

# Nomination Paper and Candidate's Acceptance

*Local Authorities Election Act*  
 (Sections 12, 21, 22, 23, 27, 28, 47,  
 68.1, 151, Part 5.1)  
*Education Act* (Sections 4(4), 74)

**Note:** The personal information on this form is being collected to support the administrative requirements of the local authorities election process and is authorized under sections 21 and 27 of the *Local Authorities Election Act* and section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information will be managed in compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions concerning the collection of this personal information, please contact

Colin Zyla 780-764-3929  
 Title of the Responsible Official Business Phone Number

LOCAL JURISDICTION: Town of Mundare, PROVINCE OF ALBERTA

We, the undersigned electors of Town of Mundare, nominate  
Name of Local Jurisdiction and Ward (if applicable)

\_\_\_\_\_ of  
Candidate Surname Given Names

\_\_\_\_\_ as a candidate at the election  
Complete Address and postal code

about to be held for the office of Councillor  
Office Nominated for

of Town of Mundare  
Name of Local Jurisdiction

Signatures of at least **5 ELECTORS ELIGIBLE TO VOTE** in this election in accordance with sections 27 and 47 of the *Local Authorities Election Act* and sections 4(4) and 74 of the *Education Act* (if applicable). If a city or a board of trustees under the *Education Act* passes a bylaw under section 27(2) of the *Local Authorities Election Act*, then the signatures of up to 100 electors eligible to vote may be required.

Printed Name of Elector	Complete Address and Postal Code of Elector	Signature of Elector

**Candidate's Acceptance**

I, the above named candidate, solemnly swear (affirm)

- THAT I am eligible under sections 21 and 47 (and section 12, in the case of summer villages) of the *Local Authorities Election Act* and sections 4(4) and 74 of the *Education Act* (if applicable) to be elected to the office;
- THAT I am not otherwise disqualified under section 22 or 23 of the *Local Authorities Election Act*;
- THAT I will accept the office if elected;
- THAT I have read sections 12, 21, 22, 23, 27, 28, 47, 68.1, and 151 and Part 5.1 of the *Local Authorities Election Act* and sections 4(4) and 74 of the *Education Act* (if applicable) and understand their contents;
- THAT I am appointing

\_\_\_\_\_  
Name, Contact Information or Complete Address and Postal Code and Telephone Number of Official Agent (if applicable)

as my official agent.

- THAT I will read and abide by the municipality's code of conduct if elected (if applicable); and
- THAT the electors who have signed this nomination paper are eligible to vote in accordance with the *Local Authorities Election Act* and the *Education Act* and resident in the local jurisdiction on the date of signing the nomination.

Print name as it should appear on the ballot

\_\_\_\_\_  
Candidate's Surname      Given Names (may include nicknames, but not titles, i.e., Mr., Ms., Dr.)

SWORN (AFFIRMED) before me

at the \_\_\_\_\_ of \_\_\_\_\_,

in the Province of Alberta,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



\_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
Signature of Returning Officer or Commissioner for Oaths  
or Notary Public in and for Alberta  
(Also include printed or stamped name and expiry date)



**RETURNING OFFICER'S ACCEPTANCE**

Returning Officer signals acceptance by signing this form:

\_\_\_\_\_  
Signature of Returning Officer

**IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT OR A FORM THAT  
CONTAINS A FALSE STATEMENT**

**Candidate Information**

*Local Authorities Election Act*  
(Section 27)

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<u>Colin Zyla</u>	<u>780-764-3929</u>
Title of the Responsible Official	Business Phone Number

Candidate's Full Name \_\_\_\_\_

Candidate's Address and Postal Code \_\_\_\_\_

\_\_\_\_\_

Address of place(s) where candidate records are maintained \_\_\_\_\_

\_\_\_\_\_

Name(s) and address(es) of financial institutions where campaign contributions will be deposited (if applicable)

\_\_\_\_\_

\_\_\_\_\_

Name(s) of signing authorities for each depository listed above (if applicable)

\_\_\_\_\_

\_\_\_\_\_

Where there is any change in the above mentioned information, the candidate shall notify the local jurisdiction in writing within 48 hours of such changes by submitting a completed information form.

# Campaign Disclosure Statement and Financial Statement

Local Authorities Election Act  
(Sections 147.3, 147.4)

NOTE: The personal information on this form is being collected to support the administrative requirements of the local authorities election process and is authorized under section 147.4 of the Local Authorities Election Act and section 33(c) of the Freedom of Information and Protection of Privacy Act. The personal information will be managed in compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions concerning the collection of this personal information, please contact

Colin Zyla 780-764-3929  
Title of the Responsible Official Business Phone Number

LOCAL JURISDICTION Town of Mundare, PROVINCE OF ALBERTA

Full Name of Candidate

Candidate's Mailing Address  
Postal Code

This form, including any contributor information from line 2, is a public document.

## Pre-Campaign Period Report

### CAMPAIGN CONTRIBUTIONS:

- 1. Pre-Campaign Period Contributions (up to a limit of \$2,000) \$
- 2. Pre-Campaign Period Expenses (up to a limit of \$2,000) \$

### Campaign Period Revenue

### CAMPAIGN CONTRIBUTIONS:

- 1. Total amount of contributions of \$50.00 or less \$
- 2. Total amount of all contributions of \$50.01 and greater, together with the contributor's name and address (attach listing and amount) \$

NOTE: For lines 1 and 2, include all money and valued personal property, real property or service contributions.

