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LOCAL GOVERNMENT ACT

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LOCAL GOVERNMENT ACT

CHAPTER 1 [RSBC 2015]

[includes 2018 Bill 23 c. 26 & Bill 24, c. 23 amendments (effective May 31, 2018)]

Part 3: Division 9 Candidates and Representatives

Withdrawal, death or incapacity of candidate

- 101.** (1) At any time up until 4 p.m. on the 29th day before general voting day, a person who has been nominated may withdraw from being a candidate in the election by delivering a signed withdrawal to the chief election officer, which must be accepted if the chief election officer is satisfied as to its authenticity.
- (2) After the time referred to in subsection (1), a candidate may withdraw only by delivering to the chief election officer a signed request to withdraw and receiving the approval of the minister.
- (3) For the purposes of subsection (2), the chief election officer must notify the minister of a request to withdraw as soon as practicable after receiving it.
- (4) The chief election officer must notify the minister if, between the declaration of an election by voting under section 98 (2) and general voting day for the election,
- (a) a candidate dies, or
 - (b) in the opinion of the chief election officer, a candidate is incapacitated to an extent that will prevent the candidate from holding office.
- (5) On approving a withdrawal under subsection (2) or being notified under subsection (4), the minister may order
- (a) that the election is to proceed, subject to any conditions specified by the minister, or
 - (b) that the original election is to be cancelled and that a new election is to be held in accordance with the directions of the minister.

RS2015-1-101 (B.C. Reg. 257/2015).

Appointment of candidate representatives

- 102.** (1) A candidate may appoint
- (a) one individual to act as official agent of the candidate, to represent the candidate from the time of appointment until the final determination of the election or the validity of the election, as applicable, and
 - (b) scrutineers, to represent the candidate by observing the conduct of voting and counting proceedings for the election.
- (2) An appointment as a candidate representative must
- (a) be made in writing and signed by the person making the appointment,
 - (b) include the name and address of the person appointed, and
 - (c) be delivered to the chief election officer or a person designated by the chief election officer for this purpose as soon as practicable after the appointment is made.

- (3) An appointment as a candidate representative may be rescinded only in the same manner as the appointment was made.
- (4) An appointment of an official agent may include a delegation of the authority to appoint scrutineers.
- (5) If notice is to be served or otherwise given under this Part to a candidate, it is sufficient if the notice is given to the official agent of the candidate.
RS2015-1-102 (B.C. Reg. 257/2015).

Presence of candidate representatives at election proceedings

- 103.** (1) A candidate representative present at a place where election proceedings are being conducted must
- (a) carry a copy of the person's appointment under section 102,
 - (b) before beginning duties at the place, show the copy of the appointment to the presiding election official or an election official specified by the presiding election official, and
 - (c) show the copy of the appointment to an election official when requested to do so by the official.
- (2) The presiding election official may designate one or more locations at a place where election proceedings are being conducted as locations from which candidate representatives may observe the proceedings and, if this is done, the candidate representatives must remain in those locations.
- (3) The absence of a candidate representative from a place where election proceedings are being conducted does not invalidate anything done in relation to an election.
RS2015-1-103 (B.C. Reg. 257/2015).