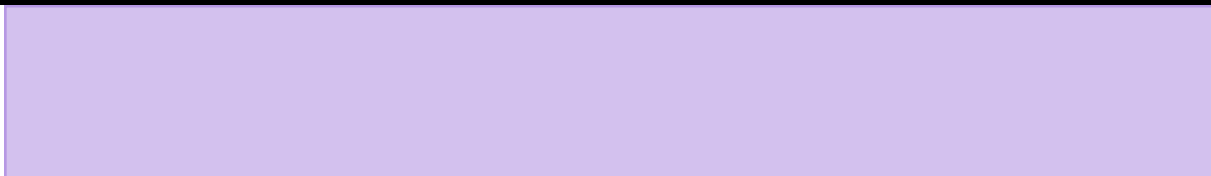


# Becoming a candidate for the position of warden of an RCM



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# Word from the Chief Electoral Officer

Are you thinking of running as a candidate for warden in your regional county municipality's upcoming election? This guide will help you determine whether you are eligible to be a candidate, fill out your declaration form, and understand the main rules governing the election and political financing. Your involvement in the democratic process is an important step, and this guide contains the information you need to make it rewarding and successful.

The provisions and rules to be respected during a municipal election are set out in the *Act respecting elections and referendums in municipalities* (CQLR, c. E-2.2) and the *Act respecting municipal territorial organization* (CQLR, c. O-9). Feel free to consult them.

During a municipal election, the reference person is the returning officer of your regional county municipality (RCM). This person is usually the clerk or the clerk-treasurer. Since this person is responsible for ensuring the election runs smoothly, you can contact them if you have any questions. They use the Act to answer your questions and guide you.

However, before you officially become a candidate, you have certain responsibilities. Make sure you understand the eligibility criteria and that you meet all the necessary requirements.

Remember that your campaign needs to be respectful of all stakeholders.

Thank you for your involvement in municipal democracy, and I hope you have a successful election campaign.

The Chief Electoral Officer

A handwritten signature in black ink that reads "Jean-François Blanchet". The script is cursive and elegant, with the first letters of the first and last names being capitalized and prominent.

Jean-François Blanchet

# Introduction

This guide is designed to help you with the responsibilities you must fulfill before becoming a candidate.

These responsibilities are as follows:

- Make sure you are eligible to run as a candidate.
- Determine whether you intend to incur expenses or obtain financing (you will then need to apply for authorization).
- Fill out your nomination paper, including collecting supporting signatures and confirming your eligibility with an oath.
- Go to the returning officer's office to file your completed nomination paper.

## CHAPTER 1 Knowing the requirements for filing a nomination paper

Your first responsibility is to make sure that you are eligible, meaning that you have the right to run as a candidate. You must do this before swearing an oath in your nomination paper.

The returning officer cannot give their opinion on your eligibility. To confirm if you are eligible to run as a candidate, you can consult the sections of the Act respecting elections and referendums in municipalities (AERM)<sup>1</sup> or contact a legal advisor.

Any person who wishes to become a candidate for warden of an RCM must be eligible.

### 1.1 Eligibility requirements

In order to be eligible<sup>2</sup>, you must:

- ✓ **be eligible to be registered on the list of electors** of the RCM, which includes all lists of local municipalities and unorganized territories, where applicable, by meeting all of the following criteria on **polling day**:
  - be at least 18 years of age;
  - have Canadian citizenship;
  - not have lost your right to vote because of **tutorship**;
  - not have been convicted of a **corrupt electoral practice** within the previous five years;
  - be in one of the following situations:
    - be domiciled in the territory of the RCM and have been domiciled in Québec for at least six months;
    - own a building or occupy a business establishment located on the territory of the RCM for at least 45 days on polling day;
- ✓ **reside** in the territory of RCM when filing your nomination paper;
- ✓ **not be in a situation of ineligibility.**

*These conditions apply to both general elections and by-elections.*

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1. Section 210.29.2 of the Act respecting municipal territorial organization states that the provisions of the AERM that relate to the election of the mayor apply to the election of the warden.