- 3. Deduct total amount of contributions returned \$
- 4. NET CONTRIBUTIONS (line 1 + 2 - 3) \$

### OTHER SOURCES:

- 5. Total amount contributed out of candidate's own funds \$
- 6. Total net amount received from fund-raising functions \$
- 7. Transfer of any surplus or deficit from a candidate's previous election campaign \$
- 8. Total amount of other revenue \$
- 9. TOTAL OTHER SOURCES (add line 5, 6, 7 and 8) \$
- 10. Total Campaign Period Revenue (add lines 4 and 9) \$

### Campaign Period Expenditures

- 11. Total Campaign Period Expenses Paid \$ Unpaid \$ TOTAL \$

The Candidate must attach an itemized expense report to this form.

### Campaign Period Surplus (Deficit)

(deduct line 11 from line 10) \$

### ATTESTATION OF CANDIDATE

This is to certify that to the best of my knowledge this document and all attachments accurately reflect the information required under section 147.4 of the Local Authorities Election Act.

Signature of Candidate Date

Forward the signed original of this document to the address of the local jurisdiction in which the candidate was nominated for election.

**IT IS AN OFFENCE TO SIGN A FALSE STATEMENT**

(2) When requested to do so under subsection (1), a police officer shall forthwith attend on and assist the deputy making the request in the exercise of the deputy's powers under that subsection.

1983 cL-27.5 s15;1991 c23 s2(6)

#### **Oath, statement**

**16(1)** Every returning officer before performing the duties of that office must take and subscribe to the official oath in the prescribed form.

(2) Every deputy, enumerator, scrutineer and constable before performing the duties of that office must subscribe to a statement in the prescribed form.

RSA 2000 cL-21 s16;2003 c27 s5;2006 c22 s11;2012 c5 s106

**17** Repealed 2018 c23 s9.

#### **Substitute deputy or constable**

**18** If a person who has been appointed a deputy or constable becomes incapable of carrying out the duties of that office, the returning officer or a deputy returning officer may, in writing, appoint another person to act in the place of that person.

RSA 2000 cL-21 s18;2003 c27 s6

#### **Secretary's duties**

**19(1)** The secretary shall for the purposes of this Act,

- (a) on the request of the returning officer, provide the returning officer with information and assistance, and
- (b) on the vote results being declared by the returning officer, take custody of election materials and provide for their destruction in accordance with this Act.

(2) The secretary may delegate any powers and duties of the secretary under this Act to the returning officer.

RSA 2000 cL-21 s19;2003 c27 s7

#### **Administration of oaths**

**20** The returning officer, a presiding deputy or a commissioner for oaths is authorized to administer an oath to a person making an oath that is authorized or required by this Act.

RSA 2000 cL-21 s20;2003 c27 s8;2006 c22 s12

#### **Qualification of candidates**

**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.
- (2) Notwithstanding subsection (1), in the case of a city, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the city.
- (3) Notwithstanding subsection (1), a candidate for trustee of a board of a school division that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school division.
- (4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least the 6 months immediately preceding nomination day is deemed, for the purposes of this section, to have been a resident, during that time, of the local jurisdiction to which the land was added.

RSA 2000 cL-21 s21;2012 cE-0.3 s276;2018 c23 s10

**Ineligibility**

- 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) subject to subsection (4), 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*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada).
- (e),(f) repealed 2006 c22 s13.

**(1.1)** A person is not eligible to be nominated as a candidate for election as a trustee of a board of a school division if on nomination day the person is employed by

- (a) a school division,
- (b) a charter school, or
- (c) a private school,

in Alberta unless the person takes a leave of absence under this section.

**(1.2)** A person is not eligible to be nominated as a candidate for election as a councillor or a school board trustee if

- (a) a report was transmitted under section 147.8(1) in respect of the person,
- (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- (c) subject to subsection (1)(d.1), nomination day for the election occurs within
  - (i) the 8-year period following the day on which the secretary transmitted the report to council or the school board, or
  - (ii) where the disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing,

whichever period expires first.

**(1.3)** Subsection (1.2) applies

- (a) with respect to a candidate for election as a councillor, if a report has been transmitted under section 147.8(1)(a) respecting a campaign period beginning on or after January 1, 2014, and
  - (b) with respect to a candidate for election as a school board trustee, if a report has been transmitted under section 147.8(1)(b) respecting a campaign period beginning on or after January 1, 2019.
- (2) Repealed 2006 c22 s13.
- (3) Subsection (1)(b) to (d) do not apply to a candidate for election as a trustee of a board of a school division.
- (4) Subsection (1)(b) does not apply to a person by reason only
- (a) - (f) repealed 2018 c23 s11;
  - (g) that the person is appointed to a position under the *Emergency Management Act*;
  - (h) repealed 2018 c23 s11;
  - (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) - (l) repealed 2018 c23 s11;
  - (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.
- (5) A person who is an employee of a municipality and who wishes to be nominated as a candidate in an election to be held for that municipality may notify that person's employer on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the person's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.
- (5.1) A person employed by an entity referred to in subsection (1.1) who wishes to be nominated as a candidate for election as a trustee of a board of a school division may notify that person's employer on or after July 1 in the year of an election but before the person's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.



(6) Notwithstanding any bylaw, resolution or agreement of a local jurisdiction, every person who notifies an employer in accordance with subsection (5) or (5.1) is entitled to a leave of absence without pay.

(6.1) Repealed 2012 c5 s107.

