

**REGULATIONS TO AMEND THE *INUIT COMMUNITY CORPORATIONS CHAIRPERSONS
ELECTION FORMS REGULATIONS (2022)***

The First Minister of the Nunatsiavut Government is pleased to enact the following regulation:

Short Title

1.

These regulations may be cited as the *Inuit Community Corporations Chairpersons Election Forms (Amendment) Regulations, 2022*.

Authority

2.

These regulations are made under subsection 3(2) of the *Inuit Community Corporations Chairpersons Elections Act* (the "*Act*").

Interpretation

3.

Unless the context otherwise requires, terms used in these regulations have the same meaning as in the *Act*.

Amendment to add Form C-2.1

4.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule A as Form C-2.1 immediately after Form C-2.

Amendment to add Form C-3.1

5.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule B as Form C-3.1 immediately after Form C-3.

Amendment to add Form C-29.1

6.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule C as Form C-29.1 immediately after Form C-29.

W

Amendment to add Form 06

7.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule D as Form 06 immediately after Form 05.

Amendment to add Form C-34.1

8.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule E as Form C-34.1 immediately after Form C-34.

Amendment to add Form C-36

9.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule F as Form C-36 immediately after Form C-35.

Amendment to add Form C-37

10.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule G as Form C-37 immediately after Form C-36.

Amendment to add Form C-38

11.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule H as Form C-38 immediately after Form C-37.

Amendment to Form A-2

12.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by deleting the text of Form A-2 and replacing it with the text set out in Schedule I.

Amendment to add Form A-3

13.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule J as Form A-3 immediately after Form A-2.

Amendment to add Form A-4

14.

The *Inuit Community Corporations Chairpersons Election Forms Regulations*, is amended by adding the form set out in Schedule K as Form A-4 immediately after Form A-3.

Effective Date

15.

This Regulation is to be taken for all purposes to have come into effect on August 10, 2022.

Schedule A

**FORM C-2.1
APPOINTMENT OF ALTERNATE RETURNING OFFICER**

To _____
(Name and address of Alternate Returning Officer)

The _____ Inuit Community Corporation does hereby appoint you to act as
Alternate Returning Officer for the _____ Inuit Community Corporation for the
election now pending, to:

1. serve as Returning Officer in the event that the Returning Officer that has been duly appointed is
unable or unwilling to act as Returning Officer; and
2. to otherwise assist the Returning Officer for the election(s) now pending as the Returning Officer
may direct.

Dated at _____, this _____ day of _____, 20____.

Chairperson

Schedule B

FORM C-3.1

OATH OR AFFIRMATION OF ALTERNATE RETURNING OFFICER

_____ Inuit Community Corporation.

I, _____, appointed as Alternate Returning Officer
(insert name)

for the above-mentioned Inuit Community Corporation, swear (or solemnly affirm):

1. That I am not incapable by reason of illness, physical or mental infirmity, or otherwise, of satisfactorily performing the duties of Returning Officer.
2. that I will not conduct myself in a politically partisan manner in the performance of my duties and otherwise.
3. That I am not a member of the Executive Committee of the _____ Inuit Community Corporation.
4. That I am not a member of Parliament or the House of Assembly.
5. That I am not a Judge of the Supreme or Provincial Court of Newfoundland and Labrador.
6. That I have not been found guilty of corrupt or illegal election practices or an offence under electoral law.
7. That I am not an employee of the _____ Inuit Community Corporation.
8. That I will perform the duties, and lawfully execute the powers of Returning Officer for the Election now pending in the event that the Returning Officer that has been duly appointed is unable or unwilling to act as Returning Officer.
9. That I will act faithfully in my capacity, without partiality in every way according to law.