2. Act respecting elections and referendums in municipalities (AERM), sections 47, 54, and 61.

\* Highlighted words are defined in the glossary on page 18.

If you meet the criteria above, you have the right to be registered on the list of electors of the RCM.

A non-domiciled elector who is the sole owner of a building or the sole occupant of a business establishment and who meets the eligibility requirements may run for the position of warden, **even if they do not apply for entry on the list of electors**. In fact, this person has the right to be registered on the list of electors if they submit an application to the municipality or RCM.

However, the undivided co-owner of a building or the co-occupant of a business establishment who wishes to run for election **must have provided** the municipality or RCM with a **power of attorney** signed by a majority of the co-owners or co-occupants who are electors of the RCM. The power of attorney must designate this person as the only person with the right to be registered on the list of electors. Only the person mandated among them will have the right to be entered on the list of electors and to run as a candidate (AERM, section 55.1). The returning officer can provide the form to be completed in this situation.

## Concept of domicile

(Civil Code of Québec, art. 75 et seq.)

### BEING DOMICILED IN THE TERRITORY OF THE RCM

People often confuse domicile and residence. Although these two notions may seem interchangeable, they have different legal meanings.

A domicile is the place of a person's principal establishment: it is the place they consider their main dwelling, the one they provide when exercising their civil rights. Evidence of a person's intention to establish domicile in a specific place is based on their statements and circumstances (e.g., the address used on various pieces of identification, such as a driver's licence; the address used for personal correspondence; the address provided for income tax purposes).

When a person changes domicile, they establish their residence in another place with the intention of making it their main dwelling. The person can provide evidence of this intention in the same way.

A person's residence is the place where they normally live. Where a person has more than one residence, their domicile corresponds to their main residence.

Where a person's domicile cannot be established with certainty, it is considered to be the person's place of residence. If the person does not have a residence, it is the place where they are located. If this place is unknown, it is the place of their last known domicile.

## RESIDING IN THE TERRITORY OF THE RCM

The notion of residence implies a certain stability. A residence is a place where a person ordinarily resides, though not necessarily on a continuous basis. Therefore, an occasional dwelling does not constitute a residence. For example, a short stay in an inn or a hotel does not make that place a person's residence. Likewise, operating a business at a certain address does not make that place a residence, even if the owner spends some nights there.

Although a person can only have one domicile, they may have multiple residences. A residence can be a secondary dwelling used on an occasional or temporary basis, such as a summer cottage.

A person resides in the RCM when they live at a fixed location for work purposes, even when the corresponding residence is not the person's actual domicile. A person may therefore reside in an RCM without having established domicile there.

### **1.2 Ineligibility and disqualification from acting as warden of an RCM**

The AERM and the *Act respecting municipal territorial organization* (AMTO) provide for various situations that prevent a person from being a candidate for the position of warden.

The main grounds for disqualification are related to:

- the performance of certain duties;
- failure to comply with certain provisions of the AERM applicable to municipalities with a population of 5,000 or over and to RCMs subject to Chapter XIII of the AERM. In particular, these provisions relate to financing and expenses, as well as to the submission of financial reports and returns of election expenses by authorized parties and independent candidates;
- the legal incapacity to perform the duties of a warden, as provided for under the AERM;
- various grounds for disqualification provided for under other legislation, such as the *Cities and Towns Act* (CQLR, chapter C-19) and the *Municipal Code of Québec* (CQLR, chapter C-27.1). For example, a warden who knowingly breaks the rules governing loans or the awarding of contracts may be disqualified from holding municipal office for a period of two years;

- holding a seat on the council of another municipality, running for such a seat, or having been declared elected to such a seat within the last 30 days;
- holding a position as warden or a seat on a municipal council, unless that seat is up for election or has ceased to exist.

Any person who runs for the position of warden of the RCM must ensure that they are eligible and have not been disqualified from holding such an office. They must comply with the requirements provided for in sections 61 to 67 and 301 to 307 of the AERM<sup>3</sup>. In the case of a by-election, section 342 of the AERM also applies.