(7) An employee who takes a leave of absence under this section is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.

(8) If an employee who takes a leave of absence under this section is not elected, the employee may return to work, in the position the employee had before the leave commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.

(9) If an employee who takes a leave of absence under this section is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official.

(10) If an employee who takes a leave of absence under this section is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.

(11) Subject to subsection (12), an employee who takes a leave of absence under this section and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.

(12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

RSA 2000 cL-21 s22;2001 cC-28.1 s458;2001 c23 s1(11);  
2002 cA-4.5 s52;2002 c23 s1;2006 c22 s13;2007 c12 s12;  
2009 c53 s104;2010 c9 s1;2012 cE-0.3 s276;2012 c5 s107;2018 c23 s11

#### **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.

1983 cL-27.5 s23

**Re-election**

**24(1)** A person who held office on a board of trustees under the *Education Act* and

- (a) who resigned that office to avoid making restitution for money the person received that disqualified the person from holding that office pursuant to this or any other Act and has been ordered by a judge to make restitution, or
- (b) who was declared by a judge to be disqualified to hold that office pursuant to this or any other Act,

is not eligible to become a member of that board of trustees until after 2 general elections have occurred after the date on which the person was ordered to make restitution or was declared to be disqualified.

**(2)** Notwithstanding that a by-election or general election has been held between the time when the disqualification of the member or former member arose and the time when the order or declaration has been made by the judge, subsection (1) applies and, if the person was re-elected, the person is not eligible to remain a member of the board of trustees.

**(3)** Notwithstanding subsections (1) and (2), a judge

- (a) who has made an order described in subsection (1)(a), or
- (b) who has declared a person to be disqualified

may reduce the period of disqualification.

**(4)** An appeal against the decision of a judge under this section lies to the Court of Appeal.

RSA 2000 cL-21 s24;2012 cE-0.3 s276

**Nomination day**

**25(1)** Nomination day is 6 weeks before election day.

**(2)** A person may file a nomination to become a candidate

- (a) for a general election, within the period beginning on January 1 in a year in which a general election is to be held and ending at 12 noon on nomination day, and
- (b) for a by-election, within the period beginning on the day after the resolution or bylaw is passed to set election day for the by-election and ending at 12 noon on nomination day.

RSA 2000 cL-21 s25;2018 c23 s12

**Notice of nomination day**

**26(1)** The returning officer shall give notice of nomination day in the prescribed form by publishing a notice at least once a week in each of the 2 weeks before nomination day in a newspaper or other publication circulating in the area, or by mailing or delivering a notice to every residence in the local jurisdiction at least one week before nomination day.

**(2)** On complying with subsection (1), the returning officer may publish, mail and deliver additional notices and give notice by any other method as many times as the returning officer considers appropriate.

RSA 2000 cL-21 s26;2003 c27 s9

**Form of nomination**

**27(1)** Every nomination of a candidate must

- (a) be in the prescribed form,
- (b) be signed by at least 5 persons who are electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
- (c) be accompanied with a written acceptance sworn or affirmed in the prescribed form by the person nominated, stating
  - (i) that the person is eligible to be elected to the office,
  - (ii) the name, address and telephone number of the person's official agent, if one has been appointed,
  - (iii) that the person will accept the office if elected,
  - (iv) that the person will read and comply with the municipality's code of conduct if elected, and
  - (v) that the persons who have signed the nomination are electors who are eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,

and

- (d) if required by bylaw, be accompanied with a deposit in the required amount.

**(1.1)** A person who files a nomination shall also submit, in the prescribed form, the following information to the returning officer:

- (a) the full name and contact information of the candidate;
- (b) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
- (c) the name and address of the financial institutions to be used by or on behalf of the candidate for its campaign account, if applicable;
- (d) the names of the signing authorities for each account referred to in clause (c), if applicable.

**(1.2)** When there is any change in the information required to be provided under subsection (1.1), the candidate shall notify the local jurisdiction in writing within 48 hours after the change, and on receipt of the notice the local jurisdiction shall update the information accordingly.

**(1.3)** Notice under subsection (1.2) may be sent by fax or e-mail.

**(2)** Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the *Education Act* of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.

**(3)** Notwithstanding subsection (1), if a system of wards is in effect, only an elector who is a resident of the ward for which a candidate for election is being nominated may sign the nomination of the candidate.

**(4)** Repealed 2018 c23 s13.

RSA 2000 cL-21 s27;2003 c27 s10;2006 c22 s14;  
2012 cE-0.3 s276;2017 c13 s4;2018 c23 s13

**Nominations**

- 28(1)** Nominations shall be submitted at the local jurisdiction office at any time during the relevant period referred to in section 25(2).
- (2)** The person nominated as a candidate is responsible for ensuring that the nomination filed under subsection (1) meets the requirements of section 27.
- (3)** Any person may file a nomination described in section 27 in accordance with subsection (1).
- (4)** A returning officer shall not accept the following for filing:
- (a) a nomination that is not completed in the prescribed form;
  - (b) a nomination that is not signed by at least the minimum number of persons required to sign the nomination;
  - (c) a nomination that is not sworn or affirmed by the person nominated;
  - (d) if a bylaw has been passed under section 29(1), a nomination that is not accompanied by the deposit required by the bylaw.
- (5)** If the returning officer has not rejected a nomination form under subsection (4), the returning officer must sign the form to indicate that the form has been accepted.
- (6)** At any time after the commencement of the relevant period referred to in section 25(2) 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.
- (7)** The returning officer or secretary must retain all the filed nomination papers until the term of office to which the papers relate has expired.
- (8)** Twenty-four hours after the close of nominations on nomination day, the returning officer shall, as soon as practicable, forward a signed statement showing the name of each nominated candidate and any information about the candidate that the candidate has consented to being disclosed to the relevant Minister's Deputy Minister.
- (9)** A statement referred to in subsection (8) may be forwarded by electronic means, including by fax or e-mail.

