

HRM Election Candidate Information Package

2020 General Election

Mayor, Councillor, CSAP Member



HALIFAX

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General Information

This HRM Elections Candidate Information Guide has been prepared for individuals interested in running for Regional Council. The information contained in this document is intended to accompany the provincial “Candidates Guide to Municipal and School Board Elections” produced by Municipal Affairs. To view that guide, visit www.halifax.ca/election.

This document presents information that is specific to HRM, in addition to provincially legislated procedures. We hope you find the guide helpful, and we welcome your questions and requests for additional information. You can contact the Municipal Clerk’s Office at 902-490-4210.

Who can run in a municipal election?

If you are considering running in a municipal election, there are a few criteria you need to meet to qualify. To run as a candidate in a municipal election, you must be:

- 18 years of age at the time of nomination
- a Canadian citizen
- ordinarily resident in the Halifax Regional Municipality for six months preceding nomination day, and continue to so reside

You do not need to live in the polling district that you’re running in, if you meet the residency requirement of six months in the municipality.

For those running to become a member of the **Conseil scolaire acadien provincial**, the following additional qualifications must be met:

- First language learned and still understood is French, or
- Received their primary school instruction in Canada in a French-first-language program, or
- Parent of any child who has received or is receiving primary or secondary school instruction in Canada in a French-first-language program.

There are several disqualifications, for a complete list please consult the Municipal Elections Act, (MEA) Section 18.

After you’ve read the above qualifications and disqualifications and have determined you are eligible to serve as a councillor, the next step is to select and appoint an official agent.

Interested? Great, let’s Get Started!

Appointment of Your Official Agent

Your official agent is responsible for handling your campaign finances and for preparing and filing your campaign disclosure forms following your election. Official agents may also attend polls on your behalf as a Scrutineer. You can act as your own official agent but cannot act as a scrutineer at the polls during advance voting or on election day.

Your appointment of an official agent must be in writing. Arrange for an appointment with the Election Office to submit your agent forms. At the appointment, your official agent must be present as they are required to swear/affirm an oath in front of the Returning Officer. This also is a great opportunity to meet face to face with Elections Officials to ask questions and get information.

Form 17 – Appointing the Official Agent

The official agent must take the oath contained in **Form 17A**. (To be filed with the Returning Officer)

You can change your official agent any time before ordinary polling day, in writing delivered to the Returning Officer. If you are acting as your own official agent, you can subsequently appoint an official agent before the close of nominations on nomination day.

Once the forms have been received and processed, the Returning Officer will provide you with paper work, mostly blank forms required for later in the election process, and a **bank letter** you will use to open a separate bank account for campaign purposes only.

In addition, you will be requested to fill out a personal information form. This information will be posted to the HRM website. You can change any of this information up until ordinary polling day.

Campaign Finance

Running for office means you are held to the same standards of accountability and transparency as that of Halifax Regional Municipality. These standards have a direct impact on contributions and expenses for your campaign. In October 2018 Regional Council passed the Campaign Finance By-law which works in concert with sections 49 A and B of the Municipal Elections Act, and further defines the parameters for accepting contributions and approved expenditures. A copy of the relevant sections of the MEA, and the Campaign Finance By-law will be provided when you appoint your official agent, and again when you submit your nomination papers. ***Campaign Finance By-law provisions DO NOT pertain to candidates running for CSAP – Please refer to MEA handout for section 49A and 49B.*

The “**Contribution Period**” for the general election begins on March 1, 2020, and ends 30 days after the ordinary polling day November 16, 2020.

Candidates **MUST** submit their Form 17s (included in this package and available online) to the Returning Officer to start collecting contributions (monetary/ in-kind) and **MUST** open a separate bank account for these campaign contributions.

Contributions

- Must be received within the Contribution Period.
- Contributions may only be accepted once an official agent has been appointed, or a candidate has declared they will act as their own official agent.
- Only individuals, candidates, or a candidate’s spouse can make campaign contributions – no contributions can be accepted from corporations, trade unions, non-profit groups, associations, or partnerships.
- An individual may contribute up to \$1,000 per councillor candidate or \$2,500 for Mayoral Candidates. Contributions from an individual may not exceed \$5,000 in total contributions during an election.
- In-Kind Contributions – means a non-monetary contribution in the form of services or property. The value for an in-kind contribution is the price for which services or other property may be sold.
- A candidate and their spouse may contribute no more than \$15,000 combined to their campaign.

Expenses

A candidate for Councillor cannot spend more than: \$30,000. A candidate for Mayor cannot spend more than \$300,000.

- Only a candidate or an official agent can spend campaign funds.