### **1.3 Consequences of becoming a candidate without being eligible**

You are committing an offence if you run as a candidate knowing that you are ineligible and you may be subject to legal proceedings. If you are found guilty, you will have to pay a fine and you cannot be a member of a municipal council or run for the position of warden of an RCM.

The AERM (ss. 586 to 645.1) specifies the offences and penalties applicable to any person (elector, candidate, RCM employee, election officer, etc.) who contravenes the legislation.

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3. Appendix 2, p. 19



## **CHAPTER 2   Filing a nomination paper**

To run as a candidate, you need to fill out the *Nomination paper: Position of warden of the regional county municipality (SP-29)* at the office of the returning officer.

### **2.1   Filing period for nomination papers**

You may file a nomination paper between the 44<sup>th</sup> day and the 30<sup>th</sup> day before polling day, in accordance with the schedule set by the returning officer. On the 30<sup>th</sup> day before polling day (which is a Friday), the returning officer will be available to receive nomination papers between 9 a.m. and 4:30 p.m., without interruption. After 4:30 p.m. on that day, no papers may be filed. On other days, the schedule varies<sup>4</sup>.

To find out the schedule for filing nomination papers in your RCM, consult the public notice of election before going to the RCM.

### **2.2   Persons authorized to file your nomination paper**

The AERM does not require you to file your own nomination paper. Another person can file it on your behalf. In this case, you must ensure that the form is properly completed, that you have taken your oath before a person authorized to administer it, and that the person has all the required documents, including an original piece of identification (see page 8 to find out which document to present).

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4. AERM, section 153.

## 2.3 Contents of the nomination paper and required documents

To become a candidate, you must complete the nomination paper form (SM-29) and submit it with the required documents. The returning officer will need to validate some of the information provided on the form.

### Person wishing to be a candidate

(Section 1 of form SM-29)

#### THE GIVEN NAME AND SURNAME OF THE PERSON WISHING TO BE A CANDIDATE

You must enter the given name and surname you were given at birth or those given legal status in the register of civil status. These must be the names under which you exercise your civil rights (AERM, s. 154).

However, you may also run for election under the given name and surname by which you are commonly known, provided these are the names you always use in your political, professional or social life, and that you are acting in good faith (AERM, s. 155). In this case, you must check the appropriate box in section 1 of the form. The returning officer is not responsible for determining whether a given name and surname are the ones you always use or whether you are acting in good faith. This is your responsibility. If necessary, the matter would have to be settled by the courts.

The following are some examples of given names and surnames under which a person would be commonly known:

- **Stage name**  
A person who uses a stage name in their professional life may run for election under that name, by which they are commonly known.
- **Spouse's surname**  
A woman who has taken her spouse's surname may run for election under that surname, provided it is the name she always uses in her political, professional or social life.
- **Nickname or derivative name**  
A person may run for election under a nickname, under a derivative form of their name or under any combination of their surname and given name, provided it is the name the person always uses in their political, professional or social life.
- **Initial**  
A person who uses an initial with their given name or surname may also run for election using that initial, provided the person always uses it in their political, professional, or social life.

## DATE OF BIRTH OF THE PERSON WISHING TO BE A CANDIDATE

You must enter your date of birth on the nomination paper (AERM, s. 154). The returning officer will ensure that you are 18 years of age or older on polling day.

## CONTACT INFORMATION OF THE PERSON WISHING TO BE A CANDIDATE

Depending on the grounds on which you are eligible to run for election, you need to provide either your domiciliary or residential address. The address must include the civic number of the building (and, where applicable, the apartment number), the name of the roadway, the name of the RCM, and the postal code. Instead of the civic number, a person may provide their cadastral number (AERM, s. 156).

The returning officer will verify that the address you provided is in the territory of the RCM and that your name does not appear on the list of disqualified persons compiled and provided by the Chief Electoral Officer.

