Local Elections in British Columbia 2022:



What Every Candidate Needs to Know

BRITISH COLUMBIA



General local elections will be held on **Saturday, October 15, 2022**.

WHAT'S NEW FOR 2022

There have been some important changes since the 2018 general local elections.

- Electors are no longer required to be resident of a municipality or electoral area for 30 days before the day of registration.

NEW

- Candidates and canvassers must have reasonable access to distribute candidate information at cooperative, strata and rental properties from 9:00 a.m. to 9:00 p.m. local time during the campaign period.
- Mail ballot voting (if available) is open to **all** eligible electors.

NEW

- A pre-campaign period extends the time during which election advertising is regulated under the *Local Elections Campaign Financing Act*.
- Elector organizations must first register with Elections BC before endorsing candidates, receiving campaign contributions or incurring elections expenses.

NEW

- Council must consider whether to establish a code of conduct or update an existing code of conduct at the first regular council meeting after general local elections.



- Monetary penalties have been established for failing to comply with the campaign financing and advertising rules under the *Local Elections Campaign Financing Act*.

What should the public expect from people who run for elected office?

People who demonstrate *integrity*, *accountability*, *respect*, *leadership* and *collaboration* with other locally elected officials and local government staff are essential to the effectiveness and success of a local government.

What is responsible conduct of locally elected officials?

Responsible conduct is how locally elected officials conduct themselves in their relationships with elected colleagues, local government staff and the public – and is directly connected to how a community is governed.

An elected official's relationships with their colleagues, local government staff and the public can play a significant role in helping councils and regional district boards carry out their collective responsibilities as decision-makers for their communities.

Refer to the ***Foundational Principles of Responsible Conduct*** brochure and the ***Forging the Path to Responsible Conduct*** guide for information about the key values that guide locally elected officials' conduct.

GENERAL LOCAL ELECTIONS

What are general local elections?

Through general local elections, residents and non-resident property electors determine the individuals who will collectively make decisions and govern on their behalf following general voting day. Electors do this by voting – casting their ballots in favour of a candidate(s).



How often are general local elections held?

General local elections for: mayors; councillors; electoral area directors; school trustees; specified parks board commissioners; local community commissioners; and, Islands Trust local trustees are held every four years on the third Saturday of October.

ELECTION ADMINISTRATION

Who oversees local elections?

Local governments (municipalities and regional districts) and Elections BC share responsibility for local elections. Local governments (municipalities and regional districts) administer elections and: set voting opportunity dates, times and places; accept nomination documents and nomination deposits; count ballots; announce election results; and, break tied elections. Each local government is responsible for running its own general local election.

The Chief Election Officer is an individual appointed by a municipal council or regional district board to conduct a general local election or by-election. The Chief Election Officer is responsible for overseeing all local election administration activities, including: receiving nomination documents; declaring candidates; administering voting opportunities; counting ballots; and, declaring election results.

Elections BC administers, investigates and enforces the campaign financing disclosure requirements including elector organization registration, expense limits, campaign contribution limits and the election advertising rules under the *Local Elections Campaign Financing Act*.

Elections BC is the non-partisan and independent Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and advertising rules for local elections and non-election assent voting events under the ***Local Elections Campaign Financing Act***.

HOW TO GET STARTED

Am I eligible to run for office?

To be eligible to run for office you must:

- be 18 years of age or older on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before filing nomination documents; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in an election in B.C. or from being nominated for, being elected to or holding the office, or be otherwise disqualified by law.

Refer to the ***Local Government Act, s.67*** for the rules for determining B.C. residency.

How do I get nominated?

You must be nominated by at least two eligible electors – some local governments may require each candidate to have as many as 10 or 25 nominators.

Nominators must be qualified under the *Local Government Act* or the *Vancouver Charter* to nominate a candidate for office.



You may also be required to pay a refundable nomination deposit (up to a $100 maximum) as part of the nomination process. You can confirm specific nomination requirements with your Chief Election Officer.

Where can I find nomination forms?

Candidate nomination documents are available from your local government. Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

What are some key nomination requirements?

Local governments generally use standard nomination forms and you are required to provide detailed contact information for you and those people who work for you during your election campaign (e.g., financial agent, official agent). Information provided on the nomination forms also includes the office you are running for, your nominators, and the statement of financial disclosure required under the *Financial Disclosure Act*.

You are also required to make a solemn declaration stating that you are aware of, understand, and will comply with the requirements of the *Local Elections Campaign Financing Act*.

Where do I file my nomination papers?

You must file your nomination documents with the Chief Election Officer where you intend to run for office. The nomination deadline is 4:00 p.m. local time on **Friday, September 9, 2022**.

Who can help me run my election campaign?

You may appoint a financial agent, an official agent, scrutineers and volunteers to help with your election campaign and to take on campaign activities. Some candidates may also be endorsed by an elector organization.

Financial Agents

A financial agent is a representative that a candidate is legally required to have during an election campaign. **You are your own financial agent unless you appoint another individual to the position**.

