

Town of Lunenburg

2023 Special Election – Candidate Forms and Deadlines

Contained in this document are the forms you will need to submit to the Returning Officer by 4 pm on Nomination Day. Important dates and a description of each form is provided below.

If a current councillor files their nomination papers for the mayor's position then they must vacate their councillor seat. If this happens then the special election will be held to fill both the mayor's vacancy and the councillor's vacancy. Updates on this will be provided as soon as available. The information provided below includes information for both the mayor's vacancy and a possible councillor vacancy.

To file your nomination papers or if you have any questions, please contact the Returning Officer, Kayla Byrne, by email kbyrne@townoflunenburg.ca or by phone 902-634-4410 x 240.

KEY DATES

July 10, July 11, July 12 & July 13	Nominations papers accepted for Mayor.
July 13	Last day to file nomination papers for Mayor.
July 14	Deadline for candidates for Mayor to withdraw their nomination. Deadline is before 4 pm.
July 14, July 17 & July 18	Nomination papers accepted for Councillor.
July 18	Last day to file nomination papers for Councillor
July 19	Deadline for candidates for Councillor to withdraw their nomination. Deadline is before 4 pm.
August 3	Advance voting begins
August 12	Election Day

Deposit

Candidates must pay a \$200 deposit to file their nomination paper.

A full refund will be given to the candidate who was elected or who polled at least half of the number of votes polled by the successful candidate, provided that the candidate removes all their advertising materials, returns or destroys the voter's list, and completes and returns FORM 12.

Half of the deposit will be issued to a candidate who polled less than half of the number of votes polled by the successful candidate, provided that the candidate removes all their advertising materials, returns or destroys the voter's list, and completes and returns FORM 12.

Candidate forms

Form	Purpose	Timeline
1. FORM 17: Appointment of an Official Agent	Form to appoint an Official Agent for a Candidate, or for a Candidate to declare themselves to act personally as their Official Agent. This is required before any campaign contributions can be accepted.	You should appoint your official agent as soon as possible. You can file this form with the Returning Officer when you file your Nomination Paper.
2. FORM 17A: Oath or Affirmation of Appointment of an Official Agent	Oath or Affirmation of Appointment of an Official Agent	This oath or affirmation must be made to appoint an Official Agent and is required before any campaign contributions can be accepted. You can file this form with the Returning Officer when you file your Nomination Paper.
3. FORM 15: Appointment of Agent *optional	You can appoint someone to represent you at a polling station. <i>Note:</i> This is typically done in larger communities where there are numerous polling stations. The Town of Lunenburg only has one polling station at Town Hall.	If you choose to appoint an agent, you can file this form with your Nomination Paper
4. FORM 16 Oath or Affirmation of Agent Representing a Candidate *required if you completed FORM 15	Oath or Affirmation of Agent Representing a Candidate	If you choose to appoint an agent, you can file this form with your Nomination Paper
5. FORM 3: Certificate of Taxes and Liens	To qualify for nomination to Council, you must ensure that all municipal charges that are taxes and liens that are due have been fully paid. This applies even if you do not own property or owe taxes.	You will need to file this with your Nomination Paper. Please note this could take up to one week to be prepared so plan accordingly. Contact the Returning Officer to request this certificate as soon as possible.
6. FORM 11: Nomination Paper	Nomination paper for mayoral or councillor candidates.	Must be submitted by: July 13 at 4 pm (Mayor) July 18 at 4 pm (Councillor)

7. FORM 12A: Declaration of Candidate Withdrawing from Nomination.	If you've changed your mind, you have one day to withdraw your Nomination.	Must be submitted by: July 14 before 4 pm (Mayor) July 19 before 4 pm (Councillor)
8. FORM 12: Affidavit re: Removal of Advertising Materials and Returning of Lists of Electors	Affidavit confirming the removal of advertising materials and the return or destruction of voter's lists.	This is due one week after Election Day (Aug. 18)
9. FORM 40: Candidate's Campaign Contributions Disclosure Statement	This form lists the details of all contributions more than \$50 received by a Candidate or Official Agent. This form tracks individual contributions.	This is due no later than 60 days after Election Day (Oct. 11)
10. FORM 41: Association's Campaign Contributions Disclosure Statement *Requirement for this form varies depending on your funding situation.	This form is only required when an association of one or more people established to, a trust established for, or a fund is established to further the election of the candidate.	If required, this is due no later than 60 days after Election Day (Oct. 11)

Candidate information

After you have officially filed your nomination paper, we'll post a list of all the candidates on the Town's website, social media pages, and in the local newspapers.