If your nomination paper is accepted, other candidates may ask to receive a copy. In this context, the returning officer will redact your address, in accordance with the provisions of the AERM (s. 659), since it is not public.

## TELEPHONE NUMBER AND EMAIL ADDRESS

This information is optional, but it will be used by the returning officer.

If you check the appropriate box, this information will appear on the copies of the nomination paper that will be given to other candidates and to electors who request it. Otherwise, it will be redacted.

You are required to provide your telephone number if you apply for authorization at the same time as you file your nomination paper.

See chapter 3 for more information on the authorization process for candidates.

## IDENTITY DOCUMENT OF THE PERSON WISHING TO BE A CANDIDATE

Your nomination paper must be accompanied by an original document providing proof of identity (AERM, s. 162). At a minimum, such an identity document must state your name and date of birth, and have been issued by the Government of Québec or Canada or any of their departments or agencies, or by a public body or a public servant authorized to issue copies of or extracts from acts of civil status. Examples include a passport, a certificate of citizenship, a driver's licence or a health insurance card. The document does not need to include a photo. You cannot provide government identification from another province (for example, an Ontario driver's license).

The returning officer will examine your identification document to verify that you will be at least 18 years of age on polling day. They will then make a photocopy and keep a true copy. They will then give you back the original, keeping the photocopy along with your nomination paper (AERM, s. 162).

### **Sworn declaration of the person wishing to be a candidate**

(Section 2 of form SM-29)

When preparing to run for election, you need to make a sworn declaration regarding your eligibility. You are responsible for confirming that you are indeed eligible (AERM, s. 154). If in doubt, you may want to consult with a legal advisor.

Your nomination paper must bear your signature and that of a person authorized to administer oaths (AERM, s. 154 and 159). If either of these signatures is missing, your nomination paper will be rejected.

If you have not already made your sworn declaration before a person authorized to administer oaths, you may do so before the returning officer. The person administering the oath does not confirm your eligibility. They simply certify that you have read the oath before them.

If you run for election knowing that you are not eligible to do so, you may be committing an offence (AERM, ss. 632[1] and 639).

## Person designated to collect supporting signatures

(Section 3 of form SM-29)

You can collect supporting signatures alone or with the help of another person. If a person is helping you collect signatures, enter their name and address in the space provided, then sign to confirm that you are designating this person to carry out this task with you. Aside from you, they will be the only person authorized to collect supporting signatures (AERM, s. 161).

## Supporting signatures

(Section 4 of form SM-29)

Indicate the name of the regional county municipality (RCM) and your name. Persons who provide signatures in support of your nomination must be electors of the RCM. They must sign and indicate their address as it appears on the list of electors of the RCM (AERM, s. 160).

Your nomination paper must contain a minimum number of signatures from electors. This number varies depending on the population of the RCM.

- Your nomination paper must contain the following number of supporting signatures from electors:
  - RCM with a population of 5,000 or over but under 20,000 .....10
  - RCM with a population of 20,000 or over but under 50,000 .....50
  - RCM with a population of 50,000 or over but under 100,000 .....100
  - RCM with a population of 100,000 or more .....200

We recommend that you obtain more than the minimum number of signatures required by the AERM, in case the validity of certain signatures is challenged.

The returning officer is responsible for verifying that the addresses listed beside each elector's name are located within the RCM. They will also check whether the number of confirmed addresses within the RCM meets the minimum threshold indicated above.

## **Declaration of the persons who collected supporting signatures**

(Section 5 of form SM-29)

The persons who collected supporting signatures must certify the following (AERM, s. 162):

- They know the signatories.
- The signatures were provided in their presence.
- To the best of their knowledge, the signatories are electors of the RCM.

This section is mandatory even if you are the only person collecting signatures. If you do not fill it out, your nomination paper will be incomplete.

## **Advertising expenses incurred before the election period**

(Section 6 of form SM-29)

Your nomination paper must be accompanied by a document showing the total amount of any advertising expenses you incurred between January 1 of the year of the election<sup>5</sup> and the start of the election period. If the total amount is greater than \$1,000, you must provide a breakdown of all advertising expenses.