Alternate Returning Officer

Sworn (or Affirmed)
in the Community of _____
this _____ Day of _____, 20____

Commissioner of Oath or
Justice of the Peace

Schedule C

FORM C-29.1

RETURNING OFFICER'S STATEMENT OF RESULT OF TIE-BREAKING PROCEDURE

_____ Inuit Community Corporation.

1. I am the Returning Officer for the election for Chairperson held on _____.

2. Upon the counting of the votes after the opening of the ballot box(es) the following candidates had a equal number of votes and all of them could not be elected:

| Candidate | No. of votes |
|-----------|--------------|
| | |
| | |
| | |

3. I then immediately and in the presence of the people required to be present under s. 65 of the *Inuit Community Corporations Chairpersons Elections Act*, recounted all ballots pertaining to the tie. After this recount, the following candidates still had a equal number of votes and all of them could not be elected:

| Candidate | No. of votes |
|-----------|--------------|
| | |
| | |
| | |

4. Following the procedure under s. 65 of the *Inuit Community Corporations Chairpersons Elections Act* I then proceeded to break the tie by drawing name(s). As a result, the following candidate is elected:

| Candidate | Voters roll (if applicable) |
|-----------|-----------------------------|
| | |

Returning Officer

Sworn (or Affirmed)
in the Community of _____
this _____ Day of _____, 20____

Commissioner of Oath
Justice of the Peace

Schedule D

FORM 06

DIRECTIONS FOR THE GUIDANCE OF VOTERS

DIRECTIONS FOR THE GUIDANCE OF VOTERS

How to Vote:

1. Take the ballot into the polling booth, and with the pencil provided, mark an "X" opposite the name of the candidate for whom you wish to vote.
2. After marking the ballot, you must fold it to conceal the name(s) of the candidate(s) for whom you have voted.
3. Either give the ballot to the elections officer at the poll to be placed in the correct ballot box or place it in the correct ballot box yourself.
4. You must then immediately leave the polling station.

If you spoil a ballot by mistake you may return it to the elections officer at the poll who will, if they are satisfied that the spoiling of the ballot was by mistake, give you another ballot.

Do not vote for more than one candidate; if you do so the ballot will be void and any votes cast for any candidate(s) on the ballot will not be counted.

Do not mark the ballot in any way that can identify you as the voter.

Do not tear, deface or mark on the ballot in any way that could identify you as the voter, if you do the ballot will be void and will not be counted.

Do not take a ballot out of the polling station.

Do not take photographs at the polling station.

Do not take photographs of your ballot.

Schedule E

FORM C-34.1

CERTIFICATE AUTHORIZING PROXY VOTE

I, the undersigned, hereby certify that _____
(Name and Address of Proxy)

has been appointed proxy voter to vote on behalf of _____
(Name, Address and voters roll of the voter)

in the election for Chairperson of the _____ Inuit Community Corporation to be held
on _____.

Dated at _____ this _____ day of _____, 20 _____

Returning Officer

Note: the named proxy must present this Certificate at the polling station on election day.

Schedule F

**FORM C-36
ELECTION REPORT**

[To be filed with the First Minister of Nunatsiavut within 7 days after election; keep copy for election file.]

_____ **Inuit Community Corporation**
Report on the election for Chairperson
 held on _____, 20____

| Elected Candidate | No. of votes received | Elected by Acclamation (Yes/No) | Elected as result of a tie break procedure (s.65) (Yes/No) |
|-------------------|-----------------------|---------------------------------|--|
| | | | |

| Defeated Candidate(s) | No. of votes received | Defeated as result of a tie break procedure (s.65) (Yes/No) |
|-----------------------|-----------------------|---|
| | | |
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| | |
|---|--|
| No. of eligible voters (voters list + new registrants): | |
| No. of eligible voters who cast ballots: | |
| Percentage of voter turnout: | |

_____ **Date**

_____ **Signature of Returning Officer**

SCHEDULE G

FORM C-37

AUTHORIZATION FOR DESTRUCTION OF BALLOTS & ELECTION MATERIAL

[To be issued a minimum of 30 days after the date of an election]

I, _____, **First Minister of Nunatsiavut**, having received the Report of the Returning Officer on the election for Chairperson of the _____ Inuit Community Corporation held on the _____ day of _____, 20____ and in accordance with section 64(2) of the *Inuit Community Corporations Chairpersons Elections Act* **HEREBY AUTHORIZE** the Returning Officer to unseal the ballot box(es) and to destroy the ballots and other associated election material in the box(es) **EXCEPT THAT** the destruction of the ballots and other associated election material located in the boxes must not occur until the termination of any legal proceeding which may have been instituted in relation to the validity of that election within 30 days of the election.