For the Town's website, we'd like to have a meet the candidates page. After you've filed your nomination papers, please send us the following:

- A picture of yourself
- A brief bio
- Why have you chosen to run in this special election?
- What do you feel is the key challenge facing the community and how would you work to address it?

Please keep this short and simple. Send the above information to kbyrne@townoflunenburg.ca.

**Form 17: Appointment of Official Agent
(Section 70)**

I, the undersigned, a candidate for the office of _____(mayor or councillor)

(place a check mark next to the applicable statement)

_____ appoint _____ (name)
of _____ (address) as my official agent with
authority to represent me in the manner provided by the *Municipal Elections Act* at
the election being held on Saturday, August 12, 2023.

OR

_____ declare that I will act personally as official agent in the manner provided by the
Municipal Elections Act at the election being held on Saturday, August 12, 2023.

Signature of candidate

**Form 17A: Oath (or Affirmation) of Official Agent
(Section 70)**

I, _____, the undersigned, swear (or solemnly affirm) that as the official agent for _____, a candidate in the election to be held in the Town of Lunenburg on Saturday, the 12th day of August, 2023. I will not attempt, in any way, unlawfully to ascertain the candidate or candidates for whom a voter has voted or to aid in the unlawful discovery of the same, and I will keep secret all knowledge which may come to me of the persons for whom any voter has voted.

Sworn (or affirmed) at Lunenburg,
this ____ day of _____,
2023 before me.

(Signature of Official Agent)

Commissioner or other Authorized Official

Municipal Elections Act, clause 146(1)(b)

Print name and title

Form 15: Appointment of Agent
(Sections 69, 71)

I, the undersigned, candidate (or the official agent of _____,
(*candidate's name*) a candidate) for _____, (*office*) appoint the
following as my (his/her/their) agent with authority to represent me (him/her/they) in the
manner provided by the *Municipal Elections Act* at Polling Station Number 1 (at the Lunenburg
Town Hall) for the election being held on Saturday, August 12, 2023.

(name of agent)

(address of agent)

Dated at _____ Nova Scotia, this _____ day of _____, 2023.

Signature of candidate or of official agent

**Form 16: Oath or Affirmation of Agent Representing a Candidate
(Section 69)**

I _____ the undersigned, swear (or solemnly affirm) that, at the election to be held in the Town of Lunenburg on the Saturday, the 12th day of August , 2023, I will not attempt, in any way, unlawfully to ascertain the candidate or candidates for whom a voter has voted and will not in any way aid in the unlawful discovery of the same, and that I will keep secret all knowledge which may come to me of the persons for whom any voter has voted.

Candidate's Name

Agent's Signature

Sworn (or affirmed) at Lunenburg,
this _____ day of _____, 2023,
before me

Returning Officer

Form 3: Certificate in Respect to Charges that are Liens/Taxes
(Sections 17, 44, 45)

I certify that as of the _____ day of July _____, 2023, (*nomination day*) _____ (*name of candidate*) has fully paid all (i) the charges that are liens on property that are due, (ii) all the municipal taxes that are due, and (iii) all instalments or interim payments that are due as of nomination day have been paid to the Town of Lunenburg from him/her/them.

Clerk, Treasurer, Collector or other official
having knowledge of the facts

1. These electors must be qualified to vote at the election of the candidate.
2. Nomination forms are open for inspection by the public once signed by the Returning Officer.
3. You need at least five qualified electors to sign. You should get more than five persons to sign your nomination paper in the event one or more of your nominators is not qualified.

Consent and Oath or Affirmation of Candidate

I solemnly swear (or affirm) that:

1. I (He/She/They), _____, consent(s) to the nomination.
(name as it should appear on the ballot paper)
2. I am (He/She/They is/are) a Canadian citizen.
3. I am (He/She/They is/are) of the full age of eighteen years.
4. I have (He/She/They has/have) been ordinarily a resident in the Town Lunenburg, for a period of six months preceding nomination day and I intend (he/she/they intend(s)) to continue to so reside.
5. I am (He/She/They is/are) not indebted to the Town of Lunenburg for any charges that are liens on property or taxes, or all instalments or interim payments that are due as of nomination day have been paid, and a certificate from the Town of Lunenburg to this effect is attached.
6. I have (He/She/They has/have) not been convicted of bribery or of committing a corrupt practice under the *Municipal Elections Act* within the five years preceding nomination day.
7. I have (He/She/They has/have) read the Sections of the *Municipal Elections Act* related to persons disqualified to vote, to be nominated or to serve on a council and none of the reasons for disqualification listed in those Sections apply to me (him/her).
8. I have (He/She/They has/have) read and I understand (he/she/they understand(s)) the provisions of the *Municipal Elections Act* related to the requirement to take a leave of absence if I am (he/she/they is/are) an employee of the Town/Municipality/Regional Municipality within the meaning of those provisions.
9. I (He/She/They) will accept the office of _____ (mayor or councillor) if elected.
10. I appoint (He/She/They) appoint(s) _____ of _____ as my (his/her/their) official agent under the *Municipal Elections Act*.