The advertising expenses in question must be related to the election. The medium may vary.

Where applicable, you must calculate the frequency of use, both before and during the election period, of a good or service associated with an election expense.

## **Designation and consent to act as official representative and official agent**

(Section 7 of form SM-29)

You must provide the name and address of your official agent. This person must sign the written document designating them for that role (AERM, s. 164). The official agent must be an elector (AERM, s. 383). You may appoint yourself as your own official agent.

The official agent also serves as the candidate's official representative (AERM, s. 382).

Regardless of whether they intend to apply for authorization, any person wishing to be a candidate for the position of warden must designate an official agent (AERM, s. 381).

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5. In the case of a by-election, January 1 is replaced by the date on which the position becomes vacant.

## Acceptance of the filing of the nomination paper

(Section 8 of form SM-29)

The returning officer will accept your nomination paper if the following criteria are met:

- By all appearances, your nomination paper complies with sections 146 to 170 of the Act.
- All required documents are attached to the nomination paper.
- Your name does not appear on the list of disqualified persons.

The returning officer cannot pass judgment on your eligibility.

If your nomination paper is accepted or rejected straight away, you will receive an acknowledgement of receipt and a notice of conformity.

However, the returning officer may need additional time to verify your nomination paper. In this case, you will receive an acknowledgement of receipt when you file your nomination paper. You will then receive a notice of conformity once they have carried out the required verifications (AERM, art. 165).

## Application for authorization of the person wishing to be an independent candidate

(Section 9 of form SM-29)

You must indicate whether you wish to obtain authorization. If you have already received authorization, you must also indicate that this is the case (AERM, s. 400 and 400.1; see chapter 3 of this guide for more information on the benefits of authorization).

If you do not wish to obtain authorization, you must check the appropriate box and sign this section of the form.

If you wish to obtain authorization, you must check the appropriate box and, in the space provided, enter your name at birth and specify the address where the books and accounts will be kept for the election fund you will open and for the expenses you will incur (if different from those indicated in section 1 of the form). Furthermore, you must provide your telephone number and email address. We will use this address to send you your credentials to access the Élections Québec extranet for authorized political entities, where you will find various information related to your authorization. Finally, you must sign this section. The returning officer must also sign it and enter the date on which he or she accepts your application.

We strongly recommend that anyone wishing to hold the position of official representative or official agent consult the page on the Élections Québec website entitled [Training those responsible for financing](#). This page includes more information about the main duties and responsibilities of this role.

If you obtained authorization prior to filing your nomination paper, check the appropriate box and sign this section.

This section of your nomination paper will not affect whether the latter is accepted or rejected.

Your official representative and official agent must complete the “Compulsory training” section. This person must also provide their email address in order to be given access to the extranet, which not only contains a variety of tools for completing tasks related to political financing, but also hosts the compulsory training they must complete.

If you wish to obtain authorization after filing your nomination paper, you must use the form titled *Application for authorization of an independent candidate or of an elector who undertakes to run as an independent candidate* (DGE-1028). It is available from the returning officer.

See chapter 3 for more information on the authorization process for candidates.



## CHAPTER 3 Authorization of candidates

You will likely need to incur expenses in the course of your election campaign. However, **before** soliciting or collecting contributions (including from yourself), incurring expenses or taking out a loan, you **must** obtain authorization.

Likewise, if you plan to use (or distribute, post, etc.) documents or materials already in your possession, you must obtain authorization before doing so. Even when it does not involve incurring an expense, the use of materials to promote your candidacy must be disclosed in a report prepared at the end of the election campaign. Authorization may also make you eligible for reimbursement of your election expenses, under certain conditions.

### 3.1 Application for authorization

You may apply for authorization before filing, when filing or after filing your nomination paper.

#### BEFORE

You may obtain authorization as of January 1 of the year preceding that of a general election or, in the case of a by-election, as soon as the position becomes vacant. You can do so by obtaining the appropriate form (DGE-1028), along with its appendix (DGE-1028.1), from the office of the returning officer or on the Élections Québec website. You must also collect signatures from electors of the RCM who support your application for authorization.