**(10)** Within 48 hours of the close of nominations on nomination day, the returning officer shall post or cause to be posted at the local jurisdiction office the names of all candidates that have been nominated and the offices for which they were nominated.

RSA 2000 cL-21 s28;2003 c27 s11;2006 c22 s15;  
2012 c5 s108;2018 c23 s14

#### **Material to be provided to candidate**

**28.1** The returning officer, on receiving a nomination paper, must, if requested by the candidate, provide to the candidate a sufficient number of copies of the prescribed form for the identification of an official agent, campaign workers and scrutineers for the purposes of identification under section 52.

2006 c22 s16

#### **Deposit**

**29(1)** An elected authority may, by bylaw passed not fewer than 30 days before nomination day, require that every nomination be accompanied with a deposit in the amount fixed in the bylaw.

**(2)** An amount fixed in a bylaw under subsection (1) may not exceed

- (a) \$1000, in the case of a local jurisdiction with a population of more than 10 000, or
- (b) \$100, in any other case.

RSA 2000 cL-21 s29;2006 c22 s17

#### **Disposition of deposit**

**30(1)** When a bylaw has been passed to provide for a deposit, the returning officer shall require the deposit to be provided in cash, by certified cheque or by money order.

**(2)** The candidate's deposit shall be returned to the candidate

- (a) if the candidate is declared elected,
- (b) if the candidate obtains a number of votes at least equal to 1/2 of the total number of votes cast for the candidate elected to the office with the least number of votes, or
- (c) if the candidate withdraws as a candidate in accordance with section 32.

**(3)** If a candidate dies before the closing of the voting stations on election day, the sum deposited by the candidate shall be returned to the candidate's estate.

(3) The local jurisdiction may authorize the presiding deputy to post the printed instructions in languages other than English at the voting stations as the local jurisdiction considers appropriate.

RSA 2000 cL-21 s45;2006 c22 s21

### **Voting hours**

**46(1)** Every voting station shall be kept open continuously on election day from 10 a.m. until 8 p.m.

(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 voting station is to be open before 10 a.m.

(2.1) Despite subsection (1), an elected authority that is responsible for the conduct of an election under an agreement referred to in section 2(2) or 3(1) may, by a bylaw passed before June 30 of a year in which an election is to be held, provide that voting stations in an area that is subject to the agreement are to be open before 10 a.m.

(3) Promptly at 8 p.m. on election day, the deputy shall declare the voting station closed.

(4) If, when the voting station is declared closed, there is an elector in the voting station who wishes to vote, the elector shall be permitted to do so, but no other person shall be allowed to enter the voting station for that purpose.

RSA 2000 cL-21 s46;2006 c22 s22

### **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) resides in Alberta and the person's place of residence is located in the local jurisdiction 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.

(3) If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that

voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

(4) Repealed 2018 c23 s19.

RSA 2000 cL-21 s47;2003 c27 s15;2006 c22 s23;2018 c23 s19

#### 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 institutionis 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.

**(1.1)** For the purposes of subsection (1)(a.1), a person shall designate the person's place of residence in accordance with the following factors in the following order of priority:

- (a) the address shown on the person's driver's licence or motor vehicle operator's licence issued by or on behalf of the



**Persons at voting station**

**67(1)** Except for the returning officer, deputy, constable, candidates, official agents or scrutineers authorized to attend at the voting station and the electors who are for the time being actually engaged in voting, no other person is entitled to be present, nor shall any other person be permitted to be present, in the voting station during the time appointed for voting.

**(2)** Notwithstanding subsection (1), the presiding deputy at the voting station may authorize a person temporarily to observe the voting procedures from a location within the voting station designated by the presiding deputy.

**(3)** The presiding deputy shall not designate a location under subsection (2) that would allow the observer to see how electors mark their ballots.

**(4)** A person permitted to be present in the voting station pursuant to subsection (2) shall leave the voting station on the request of the presiding deputy.

RSA 2000 cL-21 s67;2006 c22 s31

**Prohibited removal of ballots**

**68(1)** No person who has received a ballot from the deputy shall take the ballot out of the voting station.

**(2)** Any person who, having received a ballot from the deputy, leaves the voting station without first delivering it to the deputy in the manner provided by this Act, forfeits the person's right to vote at that election and the deputy shall record in the elector register an entry to the effect that the person left the voting station without first delivering the ballot.

RSA 2000 cL-21 s68;2018 c23 s25

**Option for 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.

2006 c22 s32;2012 c5 s112

#### **Candidate's 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

(9) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment.

RSA 2000 cL-21 s150;2006 c22 s57

#### **Offence — candidate's acceptance**

**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 \$1000.

1983 cL-27.5 s151

#### **Advertisement distribution**

**152(1)** Subject to subsection (2), a person who, at an advance vote or on election day,

- (a) displays within a building used for a voting station or on the property on which a building used for a voting station is located, or
- (b) distributes within a building used for a voting station or on the property on which the building used for a voting station is located,

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) Repealed 2018 c23 s53.