Financial agents are responsible for administering campaign finances in accordance with the *Local Elections Campaign Financing Act*. This includes opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account; maintaining records for campaign contributions, election expenses and all other campaign transactions; and filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

Elections BC will send the financial agent the ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** shortly after receiving the candidate declaration and appointment of financial agent forms from the Chief Election Officer.

The required disclosure statement forms will be sent after general voting day. This information will assist you or your financial agent when it is time to disclose your campaign finances.

You must appoint your financial agent in writing and have their written consent to be your financial agent. The written appointment must be submitted to the Chief Election Officer as part of your nomination documents and the Chief Election Officer will send your candidate declaration and appointment of financial agent forms to Elections BC.



Official Agents

Candidates may appoint an official agent to represent them during the election process. The official agent may act as your campaign manager or spokesperson or be the point of contact for the people helping on your election campaign. You must appoint your official agent in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after you have made the appointment.

Scrutineers

Candidates or their official agent may appoint scrutineers to observe voting procedures and the ballot-counting process. You or your official agent may appoint one scrutineer for each ballot box used at a voting place during general local elections. In some cases, the local government may allow you to have more than one scrutineer for each ballot box used at a voting place.

Further information about scrutineers is available in the ***Scrutineers Guide to General Local Elections***.

You must appoint your scrutineers in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after you have made the appointment.

Volunteers

Candidates may retain volunteers to take on election campaign-related activities (such as preparing and distributing flyers, canvassing, calling eligible voters and/or handling logistics). A volunteer who works on your election campaign must not receive any payment or remuneration for their services.

Elector Organizations

An elector organization is an organization that endorses or intends to endorse a candidate(s) in general local elections and that files endorsement documents with the Chief Election Officer and Elections BC. Elector organizations may also be known as "civic political parties."

Elector organizations may endorse you on the ballot by allowing its name, abbreviation or acronym to appear on the ballot beside your name.

Elector organizations and candidates may each direct their own separate election campaign or run complementary campaigns; however, you may decide to rely solely on the elector organization to run campaign activities on your behalf. An elector organization may also promote your viewpoint and/or the elector organization's viewpoint during an election campaign.

What is a third party sponsor?

Third party sponsors are individuals or organizations that sponsor election advertising independently from candidates and elector organizations.

Third party sponsors must register with Elections BC before conducting advertising during the pre-campaign and campaign periods.

Third party advertising includes advertising for or against a candidate and/or an elector organization. In the campaign period, it also includes advertising on an issue with which a candidate or elector organization is associated.

Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with, or on behalf of a candidate and/or elector organization.

ELECTION CAMPAIGN FINANCING

Are there new campaign financing rules?

Yes. The pre-campaign period set out in the *Local Elections Campaign Financing Act* has been established to lengthen the time election advertising is regulated from 29 to 89 days. This means that during the pre-campaign period beginning on **July 18, 2022** and ending **September 16, 2022** election advertising, such as billboards or commercials, must include sponsorship information.

Election advertising rules apply to advertising that promotes or opposes the election of a candidate or an elector organization that is endorsing a candidate (e.g., directed advertising) during the pre-campaign period.

Refer to Elections BC's ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** for detailed information regarding the new campaign financing rules.

Elector organizations are required to register with Elections BC before accepting a campaign contribution, incurring an election expense or endorsing a candidate.

Elections BC has additional investigative and enforcement tools to ensure compliance with the campaign financing and advertising rules in the *Local Elections Campaign Financing Act*. Elections BC can issue monetary penalties for a wide-range of contraventions, including exceeding campaign contribution limits or expense limits for candidates.



ELECTION CAMPAIGNING

What can I do to get my message out to the voting public?

Election campaigns are generally a planned set of actions, events or initiatives (e.g., public speeches, canvassing, phoning voters, holding events and advertising) designed to raise awareness about you or your election platform with voters.

Key campaign activities you could undertake include: canvassing door-to-door to raise awareness about your campaign; identifying issues important to voters or determining your level of voter support; holding a luncheon or fundraising dinner where voters can listen to your election platform and ask questions; advertising in print, on radio, television or social media (e.g. Facebook, Twitter, YouTube); and/or, putting up signs as a way of "getting your name out there."

> It is an election offence to advertise in newspapers or magazines and on the radio or on television on general voting day.

You and your canvassers must have reasonable access to distribute candidate information at cooperative, strata and rental properties from 9:00 a.m. to 9:00 p.m. local time during the campaign period.

Government-issued photo ID and proof of candidacy, or written authorization to canvass on behalf of a candidate, must be made available upon request when you and/or your canvassers are canvassing in a cooperative, strata or rental property.

ELECTION ADVERTISING

What are some key election advertising rules for local elections?

Generally, all your election advertising (e.g., signs, posters, brochures, billboard and commercials) transmitted during the pre-campaign and campaign period must include information about who sponsored and authorized the ad. The sponsorship information must be provided in English. There are also limits to the value of sponsorship contributions that can be provided to third party sponsors.

The pre-campaign period begins on **Monday, July 18, 2022**, and ends at midnight on **Friday, September 16, 2022**.

The campaign period starts on **Saturday, September 17, 2022**, and ends when voting closes at 8:00 p.m. local time on **Saturday, October 15, 2022**.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* for detailed information regarding election advertising.

