

# **Gateway Recreation Centre Inc.**

## **Elections Procedures By-Law For Executive Members**

### **INTRODUCTORY PROVISIONS**

#### **Definitions**

“**Board**” means the Board of Directors of the Gateway Recreation Centre Inc.

“**Centre**” means the Gateway Recreation Centre Inc. located at:

1717 Gateway Road, Winnipeg, Manitoba

### **SENIOR ELECTION OFFICIAL AND ASSISTANTS**

#### **Senior Election Official must be independent and impartial**

1. A Senior Election Official, as appointed under the Centre’s constitution, must discharge his or her responsibilities independently and impartially.

#### **Appointment of Assistant Senior Election Official**

2. A Senior Election Official may appoint one or more Assistant Election Officials.

#### **Assistant Senior Election Official**

3. If an Assistant Election Official has been appointed and the Senior Election Official is absent or unable to act or the office is vacant, an Assistant Election Official may act in his or her place. When doing so, the assistant has all the powers of the Senior Election Official.

#### **General duties of Senior Election Official**

4. The Senior Election Official of the Centre must
  - (a) Exercise general direction and supervision over the conduct of elections and votes on questions at the Centre;
  - (b) Ensure that election officials of the Centre carry out their duties with fairness and impartiality, and in compliance with any bylaws

(c) Give election officials of the Centre any instructions that the Senior Election Official considers necessary to administer an election or vote.

## **INELIGIBILITY OF ELECTION OFFICIALS**

### **Who may not be an election official**

5. The following persons may not be appointed and may not act as an election official:
  - (a) A current member of the Board
  - (b) A member of the Centre not in good standing as defined by the constitution of the Centre
  - (c) A candidate for a position on the Board;

## **NOMINATIONS**

### **Nominations**

6. No person shall be nominated for more than one position at an election.

### **Nomination period**

7. For each annual election, the nomination period begins 30 days prior to the Annual General Meeting and will be open for nominations for 25 days.

### **Notice of nominations**

8. At least seven but not more than 21 days before the nomination period begins, the senior election official must give public notice of nominations.

### **Content of notice of nominations**

9. The notice of nominations must include the following information, but may also include any other information that the senior election official considers appropriate:
  - (a) The offices for which candidates are to be elected;
  - (b) The place or places where, and the dates and times during the nomination period when, nominations will be received;

(d) How interested persons can obtain information about the requirements and procedures for making a nomination;

### **What nomination must include**

10. A nomination must include the following:

1. A statement by the prospective candidate of

(a) His or her surname and usual name;

(b) His or her telephone number and residential address, and mailing address if it is different; and

(c) The office for which he or she seeks to be nominated.

2. The names, addresses and signatures of at least 2 eligible voters who support the nomination.

### **How to file a nomination**

11. To make a nomination, the nomination papers must be filed with the senior election official

(a) Before the end of the time for receiving nominations; and

(b) At the place that is specified in the notice of nominations

### **Method of filing**

12. Nomination papers may be filed with the senior election official in person or by an agent or by mail or fax.

### **Obligation to ensure documents received**

13. The obligation to ensure that the nomination papers are received in accordance with this section rests with the person nominated.

### **Verifying the nomination**

14. Upon receiving nomination papers, the Senior Election Official must verify that they are complete and in accordance with this document.

### **Nomination confirmed or refused**

15. As soon as possible after verifying the nomination papers, the Senior Election Official must:

(a) Confirm to the prospective candidate that his or her nomination papers are complete and have been accepted; or

(b) Advise the candidate that his or her nomination papers have been refused and the reason for the refusal.

### **Candidate upon acceptance of nomination papers**

16. A person becomes a candidate upon the Senior Election Official accepting his or her nomination papers.

### **Correcting or replacing nomination papers**

17. Nomination papers that are refused may be replaced or corrected if the new or corrected documents are filed before the nomination period ends.

### **Information to be released to the Public**

18. No names or other information relating to the nominations shall be released by any person with knowledge of this information until after the closing of nominations.

## **WITHDRAWALS**

### **Withdrawing a nomination**

19. At any time up until 5 days after the nomination period ends, a candidate may withdraw his or her nomination by filing a signed declaration to that effect with the Senior Election Official.

## **ACCLAMATIONS OR ELECTIONS**

### **Acclamation**

20. If, when the period for withdrawals expires, the number of nominated candidates for an office is the same as or less than the number to be elected, the Senior Election Official must declare the candidate or candidates elected by acclamation.

### **Public notice of election**

21. If, when the period for withdrawals expires, the number of nominated candidates for an office is greater than the number to be elected, the Senior Election Official must, as soon as is reasonably possible, give public notice of the following:

- (a) A description of each office to be filled at the election;
- (b) The names of the candidates nominated for each office;
- (c) The dates and times when voting places will be open for voting;
- (f) That, before being allowed to vote, a person may be required to establish his or her identity, and the manner in which the person may do so
- (g) Any other information about the election that the senior election official determines appropriate.

