief returning officer, regional returning officer, deputy returning officer, poll clerk, or any person who is a director or employee of NTI who has not taken a leave of absence, may act as an official agent.

### **What if my official agent resigns?**

An official agent, who discovers that he or she is unable to carry out the job, or to complete the job, must provide his or her resignation in writing to the Chief Returning Officer. The candidate must appoint a new official agent, and provide a signed consent form from the new official agent before he or she can raise or spend any more money.

### **When do I become a candidate?**

A candidate must file his or her nomination papers with the Chief Returning Officer or Community Liaison Officers between 9 a.m. local time on Monday, October 31, 2022 and 5 p.m. local time on Friday, November 4, 2022. To avoid any last-minute complications that may arise, candidates are encouraged to file their nomination papers well in advance of the deadline. Candidates are responsible for ensuring that any nomination papers sent to the Chief Returning Officer or Community Liaison Officers are received. If nomination papers are not received by the Chief Returning Officer or Community Liaison Officers by the deadline, a person will not be permitted to run in the election under any circumstances.

### **May I withdraw as a candidate at an election?**

A person who is nominated as a candidate may withdraw his or her nomination papers any time before 5 p.m. local time on November 7, 2022. The candidate must file, in person, with the Chief Returning Officer or Community Liaison Officers who received the nomination papers, a Notice of Candidate's Withdrawal form signed by the candidate and witnessed by two voters qualified to vote. A candidate who withdraws forfeits his or her deposit.

### **CAMPAIGN PERIOD / AFTER NOMINATIONS CLOSE**

#### **Campaign Management**

During the campaign, a candidate is required to conduct him or herself in a manner that respects the rights of other candidates to campaign and publicize their political ideas and principles without fear. A candidate also has an obligation to ensure that anyone working for the candidate conducts himself or herself in a proper manner.

Accordingly, a candidate must not:

- a) Disrupt, destroy, or frustrate the campaign of any other candidate;
- b) Prevent the distribution of leaflets, the display of posters, or the distribution of campaign material of other candidates;
- c) Deface or destroy the leaflets, posters, or campaign material of other candidates;
- d) Prevent any candidate from holding rallies, meetings, or marches;
- e) Prevent any person from attending the campaign rallies or meetings of another candidate;
- f) Harass or obstruct journalists who are engaged in their professional activities;
- g) Interfere unjustifiably or in bad faith with the duties of election officials or disturb the process of casting or counting votes;
- h) Use language that is inflammatory, defamatory, or racist; or
- i) Threaten or incite violence or hatred in any form against any other person or group of persons.

### **How much money may I spend on my campaign?**

A person may spend up to a total of \$40,000.00, including pre-election expenses and election expenses, between August 8, 2022 and December 12, 2022.

### **When may I start accepting contributions for my campaign?**

A candidate may accept a campaign contribution from an individual, corporation or association only after he or she files the nomination papers after the opening of nominations and start of the campaign period on October 31, 2022. As a result, any money spent before this date by the candidate must come from his or her own funds. A candidate may accept contributions and spend money up until 11:59 pm, Sunday, December 11, 2022 and must stop all such activities after 12:00 am, Monday, December 12, 2022.

### **What is a contribution to an election campaign?**

The NTI Elections Code defines a contribution as money, services and goods provided to a candidate during an election campaign. In deciding how much a contribution of services and goods is worth, the official agent must use the market value of those goods and services when he or she records the contribution. The NTI Elections Code requires that all contributions, whether made by the candidate or by another person, be made through an official agent. Volunteer labour or goods produced by volunteer labour are not contributions. However, a service that is normally charged for, or provided by a person who is self-employed, is considered a contribution.

**From whom may I accept contributions?**

The NTI Elections Code provides that candidates may accept contributions from a resident of Nunavut, a corporation carrying on business in Nunavut, or an association carrying on business in Nunavut. Contributions must be made through the official agent. All money collected by the official agent must be deposited in a bank account or in an approved institution such as a Co-op or Northern store in communities that do not have bank services. An official agent must advise the Chief Returning Officer, in writing, of the name of the bank or institution where the account is held.

**How much money may I accept from a contributor?**

A candidate may accept up to \$2,000.00 from each individual resident in Nunavut, and each corporation and association carrying on business in Nunavut. The candidate's official agent must receive all monies donated during the campaign period. The value of a contribution may only exceed \$2,000.00 in a case where transportation for a candidate is given as a contribution of goods and services.

**What happens if an association gives me money?**

A candidate may receive a contribution from an association carrying on business in Nunavut, but the association must provide a list of individual sources and the amounts making up the contribution. There is no requirement that a corporation provide such a list.

**Do I have to raise money from other people, or can I just spend all of my own money on my campaign without asking anyone else for donations?**

Of the total of \$40,000.00 that a candidate may spend on his or her campaign, up to \$30,000.00 of the amount may be from a candidate's own funds. A candidate's contributions to his or her own campaign must be made through his or her official agent.

**Does the official agent need to keep track of all contributions?**

The names and addresses of people who make contributions to a candidate's campaign and the amount of the contribution, must be recorded by the official agent. If a contribution of \$100.00 or less is made, there is no requirement to record the name and address of the contributor. However, the amount must still be recorded. Anonymous donations of more than \$100.00 must be returned to the contributor if the official agent can determine who made the contribution, or else be sent to the Chief Returning Officer to be credited to the Nunavut Trust.

