



huu ay aht

ANCIENT SPIRIT, MODERN MIND

Notice Regarding Criminal Record Checks for Candidates

May 7, 2019

I have received a number of questions regarding Criminal Record Checks that are required as part of the Nomination Package for candidates for Chief Councillor and Councillors for the 2019 Huu-ay-aht First Nations election.

The Election Act requires that the Criminal Record Check be included as part of the Nomination Package and that the Nomination Package be submitted to be by 12:00 noon on May 9, 2019. The Election Act does not give me any alternatives and a Nomination Package will not be considered complete unless it includes the Criminal Record Check. The relevant sections of the Election Act are attached for reference.

Potential candidates can obtain a Criminal Record Check within hours online by going to the following Internet web site and scrolling down to Option 1.

<http://www.commissionairesviy.ca/services/criminal-record-check/>

A response to your request will be provided electronically and you can forward that to me or print it and scan it and include it as part of your nomination package.

The Election Commissioner is responsible for the fair, efficient, accessible and transparent conduct of the elections under the Election Act. The duties and powers of the Election Commissioner are detailed in Division 1 of the Election Act.

Kit Spence has been appointed as Election Commissioner and may be contacted by telephone at 1-250-881-0142 or by email at HFN_Election_Commissioner@shaw.ca

Given under my hand this 7th day of May 2019.

Kit Spence
Election Commissioner



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Appendix 1 – Extract from the Election Act

Nomination period

31 The period for receiving nominations begins at 9 a.m. on the 47th day before voting day and ends at noon **on the 37th day before voting day. (This is May 9 at noon)**

Nomination form

32 (1) At least 10 eligible voters must sign the nomination form under subsection (2) for an individual to be nominated as a candidate in an election.

(2) The nomination of a candidate for elected office must be made in the prescribed form and **include all of the following:**

1. (a) the elected office for which the individual is nominated;
2. (b) the full name of, colour photograph of, and contact information for, the nominated individual;
3. (c) a statement signed by the nominated individual consenting to the nomination;
4. (d) the full names and contact information of the eligible voters making the nomination;
5. (e) a statement signed by each of the individuals under paragraph (d) that
 1. (i) to the best of their knowledge the nominated individual is qualified to be a candidate under section 5, and
 2. (ii) they are qualified as eligible voters to nominate a candidate;
6. (f) **a certified copy of a criminal record check for the nominated individual obtained within 90 days of voting day;**
7. (g) a solemn declaration of the nominated individual declaring that
 1. (i) he or she is qualified to be nominated, and
 2. (ii) to the best of his or her knowledge, the information provided in the nomination form is true.

Delivering nomination form

33 (1) **A complete nomination form must be delivered to the commissioner before the nomination period ends.**