## **PREPARING FOR AN ELECTION**

### **VOTING STATIONS AND PLACES**

#### **Location and times of voting places**

- 22. The location and times of the voting place shall be at the place and time of the Centre's Annual General Meeting.

#### **Equipping voting stations**

- 23. The Senior Election Official must ensure that each voting station is provided with all necessary equipment to conduct the election

#### **Printing of ballots**

- 24. The Senior Election Official must arrange for enough ballots to be prepared.

#### **Senior Election Official determines if separate or composite ballot**

- 25. The Senior Election Official must determine which of the following will be used in an election:
  - (a) Separate ballots for each office and for each question;
  - (b) Composite ballots that combine the contents of two or more separate ballots described in clause (a).

**VOTING**  
**GENERAL**

**Rights of a voter**

26. Every eligible voter is entitled to

(a) Vote in secret;

(d) Not have any information about how he or she voted disclosed for any reason.

**May only vote once**

27. A voter may not vote more than once in the same election.

**When person deemed to have voted**

28. A person is deemed to have voted when he or she is given a ballot.

**VOTING ON ELECTION DAY**

**Voting at a voting station**

29. On Election Day, an eligible voter who wishes to vote must attend the voting station and give his or her name to an election official.

**Voting official may require identification**

30. Before giving a ballot to an eligible voter, a voting official may require the voter to establish his or her identity and place of residence.

**VOTING**

**Voting**

31. The following steps must be taken when a person is voting at a voting station on election day:

**STEP 1: Voter to be given a ballot**

The voting official must

(a) Write his or her initials on the back of a ballot;

- (b) Fold the ballot so that the initials can be seen without opening the ballot;
- (c) Explain to the voter how to mark and fold the ballot; and
- (d) Give the ballot to the voter.

### **STEP 2: Voter's handling of ballot**

The voter must take the ballot directly to the voting compartment and, without delay, mark the ballot

- (a) By placing an "X" in the space beside the name of each candidate he or she wishes to vote for;
- (b) In the case of a vote on a question, by placing an "X" in the space beside the answer he or she wishes to vote for; or
- (c) By writing "declined" anywhere on the front of the ballot.

### **STEP 3: Ballot returned to election official**

The voter must fold the ballot as instructed and immediately return it to the election official.

### **STEP 4: Election official's handling of marked ballot**

Without unfolding the ballot, the election official must

- (a) Confirm that it is the same ballot that was provided to the voter by examining his or her initials; and
- (b) Ensure that the ballot is put into the ballot box in full view of those present at the voting station.

### **Spoiled ballot**

- 32. A voter who unintentionally spoils a ballot may fold it and return it to the voting official and exchange it for a new ballot.

**THE COUNT**  
**COUNTING BALLOTS**

**Election official to count the vote**

33. Immediately after closing the voting place, the election official must count the vote. Only election officials and candidates may be present during the vote count.

**Rules for counting ballots**

34. The election official must count the ballots according to the following:

**Ballots that must be counted**

A ballot must be counted if it is marked in an acceptable manner and the voting official is satisfied that it is a ballot that he or she gave to a voter.

A ballot is marked in an acceptable manner if it is marked with

(a) An "X, or

(b) Any other mark that clearly indicates an intention to vote for a candidate or an answer to a question, and

**Ballots that must be rejected**

A ballot must be rejected if is not marked in an acceptable manner or the voting official is not satisfied that it is a ballot that he or she gave to a voter.

**Objections**

Every objection raised by a candidate present about a ballot being accepted or rejected must be considered.

Having considered an objection, the voting official must make a decision on the objection without delay.

**DETERMINING**  
**AND DECLARING RESULTS**

**Results may be announced**

35. The Senior Election Official will, by using the tally of the votes received

- (a) By each candidate in the election; and
- (b) For each answer for a vote on a question; announce the results to those present.

### **Senior Election Official to declare results**

36. After the count, the Senior Election Official must declare:

- (a) For an elected office
  - (i) The candidate or candidates, as the case may be, who received the highest number of votes to be elected, or
  - (ii) A tie, if two or more candidates cannot be declared elected because the same number of votes were cast for each; and
- (b) The result of a vote on a question, including that the result is a tie if both answers to a question received the same number of votes.

### **If tie for an office**

37. If two or more candidates for an office cannot be declared elected to an office because each has received the same number of votes, the Senior Election Official must,

- (a) Declare the office vacant; and
- (b) Proceed to hold a by-election to fill that office within 30 days of the original election date.

### **Destruction of Election Material**

38. Unless the Senior Election Official has reason to believe that the used election material will be required for any purpose, he or she shall arrange to have all material used at the election destroyed on the day after the election.