#### DURING

You can check the appropriate box on section 9 of the nomination paper.

Supporting signatures collected for your nomination paper are also valid for your application for authorization.

#### AFTER FILING

You have until polling day to apply for authorization. You can do so by completing the appropriate form (DGE-1028) and filing it at the office of the returning officer. You do not need to attach supporting signatures.

As soon as the returning officer accepts your application, you are authorized to receive contributions, incur expenses related to your campaign and take out loans.

## 3.2 Contribution receipts

If you obtain authorization during the election period, the treasurer or clerk-treasurer will provide you with a contribution receipt booklet.

## 3.3 Public notices

Information related to authorizations is public. When the returning officer authorizes a candidate, Élections Québec is required to publish, as soon as possible, a notice to this effect on its website:

[electionsquebec.qc.ca](http://electionsquebec.qc.ca)

## 3.4 Extranet

Candidates, as well as their official representatives and official agents, have access to an extranet. In addition to hosting the compulsory training for official representatives and official agents, the extranet contains various tools related to political financing, including the [Guide of the official representative and official agent of an independent candidate authorized to run for the position of warden of an RCM](#) (DGE-1058). The guide serves as a reference tool covering the following topics:

- Funding sources
- Election expenses
- Non-election expenses
- Reports to be filed
- Reimbursement of election expenses
- Penal provisions and other sanctions

For more information on authorization, financing and the monitoring of election expenses, you can contact the staff of the Direction du financement politique at Élections Québec, using one of the telephone numbers provided below.

**Québec City region : 418 644-3570**

**Elsewhere in Québec, toll-free : 1 866 232-6494**

## **CHAPTER 4 Additional information**

### **4.1 Attending the returning officer's meeting with the candidates**

You must inform yourself about your rights and obligations during the election period. The returning officer of your RCM will likely organize a meeting with all candidates on the matter. If so, you must attend this meeting. It is the perfect opportunity to get all the information you need about the election process, ask questions, and learn about the returning officer's directives.

### **4.2 Respecting the rules governing ethics**

You must be civic-minded and ethical at all times. The other candidates, citizens, the returning officer, election officers, and people who work for the RCM are all entitled to your respect.

In particular, you must:

- be respectful in all forms of communication (verbal, written, and actions);
- respect everyone's privacy;
- comply with the authority and decisions of the returning officer;
- accept that the other candidates and electors may have opinions and convictions that differ from your own.

If you are or were a member of council, you must continue to respect the rules of your RCM's code of ethics for elected officials.

No form of violence or threats will be tolerated. If necessary, the police may be involved.

## 4.3 Respecting the rules governing signage

You may display signs, banners, or other items in the RCM to promote your nomination.

You can do this in certain places, such as:

- your yard;
- other people's yards in your RCM, if these people agree;
- public utility poles;
- land owned by the RCM, the government, and public agencies, but not on buildings owned by them.

Certain restrictions are set out in the AERM as well as in a directive from the Ministère des Transports et de la Mobilité durable, which is available on its website<sup>6</sup>.

Your signs can be installed at the beginning of the election period<sup>7</sup>. They must be removed no later than 15 days after the end of this period. They must never:

- jeopardize road safety or public safety;
- obstruct vehicular or pedestrian traffic;
- block road signs;
- be on a viaduct, monument, tree, or bridge.

Before planning the installation of your sign, consult sections 285.1 to 285.9 of the AERM as well as the documents available on the Ministère des Transports et de la Mobilité durable website for detailed information on the rules to follow.

## 4.4 Respecting the rules governing partisan advertising and presence at polling places

On polling day and at advance polls, you can be present at the polling places only for the following reasons<sup>8</sup>:

- To vote.
- To observe the vote. You can sit in a room where voting is taking place, without interacting with electors, and ask election officers questions about polling proceedings without interfering with them.
- To observe the counting of the votes and contest the validity of certain ballot papers (bearing in mind that the deputy returning officer will make the final decision).