- Contributions can only be spent on permitted expenses during the Contribution Period. A list of permitted expenses can be found in the By-law.

Disclosure, Reporting and Surplus

- Within 60 days after ordinary polling day, every candidate must file a *Statement of Campaign Contributions and Expenditures* and *Statement of Campaign Surplus* with the Clerk.
- The date a contribution was received must be recorded.
- These forms are made public and posted online once received.
- Surplus funds can be donated to a non-profit organization or held in trust by the Municipality on behalf of the candidate for their use in a future election.

How do I become an official candidate?

You become an official candidate by filing your nomination papers with the Returning Officer.

You can file your nomination papers **only** during the specified dates and times.

Call the Election Office during the last two weeks of August 2020, to make an appointment to file your nomination papers for the Municipal Election on August 26, 27, 28 and September 1, 2,3, and 4, 2020. Call **902-490-4210** to book your appointment.

Tuesday September 8, 2020 is Nomination Day. There are no appointments on Nomination Day. Nomination papers are accepted from 9:00 am to 5:00 pm, first come, first served.

Upon receipt of the completed nomination papers, you will receive the following:

A USB drive containing:

- Elector Information in password protected Excel and PDF formats
- Address Control File (Street Index)
- Municipal Elections Act of Nova Scotia
- Alternative Voting By-law A 400 as amended
- Alternative Voting Procedures
- Campaign Finance By-law C-1100 as amended
- Temporary Sign By-law S-801
- Copy of Campaign Disclosure Forms
- Surplus Form
- Form 12
- Large Map of the District(s) you are running in

Withdrawal of Nomination

As a nominated candidate you can withdraw from the election by 4:00 pm on the day following Nomination Day (**Wednesday September 9, 2020**). In doing so, you forfeit your deposit. After that date your name must appear on the ballot paper.

To Withdraw from being a Nominated Candidate the following must occur:

- Required appear before the Returning Officer, present identification with name and address.
- Required to return all copies of the List of Electors and address control book.
- Required to submit the necessary campaign disclosure forms.

How to Change Details on the Ballot

You can change details on the ballot (ie. How your name appears), but all changes must be received by 4:00 pm on Wednesday September 9, 2020.

Before 4:00 pm on September 9, 2020, the spelling of your name as it has been submitted will be considered to be final and will appear this way on all election materials. **Please confirm these details immediately!**

An audio file will also be produced with the pronunciation of your name for telephone voting and emailed to you. It is imperative that you review the pronunciation file and send approval to the Election Office as soon as possible.

Get Organized!

Nomination Day Checklist

Appointment to file Nomination

Call the Clerk's Office at 902-420-4210 to get be scheduled for an appointment to meet with the appropriate elections staff to file your nomination paper work.

Valid Photo Identification

In attesting to an oath, you will be required to present photo identification to the Returning Officer. If your identification does not have your current address, contact the Election Office in advance.

Form 3 Certificate of Taxes and Liens

It can be accessed by contacting the Tax Office at taxcert@halifax.ca. Please give at least two weeks of processing time. When requesting the form, indicate that this is for the purpose of filing candidate nomination forms and provide the date of your scheduled appointment with the Returning Officer.

Form 11 – Nomination Paper for Council Member

You are required to have five (5) qualified electors sign the nomination papers. These electors must be on the List of Electors and be eligible to vote in HRM. At your appointment your nominators will be checked to ensure they are on the List of Electors, therefore we suggest getting 10 eligible electors to sign. If your nominators are unsure if they are on the List of Electors, they may call the Elections Office to verify. In advance of the appointment read the oath on the Form 11 to yourself. When swearing/affirming the declaration on the nomination paper, the onus falls upon the candidate to take on the responsibility for the declaration.

Deposit (Filing Fee) \$200

In accordance with the Municipal Elections Act, no personal/business cheques will be accepted. You may submit your deposit by cash, a bank draft, money order, or a certified cheque.

After the Election, you may be entitled to a portion or full amount of your deposit upon filing a Form 12, attesting all signage is removed, and that all copies of the List of Electors have been destroyed. Your Form 12 must be filed with the Election Office within seven days of ordinary polling day. (**Saturday, October 24, 2020.**) We will ensure that staff are on hand to receive and execute your paper work.

Form 17s

If you have yet to appoint an official agent, these forms must be submitted at your nomination appointment. If you have appointed yourself as your official agent and later decide to appoint someone to the role, bring your official agent to swear/affirm their oath.

Campaign Signage and Advertising

Signage

For a general election, signs can be placed in the municipal right-of-way after September 1, 2020. Specific election signage rules are outlined in municipal By-law S-801, Respecting Licensing of Temporary Signs, available online at www.halifax.ca/elections. The following rules provide an overview only. Contact the Elections Office if you are unclear on where you may place your signs.