**When must campaigning stop?**

Neither candidates nor any other person on their behalf may broadcast a speech, hold any public entertainment or conduct any advertising on voting day (starting 12:00 am), Monday, December 12, 2022. At any time during the election, there must be no campaign signs of any sort at the voting stations. In addition, no one may wear or display any sign, ribbon, label, badge or similar object at the voting stations.

## **AFTER VOTING DAY**

### **Complaint about the outcome of the election**

If a candidate has a complaint about the outcome of the election, he or she must submit the complaint only to the Chief Returning Officer. A candidate must accept and comply with a final decision of the Chief Returning Officer and, where applicable, the Elections Commissioner.

### **Do I need to report the contributions that people make to my campaign?**

After the election, an official agent must report the contributions that people made to a candidate's campaign. These contributions are reported on the Statement of Campaign Contributions form provided to official agents by the Chief Returning Officer. This form will become a public document after the election. The official agent must record and report all contributions received during the election period. The names and addresses of people who give more than \$100.00 must be listed individually in the candidate's return. The official agent must value all contributions of goods and services and these contributions must also be recorded in the return. An official agent must report all campaign contributions to the Chief Returning Officer 60 days following voting day. Beneficiaries can ask for copies of this document within six months after it has been filed with the Chief Returning Officer.

### **When do I need to pay my election bills?**

All election expenses must be paid within 60 days of Voting Day. Election expenses are any costs incurred or money paid out during the campaign period in order to promote the election of a candidate. Special permission is required from the Chief Returning Officer to pay any bills after that time.

### **Do I need to report the expenses that I incur in order to run for election?**

An official agent must report the election expenses that a candidate incurs during the campaign period. These expenses are reported on the Statement of Election Expenses form provided to official agents by the Chief Returning Officer. This form will become a public document after the election. An official agent must report all election expenses to the Chief Returning Officer within 60 days following voting day. Beneficiaries can ask for copies of this document within six months after it has been filed with the Chief Returning Officer.

### **What expenses may I pay out of the contributions that I receive?**

The expenses candidates pay must be related to their election campaign. This may include the expense of travelling to a community, paying for posters, buttons, and pamphlets, and other costs of campaigning for election. Candidates may pay their own reasonable travel and living expenses for themselves and then ask their official agent to reimburse those expenses out of campaign funds. The official agent will require a statement of the costs and supporting receipts before issuing a cheque to the candidate. Reasonable travel and living expenses must be directly related to the campaign, and do not include such items as the cost of maintaining a home while campaigning.

### **What happens if I have money left over after the election?**

If a candidate collects more money than he or she spends on his or her election campaign, he or she must give that extra amount to a charitable organization or to the Nunavut Trust within 60 days. He or she must also notify the Chief Returning Officer within 30 days of giving the surplus to a charity or the Nunavut Trust by completing a Statement of Candidate's Surplus.

**What happens if I spend more money than I have raised?**

If a candidate has a campaign deficit, his or her official agent may receive additional contributions on the candidate's behalf within 60 days after voting day. If this happens, the official agent must file a Statement of Candidate's Additional Contributions form with the Chief Returning Officer immediately after the 60 days period has ended.

**What happens if I don't file the election contributions and expenses reports that are required by the NTI Elections Code?**

If the official agent of a candidate has not filed his or her election contribution and expense return reports within 60 days after Voting Day, the Chief Returning Officer may grant an extension or may request that the Elections Commissioner review the situation. The Elections Commissioner may also grant an extension or may recommend to the NTI Board of Directors that the election of the candidate be declared void.

## SUMMARIES

### Summary of dates

| Activity                                                                                                                                                                | Date                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Pre-election period (three months prior to the day before the first day of the campaign period)                                                                         | August 8, 2022                             |
| Nominations open/campaign period begins                                                                                                                                 | October 31, 2022                           |
| Candidates may begin accepting contributions                                                                                                                            | October 31, 2022                           |
| Nominations close                                                                                                                                                       | November 4, 2022, 5 pm local time          |
| Deadline to withdraw a nomination                                                                                                                                       | November 7, 2022, 5 pm local time          |
| Advance voting day                                                                                                                                                      | December 5, 2022, 10 am – 7 pm local time  |
| Candidates or any other person must stop broadcasting speeches, holding any public entertainment or conducting any advertising on the day immediately before voting day | December 11, 2022, 11:59 pm local time     |
| Candidates must stop accepting contributions and spending money                                                                                                         | December 11, 2022, 11:59 pm local time     |
| Voting day                                                                                                                                                              | December 12, 2022, 10 am – 7 pm local time |
| Reports from official agents due                                                                                                                                        | February 10, 2023                          |

### Summary of forms

| No. | Name of Form                  | Purpose                                                                                                                                     |
|-----|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | Appointment of Official Agent | To indicate the person who will act as candidates Official Agent.                                                                           |
| 2   | Authorization & Consent Form  | To allow candidates representatives to be present at Polling Stations during Advance polls, Voting day, and during the counting of ballots. |
| 3   | Candidate Withdrawal Form     | To indicate withdrawal of a candidate from campaign.                                                                                        |
| 4   | Consolidated Reporting Form   | To indicate expenses incurred through statements of contributions, expenses and surplus/deficit.                                            |
| 5   | Nomination Form               | To register as a Candidate in the NTI election                                                                                              |