(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.

RSA 2000 cL-21 s152;2006 c22 s58;2018 c23 s53

#### **Campaign activities at a voting station**

**152.1(1)** Subject to subsection (2), a person who, at an advance vote or on election day, canvasses or solicits votes, or communicates with any person for the purpose of influencing that person's vote, in a voting station or on the property on which a

**Right of appeal**

**146** An appeal against the decision of a judge lies to the Court of Appeal and the proceedings appertaining to it shall be as nearly as possible the same as in an appeal in other cases from a decision of the Court of Queen's Bench.

1983 cL-27.5 s146

**Regulations**

**147** The Minister may make regulations respecting the form of any notices, orders or other proceedings to be issued, given, made or taken under this Part.

RSA 2000 cL-21 s147;2011 c14 s17

## **Part 5.1**

### **Election Finances and Contributions Disclosure**

**Interpretation**

**147.1(1)** In this Part,

- (a) "campaign expense" means any expense incurred, or non-monetary contribution received, by a candidate to the extent that the property or service that the expense was incurred for, or that was received as a non-monetary contribution, is used to directly promote or oppose a candidate during a campaign period, and includes an expense incurred for, or a non-monetary contribution in relation to,
  - (i) the production of advertising or promotional material,
  - (ii) the distribution, broadcast or publication of advertising or promotional material in any media or by any other means during a campaign period, including by the use of a capital asset,
  - (iii) the payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
  - (iv) securing a meeting place, or
  - (v) the conduct of election surveys or other surveys or research during a campaign period;
- (b) "campaign period" means
  - (i) in the case of a general election, the period of time from January 1 to December 31 in a year in which a general election is held, and

- (ii) in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election;
  - (c) “contribution” means any money, personal property, real property or service that is provided to or for the benefit of a candidate’s election campaign without fair market value compensation from that candidate, but does not include a service provided by an individual who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or time spent providing the services;
  - (d) “employee organization” means an organization, other than a trade union, that bargains collectively for employees;
  - (e) “group” means an unincorporated group of individuals or corporations acting in consort for a common purpose and includes a trade union and an employee organization or any combination of individuals, corporations, trade unions or employee organizations;
  - (f) “prohibited organization” means a corporation and an unincorporated organization, including a trade union and an employee organization;
  - (g) “trade union” means an organization of employees that has a written constitution, rules or bylaws and has as one of its objects the regulation of relations between employers and employees.
- (2) The value of a contribution, other than money, provided to a candidate is the fair market value of the contribution at the time it is provided.
- (3) If any personal property, real property or service or the use of personal property or real property is provided to a candidate for a price that is less than the fair market value at the time it is provided, the amount by which the value exceeds the price is a contribution for the purposes of this Part.
- (4) For the purposes of this section, the use of goods in a 2nd or subsequent election is a non-monetary contribution.
- (5) In this section, “expense incurred” means an expense that is incurred, whether it is paid or unpaid.

2009 c10 s3;2010 c9 s1;2018 c23 s51

**147.11** Repealed 2018 c23 s51.

**Application of Part**

**147.12** This Part applies to candidates for election as a councillor in a municipality or as a trustee of a school board.

2018 c23 s51

**Responsibility of contributors**

**147.13(1)** A prospective contributor is responsible for ensuring, before making a contribution under this Act, that the contributor is not prohibited from making a contribution and is not making a contribution that is in excess of the limit prescribed by section 147.2(3).

**(2)** Every candidate and every person acting on behalf of a candidate shall make every reasonable effort to advise prospective contributors of the provisions of this Part relating to contributions.

2018 c23 s51

**Limitations on contributions**

**147.2(1)** Only an individual ordinarily resident in Alberta may make a contribution to a candidate.

**(2)** No prohibited organization and no individual ordinarily resident outside Alberta shall make a contribution to a candidate.

**(3)** No individual ordinarily resident in Alberta shall contribute in any campaign period an amount that exceeds

(a) \$4000 in the aggregate to candidates for election as councillors, and

(b) \$4000 in the aggregate to candidates for election as school board trustees.

**(4)** Any amount paid by a candidate for campaign expenses from the candidate's own funds that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period is a contribution to the candidate's own campaign and is subject to the limit prescribed by subsection (3).

**(5)** No candidate and no person acting on behalf of a candidate shall, directly or indirectly, solicit or accept a contribution if the candidate or person knows or ought to know that the prospective contributor is a prohibited organization or an individual ordinarily resident outside Alberta.

**(6)** No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the amount of the contribution will exceed the amounts referred to in subsection (3).

2009 c10 s3;2010 c9 ss1,2;2018 c23 s51

**147.21** Repealed 2018 c23 s51.

**Acceptance of contributions**

**147.22(1)** No person shall accept a contribution or incur a campaign expense unless the person has been nominated as a candidate.

**(2)** No candidate and no person acting for a candidate shall accept a contribution or incur a campaign expense except during the campaign period.

**(3)** Subsections (1) and (2) do not apply to a person who accepts not more than \$2000 in the aggregate in contributions or who incurs not more than \$2000 in the aggregate in campaign expenses, provided that the contributions are not accepted and the expenses are not incurred within the campaign period.

2018 c23 s51

**Anonymous and unauthorized contributions**

**147.23** Any anonymous contributions and any contribution or portion of a contribution made in contravention of this Part accepted by a candidate or a person acting on behalf of a candidate must not be used or expended, and the candidate or the person acting on behalf of the candidate shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity or to the local jurisdiction for which the candidate is running for election.