- Campaign signs placed on private property should only be placed with the permission of the property owner.
- Campaign signs can not obstruct the view of traffic at intersections and driveways, be installed on utility poles or street trees, or be installed within the street right of way except as listed in By-law S-801.
- All signs must be removed within one week following the election. (**October 24, 2020**)
- Landlords must allow signs inside windows of apartment buildings.

Adherence to By-law S-801 and the above guidelines should avoid any problems; however, any signs posing a safety hazard will be removed by the Municipality at the cost of the candidate. Complaints are to be reported through 311 and are dispatched to the applicable department(s).

The Municipality, Aliant Telecom, Nova Scotia Power, and the Provincial Department of Transportation and Infrastructure Renewal have different rules about posting election signs. For more detailed information please visit www.halifax.ca/elections

In accordance with the Municipal Elections Act all advertising must indicate the name of the person on whose behalf the advertisement is published, printed broadcast, or distributed. This rule applies to **all** types of signage.

Municipal Elections Act Section 143

143 (1) Every advertisement having reference to an election that is printed, published, broadcast or distributed, either electronically or in hard copy, shall indicate the name of the person on whose behalf the advertisement is printed, published, broadcast or distributed.

(1A) For greater certainty, where a candidate, the candidate's official agent or any other person acting on behalf of the candidate causes an advertisement having reference to an election to be printed, published, broadcast or distributed, either electronically or in hard copy, the advertisement must indicate that it is printed, published, broadcast or distributed, as the case may be, on behalf of the candidate.

(2) A person who prints, publishes, broadcasts or distributes an advertisement referred to in subsection (1) that does not comply with subsection (1) is guilty of an offence.

Other forms of Advertising

Candidates may wish to advertise with various methods such as social media, radio advertisements, billboards, and newspaper advertisements. These are considered “permitted expenses” and must be removed or cancelled within seven days after ordinary polling day.

Key Dates

Date	Event	What does it mean?
March 1, 2020	Contribution Period begins	Contributions can be accepted by Candidates who have filed their form 17s and have appointed an Official Agent.
August 26, 27, 28 and September 1, 2, 3, 4	Seven Days of Nomination Appointments	Candidates may make an appointment with the Clerk's Office to file their official nomination papers.
September 8, 2020	Nomination Day	Last day to file nomination papers. No appointments, first come, first serve. 9:00 am – 5:00 pm
September 9, 2020	Change of Particulars Withdrawal of Candidate	Candidates can make changes to their nomination information or withdraw from the election.
October 17, 2020	Ordinary Polling Day (Election Day) 8:00 am – to 7:00 pm	Election Day
October 24, 2020	Form 12 - Affidavit of Removal of Signs and Destruction of List of Electors	Affidavit of Removal of Signs and Destruction of List of Electors, Form 12, is due to the Clerk. This document confirms that all advertising has been removed and the all copies of the Lists of Electors have been destroyed.
October 27, 2020	Last Day for Application for Recount	This is the deadline for people to apply for a recount.
November 16, 2020	Last day for Campaign Contributions	This is the last day campaign contributions can be accepted.
December 16, 2019	Campaign Finance Disclosure Forms due	The Statement of Campaign Contributions and Expenditures, and Statement of Campaign Surplus is due.

Candidate Forms

Form	Title	Description
11	Nomination Paper	Nomination paper for mayoral or councillor candidates. Submitted before Nomination Day at an appointment with the Returning Officer
12	Affidavit re: Removal of Advertising Materials and Returning of Lists of Electors	Affidavit confirming the removal of advertising materials and the return or destruction of voter's lists. This is due one week after Ordinary Polling Day.
12A	Declaration of Candidate Withdrawing from Nomination	This form is due no later than the day after Nomination Day if a candidate wishes to withdraw from the election.
15	Appointment of Agent	Form to appoint an Agent to represent a Candidate.
16	Oath or Affirmation of Agent Representing a Candidate	This oath or affirmation must be made to appoint an Agent to represent a Candidate.
17	Appointment of an Official Agent	Form to appoint an Official Agent for a Candidate, or for a Candidate to declare themselves to act personally as their Official Agent. This is required before any campaign contributions can be accepted.
17A	Oath or Affirmation of Appointment of an Official Agent	This oath or affirmation must be made to appoint an Official Agent and is required before any campaign contributions can be accepted.
	Candidate's Campaign Contributions Disclosure Statement	This form lists the details of all contributions more than \$50 received by a Candidate or Official Agent. This is due no later than 60 days after Ordinary Polling Day.