

Order Number: 086-2009

Date Enacted: July 10, 2009



TSAWWASSEN FIRST NATION
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Election Act

ELECTION RECOUNT AND APPEAL DEPOSIT REGULATION

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Citation

1 This regulation may be cited as the Election Recount and Appeal Deposit Regulation.

Definitions

2 In this regulation:

“**Act**” means the *Election Act* (Tsawwassen);

“**candidate**” means an individual that has formally accepted a nomination to run for Chief or a legislator under section 25 of the Act; and

“**election officer**” means the election officer appointed under the Act.

Interpretation

3 Unless specifically provided otherwise in these regulations, other terms used have the same meanings as in the Act.

Judicial recount

4 Where a candidate, an eligible voter or an election officer makes application in writing for a judicial recount of votes for the office of chief or the votes for the office of legislators under section 59 [*Judicial Council recount*] of the Act, the deposit required under subsection (2) of that section will be in the amount of \$50.

Process if applicant’s request for a judicial recount is substantiated

5 If the outcome of the applicant’s request for a judicial recount results in a finding by the Judicial Council that there was

- (a) incorrect acceptance or rejection of votes,
- (b) inaccurate count or recount, or
- (c) that the election officer’s report and results do not accurately record the number of votes for a candidate,

then the deposit will be returned to the applicant.

Process if applicant’s request for a judicial recount results in no change

6 If the outcome of the applicant’s request for a judicial recount results in no change to

- (a) the acceptance or rejection of votes,
- (b) the count or recount of votes, or
- (c) the election officer’s report and results of the number of votes for a candidate,

then the deposit will be not be refunded to the applicant.

Appeal of election to Judicial Council

7 Where an eligible voter files an appeal of election under subsection 62(1) [*Appeal of election to Judicial Council*] of the Act,

- (a) the deposit required under subsection 62(2) [*Appeal of election to Judicial Council*] will be in the amount of \$150, and
- (b) that deposit is non-refundable.