2018 c23 s51

**Contributions not belonging to contributor**

**147.24(1)** No individual shall contribute to a candidate

- (a) funds not belonging to that individual, or
- (b) funds that have been given or furnished to the individual by another individual or a prohibited organization for the purpose of making a contribution of those funds to a candidate.

**(2)** No individual and no prohibited organization shall give or furnish funds to another individual for the purpose of having that other individual make a contribution of those funds to a candidate.

**(3)** No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the contribution is contrary to subsection (1).

2018 c23 s51

**Duties of candidate**

**147.3(1)** A candidate shall ensure that

- (a) a campaign account in the name of the candidate or the candidate's election campaign is opened at a financial institution for the purposes of the election campaign at the time of nomination or as soon as possible after the total amount of contributions first exceeds \$1000 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) records are kept of contributions and campaign expenses and are retained by the candidate for a period of 3 years following the date on which disclosure statements were required to be filed under section 147.4, and
- (g) 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 contributions on behalf of the candidate.

**(2)** A candidate shall not knowingly make a false or misleading statement in any disclosure statement or financial statement or other information required to be filed under this Part.

2009 c10 s3;2010 c9 s2;2015 c5 s120;2018 c23 s51

**Fund-raising functions**

**147.31(1)** In this section, "fund-raising function" includes any social function held for the purpose of raising funds for the candidate's election campaign by whom or on whose behalf the function is held.



- (2) The gross income from any fund-raising function must be recorded by the candidate on whose behalf the function was held.
- (3) If a fund-raising function is held by the sale of tickets by or on behalf of a candidate, the amount of the contribution is to be determined under clause (a) or under clause (b), at the option of the candidate:
- (a) if the individual charge
    - (i) is \$50 or less, it is not considered to be a contribution unless the individual who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a contribution,
    - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution, and
    - (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution;
  - (b) the amount of the contribution is the difference between the price of the ticket and the fair market value of what the ticket entitles the bearer to obtain.
- (4) The price paid at a fund-raising function in excess of the fair market value at that time for goods or services received is considered to be a contribution to the candidate's election campaign.

2018 c23 s51

**Receipts**

**147.32** Every candidate or a person acting on behalf of the candidate shall issue a receipt for every contribution accepted in a form acceptable to the local jurisdiction.

2018 c23 s51

**Loans**

**147.33(1)** A candidate

- (a) may borrow money only from a financial institution, and
- (b) shall record all loans and their terms and shall report accordingly to the relevant local jurisdiction.

(2) Only a person ordinarily resident in Alberta may make a payment on behalf of the borrower in respect of a loan to which subsection (1) applies.

(3) Any payment in respect of a loan to which subsection (1) applies made by a person referred to in subsection (2) becomes, for the purposes of this Act, including, without limitation, section 147.2,

- (a) a contribution by that individual, and
- (b) a contribution accepted by the borrower,

if the individual is not reimbursed by the borrower before the borrower is next required to file a disclosure statement.

(4) This section does not apply to the borrowing of money for purposes unrelated to the candidate's election campaign.

2018 c23 s51

#### **Campaign expense limits**

**147.34** No candidate and no chief financial officer of a candidate shall incur campaign expenses that exceed, in the aggregate, the amounts determined by the regulations.

2018 c23 s51

#### **Campaign disclosure statements**

**147.4(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, a candidate shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form, which must include

- (a) the total amount of all contributions received during the campaign period that did not exceed \$50 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 \$50 in the aggregate,
- (c) the total amount of all contributions received as referred to in section 147.22(3),
- (d) the total amount from fund-raising functions,
- (e) the total amount of other revenue,
- (f) the total amount of campaign expenses,

- (g) an itemized campaign expense report setting out the campaign expenses incurred by the candidate,
- (h) the total amount paid by the candidate out of the candidate's own funds not reimbursed from the candidate's campaign fund,
- (i) the total amount of any campaign surplus, including any surplus from previous campaigns, and
- (j) the amount of any deficit.

**(2)** If a candidate's disclosure statement from the election campaign shows a campaign deficit and the candidate does not file nomination papers before the next general election, the candidate shall eliminate the deficit within 6 months after the date of the next general election.

**(3)** A payment made by a candidate to eliminate a deficit referred to in subsection (2) is deemed not to be a contribution for the purpose of section 147.2.

**(4)** A candidate who has a deficit referred to in subsection (2) shall, within 30 days after the expiration of the 6-month period referred to in subsection (2), file an amended disclosure statement showing that the deficit has been eliminated.

**(5)** With respect to the period during which a candidate is nominated, this section applies to a candidate who withdraws as a candidate.

**(6)** 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 local jurisdiction.

**(7)** The local jurisdiction must ensure that all documents filed under this section are available to the public during regular business hours for a period of 4 years after the election.

**(8)** An elected authority may pass a bylaw requiring candidates running for election in that local jurisdiction to file a pre-election disclosure statement with the secretary of the local jurisdiction

- (a) with respect to a general election, prior to December 31 of the year before the general election is held, and
- (b) with respect to a by-election, at least 180 days before the by-election at which the bylaw is to take effect.