Sworn (or affirmed) at Lunenburg
this _____ day of _____
20223, before me

Authorized Administrator of Oath
(See Section 146)

Candidate (or Agent if authorized
and the authorization is attached)

Receipt

Received from the above-named candidate or from his/her/their agent on his/her/their behalf a completed nomination paper and the sum of _____ in legal tender or a certified cheque or money order made payable to the Town of Lunenburg as a deposit pursuant to the *Municipal Elections Act*.

Dated at _____ this _____ day of _____, _____.

Returning Officer

**Form 12A: Declaration of Candidate Withdrawing from Nomination
(Section 53)**

To: Returning Officer,
Town of Lunenburg

I, _____, (*candidate's name*) officially nominated as a candidate
at the election now pending, withdraw as a candidate.

Dated at _____,
this _____ day of 2023.

Candidate/Official agent on behalf of candidate

**Form 12: Affidavit re Removal of Advertising Materials
and Return of Lists of Electors
(Section 51)**

I, _____, (*name of candidate*) solemnly swear (or affirm)
that:

1. I was a candidate for the office of _____ (*mayor or councillor*) of the Town of Lunenburg at the election held on Saturday, the 12th day of August, 2023.
2. I have removed or caused to be removed all advertising and election materials which were posted or displayed on my behalf.
3. I recognize that failure to remove advertising and election materials from public places is a violation of the *Municipal Elections Act*.
4. I have returned all copies of the list of electors in my possession, and I have either returned, destroyed or deleted any electronic copies provided to me or made by me.

Sworn (or affirmed) at Lunenburg,
this _____ day of _____,
2023, before me

(see Section 146)

Candidate (or Official Agent if authorized and the
authorization is attached)

(TO BE FILED WITHIN 7 DAYS AFTER ELECTION DAY)

**Form 40: Candidate's Campaign Contributions Disclosure Statement
(Sections 49A and 49B)**

Name of Candidate: _____

Name of Agent: _____

Date of Election: _____ Municipality/School Board: _____

☐ I received no contributions from a contributor that totalled more than \$50.00 during the period since the previous election.

OR

☐ I received the following contributions from a contributor that totalled more than \$50.00 during the period since the previous election.

List of contributors (see note below):

Contributor	Civic Address	Contributions
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Note: Insert full name of contributor and residential or business address. Use street address, not postal address. Contributions must be shown for every contributor whose contributions totalled more than \$50.00 since the most recent election.

I, _____, a candidate in the municipal/school board/CSAP election on _____ (date), certify that the foregoing statement of disclosure is a true and complete disclosure of all contributions made to me and to my official agent as required by Sections 49A and 49B of the *Municipal Elections Act*.

Candidate

(To be filed within 60 days after regular polling day with the clerk of the Town of Lunenburg)

**Form 41: Association's Campaign Contributions Disclosure Statement
(Sections 49A and 49B)**

Name of Association: _____

Name of agent: _____

Name of candidate supported: _____

Date of election: _____ Municipality/School Board: _____

- ☐ The above-named candidate received no contributions from a contributor that totalled more than \$50.00 during the period since the previous election.

OR

- ☐ The candidate received the following contributions from a contributor that totalled more than \$50.00 during the period since the previous election.

List of contributors (see note below):

Contributor	Civic Address	Contributions
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Note: Insert full name of contributor and residential or business address. Use street address, not postal address. Contributions must be shown for every contributor whose contributions totalled more than \$50.00 since the most recent election.

I, _____, the appointed agent of _____
(name of association) in the municipal/school board/CSAP election on _____
(date), certify that the foregoing statement of disclosure is a true and complete disclosure of all contributions made to me as agent of the said association as required by Sections 49A and 49B of the *Municipal Elections Act*.

Agent of Association

(To be filed within 60 days after regular polling day with the clerk of the Town of Lunenburg)