First Minister of Nunatsiavut

SCHEDULE H

FORM C-38

DECLARATION OF DESTRUCTION OF BALLOTS & ELECTION MATERIAL

I, _____, declare that:

1. I am the Returning Officer for the election of Chairperson of the _____
Inuit Community Corporation that was held on _____ [date].
2. At _____ [time] on _____ [date] at _____ [place]
I destroyed the ballots and election material from the election held on
_____ under the written authorization of the First Minister of
Nunatsiavut which was dated _____;
3. To my knowledge and belief, prior to the destruction of the ballots and election materials any
legal proceedings initiated in relation to the election were terminated.
4. _____ [print name] was present at the time of the destruction, as a
witness.

Returning Officer

I, _____ [name] declare that I witnessed the destruction of the ballots and election
material at the time and place stated above.

Witness

Schedule I

Form A - 2

CANDIDATE'S AFFIDAVIT

_____ Inuit Community Corporation

I, _____ of _____

Swear (or solemnly affirm):

1. That I am a Beneficiary.
2. That I am a member of the above mentioned Corporation of the full age of 19 years.
3. That I have been an ordinary resident in the Corporation's urban area at least 60 days preceding the election day now pending,
4. That I am not disqualified by the *Inuit Community Corporations Chairpersons Elections Act* or any other election law from holding the office of Chairperson of the Corporation.
5. That I will use the voters list exclusively for purposes of the election and will return it, and all copies, to the Returning Officer at the conclusion of the election.

(In the case of an oath "So help me God".)

Candidate

Sworn (or affirmed) before me at: this ____ day of _____, 20__.

Returning Officer, Justice of the Peace
or Commissioner of Oaths

Schedule J

Form A - 3

AFFIDAVIT OF QUALIFICATION WHERE CANDIDATE IS ABSENT

_____ Inuit Community Corporation

I, _____ of _____

Swear (or solemnly affirm):

1. That I have nominated _____ as a Candidate in the election for Chairperson of the _____ Inuit Community Corporation.
2. That the Candidate is unable to attend the nomination in order to signify acceptance of the nomination and complete the declaration of qualification.
3. That I know the Candidate and the Candidate:
 - a. is 19 years of age,
 - b. is a Beneficiary,
 - c. is a member of the _____ Inuit Community Corporation,
 - d. has been an ordinary resident in the urban area of the _____ Inuit Community Corporation for at least 60 days preceding election day; and
 - e. is not disqualified by the *Inuit Community Corporations Chairpersons Elections Act* or another Act respecting elections from holding the office for which that person has been nominated.
4. That the Candidate accepts the nomination.

(In the case of an oath "So help me God".)

_____ Nominator

Sworn (or affirmed) before me at: this ____ day of _____, 20__.

Returning Officer, Justice of the Peace
or Commissioner of Oaths

Schedule K

Form A - 4

CANDIDATE'S STATEMENT OF ELECTION CONTRIBUTIONS

Name of Candidate _____

Election _____, Corporation _____, Date _____.

Mailing Address: _____.

I, the above-named Candidate, swear (or solemnly affirm) that the total amount of the contributions received by me in relation to the above-noted election was \$ _____ and that (check one of the following)

_____ I did not receive any one contribution in an amount that exceeded \$100.

_____ I received one or more contributions in an amount that exceeded \$100 and the contributors of those amounts are as follows:

| Date | Name and address of contributor | Amount |
|------|---------------------------------|--------|
| | | |
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| | | |

(In the case of an oath add: "So help me God.")

Candidate

Sworn (or affirmed)
before me at: _____
this _____ day of, 20__.

Returning Officer, Justice of the Peace,
Notary Public or Commissioner of Oaths