- (9) A bylaw passed under subsection (8) must
- (a) set out the information that a candidate must disclose in a pre-election disclosure statement, which may include, without limitation, any of the information required in subsection (1)(a) to (j), with necessary modifications,
  - (b) prescribe the form in which a candidate must make the pre-election disclosure statement,
  - (c) set the date by which the pre-election disclosure statement must be submitted for filing, which must be prior to the date of the election to which the pre-election disclosure statement relates,
  - (d) set out the manner in which the local authority will make the information referred to in subsection (10) publicly available,
  - (e) set out the period of time within which the local authority will make the information referred to in subsection (10) publicly available, and
  - (f) include any other provisions that the elected authority considers necessary or advisable with respect to pre-election disclosure statements.
- (10) An elected authority that passes a bylaw under subsection (8) must make the following information publicly available in the manner and during the period of time set out in the bylaw:
- (a) the information provided by each candidate on the pre-election disclosure statement;
  - (b) if a candidate fails to submit a pre-election disclosure statement in accordance with the bylaw, the fact that the candidate has failed to submit a pre-election disclosure statement.

2009 c10 s3;2010 c9 s1;2015 c5 s121;2018 c23 s51

#### **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 amount of the surplus to the local jurisdiction.

(2) The local jurisdiction shall hold any amount received under subsection (1) in trust for the candidate at a financial institution.

(3) If the candidate in respect of whom the amount 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 local jurisdiction shall pay the amount received under subsection (1) to the candidate for use in that election.

(4) If the candidate in respect of whom an amount 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 local jurisdiction to donate the amount to a registered charity.

(5) If the local jurisdiction does not receive a direction under subsection (4), the money becomes the property of the local jurisdiction.

(6) This section applies to candidates whether or not the candidate is elected.

2009 c10 s3;2010 c9 s1;2015 c5 s122;2018 c23 s51

**147.6** Repealed 2012 c5 s123.

#### **Late filing**

**147.7(1)** In this section, “filing deadline” means the day by which a disclosure statement referred to in section 147.4 is required to be filed with a local jurisdiction.

(2) A candidate who is required to file a disclosure statement under section 147.4 and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the relevant local jurisdiction.

(3) A local jurisdiction shall not transmit a report in relation to a candidate under section 147.8 if the return is filed no later than 10 days after the filing deadline.

(4) If the late filing fee is not paid within 30 days after the date the fee was payable, the local jurisdiction shall send a notice to the candidate, indicating the amount of the late filing fee that is required to be paid.

(5) If a candidate who is sent a notice by the local jurisdiction under subsection (4) fails to pay the late filing fee set out in the notice, the local jurisdiction may file a copy of the notice with the clerk of the Court of Queen’s Bench, and, on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2009 c10 s3;2012 c5 s124;2018 c23 s51

**Effect of non-compliance in relation  
to disclosure statements**

**147.8(1)** Subject to section 147.7, if a candidate fails to file a disclosure statement as required by section 147.4

- (a) in the case of an election of municipal councillors, the secretary shall transmit a report to that effect to council, which shall on its receipt make the report public, and
- (b) in the case of an election of school board trustees, the secretary of the school board shall transmit a report to that effect to the school board, 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 that 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 or the school board, as the case may be, as the respondent.

**(5)** The decision of the Court is final and not subject to appeal.

2009 c10 s3;2010 c9 s1;2018 c23 s51

**Prosecution**

**147.81** A prosecution under this Part may be commenced within 3 years of the commission of the alleged offence but not afterwards.

2018 c23 s51

**Offences relating to contributions**

**147.82(1)** A prohibited organization or a person acting on its behalf that contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$10 000.

(2) An individual who contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$5000.

(3) A candidate who contravenes section 147.22(1) or (2) is guilty of an offence and liable to a fine of not more than \$1000.

(4) A candidate or a person acting on behalf of a candidate who fails to return or pay an amount referred to in section 147.23(a) or (b) is guilty of an offence and liable to a fine of not more than \$5000.

(5) A prohibited organization or a person acting on its behalf that contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$10 000.

(6) An individual who contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

**Failure of candidate to comply with duties**

**147.83** A candidate who contravenes section 147.3 is guilty of an offence and liable to a fine of not more than \$1000.

2018 c23 s51

**Failure to file**

**147.84(1)** A candidate who fails to comply with section 147.4 by April 1 in the year following a general election, or, in the case of a by-election, within 150 days after the by-election, is guilty of an offence and liable to a fine of not more than \$5000.

(2) If a candidate is found guilty of contravening section 147.4, the Court may, in addition to the penalty provided for in subsection (1), order the candidate to pay any surplus to the local jurisdiction as soon as possible.

(3) Section 147.5(2) to (5) apply to money paid to a local jurisdiction pursuant to a court order under this section.

2018 c23 s51

**Expenses more than maximum**

**147.85** A candidate who contravenes section 147.34 is guilty of an offence and liable to a fine of not more than \$10 000.

2018 c23 s51

**147.9** Repealed 2010 c9 s2.

**Regulations and bylaw**

**147.91(1)** The Minister may make regulations

- (a) determining campaign expense limits for the purpose of section 147.34;
- (b) respecting transitional matters relating to the coming into force of *An Act to Renew Local Democracy in Alberta* not otherwise provided for in that Act, including remedying any confusion, difficulty, inconsistency or impossibility resulting from the enactment of that Act.

**(2)** An elected authority may pass a bylaw determining campaign expense limits for the purpose of section 147.34 in an amount that is less than the amount determined by regulation under subsection (1)

- (a) with respect to a general election, prior to December 31 of the year before the general election is held, and
- (b) with respect to a by-election, at least 180 days before the by-election at which the bylaw is to take effect.