VOTING DAY

Will voters be able to cast their ballots before general voting day?

Yes. At least one advance voting opportunity must be held in every local government 10 days before general voting

Voting places are open from 8:00 a.m. to 8:00 p.m. local time **Saturday, October 15, 2022** for general voting.

day. The required advance voting opportunity for the 2022 general local elections is **Wednesday, October 5, 2022**.

Many local governments hold more than one advance voting opportunity and may also hold special voting opportunities at hospitals and/or long-term care facilities where people who have limited mobility can vote. Only designated electors are eligible to vote at special voting opportunities.

Can I campaign on general voting day?

Yes. You are allowed to campaign on general voting day by:

- advertising on the Internet, as long as the advertising was transmitted to the public before general voting day and was not changed before being transmitted on general voting day;
- advertising by means of signs, posters, or banners;
- canvassing and/or distributing pamphlets; and,
- advertising that exclusively encourages people to "get out and vote."

You are not allowed to advertise in newspapers, magazines, on the radio or on TV on general voting day. **It is an election offence to campaign within 100 metres of a voting place during voting proceedings**.

Can I watch the ballot counting process?

Yes. Candidates can be present during the ballot count. The Chief Election Officer can tell you the time and location for the final vote count and when the election results will be declared. Ballot counting starts after 8:00 p.m. local time at the close of voting. Your official agent or a scrutineer may also attend at each location where ballot counting takes place.

When will the election results be announced?

The official election results must be declared by 4:00 p.m. local time on **Wednesday, October 19, 2022**. Candidates with the most votes will be declared elected.

A tie between two or more candidates must be broken in accordance with the *Local Government Act* (or *Vancouver Charter* in the City of Vancouver) and the local government's election bylaw. The judicial recount must be completed by **October 28, 2022**.

AFTER THE ELECTION

What do I do if I'm elected?

You must take the oath of office within 45 days after the election results were declared. You must also file a campaign financing disclosure statement with Elections BC within 90 days of general voting day.

Refer to Elections BC's ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** or contact Elections BC directly for more detailed information about campaign financing disclosure requirements.

A candidate may take the oath of office or make a solemn affirmation as soon as you are declared elected by the Chief Election Officer; however, elected candidates do not take office immediately.

Municipal council members (e.g., mayor and councillors) formally take office at the first regularly scheduled council meeting following general local elections – this meeting must take place before **November 10, 2022**.

A council or regional district board must decide whether to establish a code of conduct or, if one already exists, whether to update it within six months of the first regular council or board meeting following general local elections.

The term of office for a municipal council member appointed to a regional district board begins when the person has made an oath of office or solemn affirmation as a regional district director.

Are there things I need to do even if I'm not elected?

Yes. You must file a campaign financing disclosure statement with Elections BC if you were not elected – even if you received no campaign contributions and incurred no election expenses.

ELECTION OFFENCES AND PENALITES

What happens if I don't comply with all of the election rules?

You could be disqualified from office if you do not file a campaign financing disclosure statement or fail to take the oath of office following local elections.

Offences for contravening campaign financing and advertising rules are set out in the *Local Elections Campaign Financing Act*.

You may also be disqualified from office if you are absent from council or regional district board meetings for a period of 60 days or four consecutive meetings, whichever is longer. You are not disqualified if the absences are with the permission of council or the regional district board or because you are on a mandatory leave of absence.

You may also be subject to penalties of up to $10,000 and/or two years imprisonment for buying votes, and/or intimidating a voter during general local elections. You will also be prohibited from running for local office for up to seven years if you are found guilty of these offences.

You may also be subject to penalties of up to $5,000 and/or imprisonment for up to one year for providing and/or distributing false information or campaigning near a voting place during voting proceedings. These penalties could apply whether or not you were elected.

Additional monetary penalties and disqualification penalties apply for failing to comply with the campaign financing and advertising rules under the *Local Elections Campaign Financing Act*.

FURTHER INFORMATION

Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

For answers to legislative **questions about municipal and regional district elections** please contact:

Ministry of Municipal Affairs
Governance and Structure Branch
Phone: 250 387-4020
Email: LGgovernance@gov.bc.ca
Website: www.gov.bc.ca/localelections

For answers to questions **about elector organization registration, election advertising, third party sponsors or campaign financing** please contact:

Elections BC
Phone: 250 387-5305
Toll-free: 1 800 661-8683 / TTY 1 888 456-5448
Fax: 250 387-3578
Toll-free Fax: 1 866 466-0665
Email: electoral.finance@elections.bc.ca
Website: https://elections.bc.ca

Full text of the *Local Government Act*, *Local Elections Campaign Financing Act*, *Community Charter*, *Vancouver Charter*, *School Act*, and *Offence Act* can be found online at: www.bclaws.ca

Refer to the ***Candidates Guide to Local Elections in B.C.*** for more detailed information about being a candidate for mayor, councillor, or electoral area director.

Disclaimer

In the event that there is inconsistency between this brochure and the *Local Government Act*, the *Local Elections Campaign Financing Act*, or any other Act, the legislation shall prevail.