2009 c10 s3;2018 c23 s51

**147.92** Repealed 2018 c23 s51.

**Transitional — definitions**

**147.93** In sections 147.94 to 147.96,

- (a) “former Act” means the *Local Authorities Election Act* as it read immediately before the Bill received first reading;
- (b) “the Bill” means the Bill to enact *An Act to Renew Local Democracy in Alberta*.

2018 c23 s51

**Transitional — all candidates**

**147.94(1)** In this section, “candidate” means a candidate for election as a municipal councillor and, subject to subsection (2), for election as a school board trustee.

**(2)** For the purpose of this section, an individual is a candidate for election as a school board trustee if, before the Bill receives first reading, the individual accepted contributions or incurred campaign expenses on or after January 1, 2018, for the purposes of a school board election campaign.



(3) Subject to subsection (4), section 147.95(4) and 147.96(4), if a candidate or a person acting on behalf of a candidate received a contribution on or after January 1, 2018 but before the date the Bill receives Royal Assent, other than a contribution used to eliminate a deficit shown on the candidate's disclosure statement for the most recent election campaign, the contribution is deemed to be collected in the next campaign period.

(4) If a candidate or a person acting on behalf of a candidate receives a contribution from a prohibited organization, trade union or employee organization within the meaning of section 147.1 of the former Act on or after the date the Bill receives first reading but before the date it receives Royal Assent, the candidate, no later than 30 days after the Bill receives Royal Assent, shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) If a candidate fails to comply with subsection (4), the candidate is deemed to have contravened section 147.2(5) as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

(6) A candidate who fails to comply with subsection (4) is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

#### **Transitional — municipal candidates**

**147.95(1)** In this section, "candidate" means a candidate for election as a municipal councillor.

(2) If during the campaign period that commenced January 1, 2018, money paid by a candidate in accordance with section 147.11 of the former Act before the Bill receives first reading equalled or exceeded \$4000, the candidate is not entitled to make any further contributions under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

(3) An individual ordinarily resident in Alberta who, before the Bill receives first reading, made contributions in 2018 to one or more candidates in accordance with section 147.2 of the former Act that in the aggregate equalled or exceeded \$4000 shall not make any further contributions to a candidate in 2018 under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*, and no candidate shall accept those contributions.

(4) On or after the day the Bill receives first reading but before the day it receives Royal Assent, if a candidate receives a contribution from a person who has, on or after January 1, 2018, already contributed \$4000 or more to one or more candidates, the candidate, no later than 30 days after the Bill receives Royal Assent, shall return any contribution in excess of \$4000 to the contributor, or pay an amount equivalent to the excess beyond \$4000 to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) If a candidate fails to comply with subsection (2), (3) or (4), or an individual fails to comply with subsection (3), the candidate or the individual, as the case may be, is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

**Transitional — school board trustee candidates**

**147.96(1)** In this section, subject to subsection (2), “candidate” means a candidate for election as a school board trustee.

(2) For the purpose of this section, an individual is a candidate for election as a school board trustee if, before the Bill receives first reading, the individual accepted contributions or incurred campaign expenses on or after January 1, 2018, for the purposes of a school board election campaign.

(3) An individual ordinarily resident in Alberta who, before the Bill receives first reading, made contributions in 2018 to one or more candidates for school board trustee under the former Act that in the aggregate equalled or exceeded \$4000 shall not make any further contributions to a candidate in 2018 under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*, and no candidate shall accept those contributions.

(4) On or after the day the Bill receives first reading but before the day it receives Royal Assent, if a candidate receives a contribution from a person who has, since January 1, 2018, already contributed \$4000 or more to one or more candidates, the candidate, no later than 30 days after the Bill receives Royal Assent, shall return any contribution in excess of \$4000 to the contributor, or pay an amount equivalent to the excess beyond \$4000 to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) A candidate shall, no later than 90 days after the Bill receives Royal Assent,

- (a) file with the local authority a statement disclosing the total amount of all campaign contributions held by the candidate, and

(b) pay any campaign surplus held by the candidate to the local authority.

(6) If an individual fails to comply with subsection (3), or a candidate fails to comply with subsection (4) or (5), the candidate or the individual, as the case may be, is guilty of an offence and liable to a fine of not more than \$5000.

(7) A bylaw made under section 118 of the former Act applies only with respect to campaign expenses accepted and campaign expenses incurred before the Bill receives first reading, and section 118(2.2) of the former Act continues to apply with respect to the examination of the statements of contributions and campaign expenses made under that section.

(8) Despite the repeal of section 118 of the former Act, a school board may make bylaws respecting the transition from its bylaw passed under section 118(2) of the former Act and the coming into force of *An Act to Renew Local Democracy in Alberta*, for the purposes of reporting contributions.

2018 c23 s51

*(NOTE: Sections 147.93 to 147.96 are deemed to have come into force on November 5, 2018.)*

## Part 6 Offences

### Prohibitions

**148(1)** No person shall

- (a) without authority supply a ballot to any person,
- (b) fraudulently put into a ballot box any paper other than a ballot that the person is authorized by this Act to deposit,
- (c) fraudulently take a ballot out of the voting station,
- (d) without authority destroy, take, open or otherwise interfere with any ballot box or packet of ballots then in use for the purpose of an election.

**(2)** No person shall

- (a) request a ballot in the name of some other person, whether the name is that of a person living or dead or of a fictitious person, or
- (b) having voted once, request at the same election a ballot in the person's own name.