Your presence for other reasons may be perceived as partisan advertising, which is prohibited and may lead to legal proceedings<sup>9</sup>.

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6. <https://www.transports.gouv.qc.ca/fr/entreprises-partenaires/municipalites/responsabilites-partagees/affichage-electoral-referendaire/Pages/affichage-electoral-referendaire.aspx>.

7. The election period runs from the 44<sup>th</sup> day before polling day to polling day.

8. You may not be present during polling at the office of the returning officer or at the mobile polling station (AERM, section 177.1).

9. AERM, section 283.

In particular, you cannot:

- greet electors in any way whatsoever;
- shake hands with them;
- talk to electors to encourage them to vote for you;
- be on the premises of a polling station with a poster, banner or badge, or wear an image on clothing referring to your nomination or campaign;
- install a sign, poster, or other visual element on the premises.

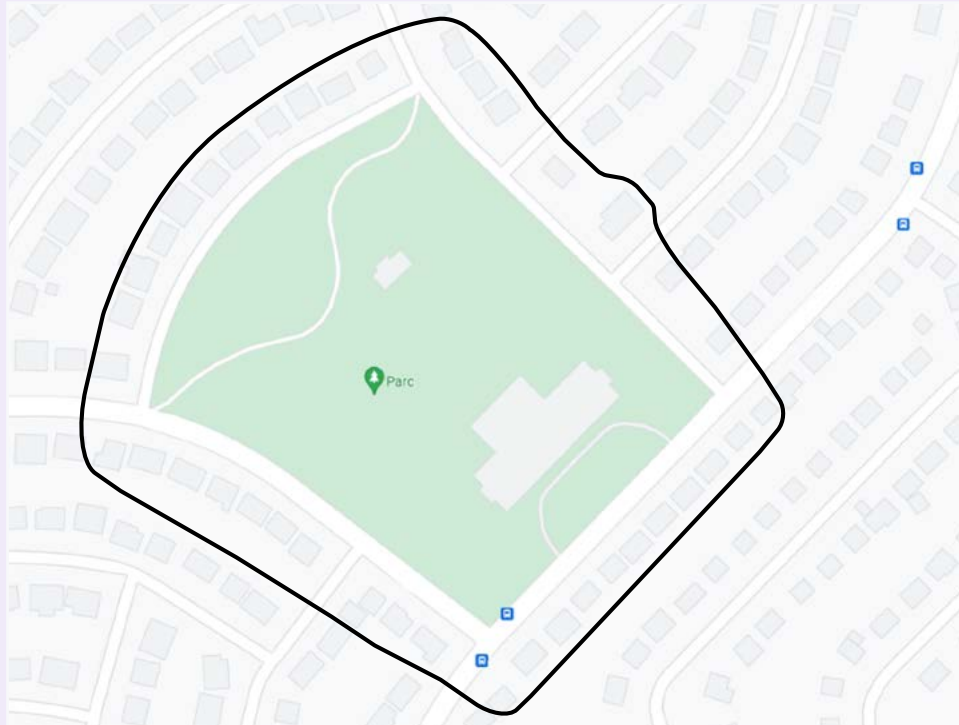
These prohibitions also apply to your representatives, political staff, and volunteers.

These prohibitions apply to polling places on days when voting takes place there. This includes the entire building, its grounds, and everything you can see while there. For example, a house across the street from the building where electors can vote may not display anything related to a candidate's nomination or campaign.

If you carry out a prohibited activity, the returning officer will give you a warning. If you persist, they can have the advertisement removed at your expense. If you behave unacceptably, they may ask you to leave the polling place.

The returning officer will inform you of the limits of the prohibition so that you can correct the situation.

#### Example



## **APPENDIX I** Glossary

### **Municipal list of electors:**

List containing the names and addresses of electors registered for a specific election. Election officers use it to verify the identity of people wishing to exercise their right to vote. If they so choose, it allows candidates to follow electors who are voting.

### **Notice of election:**

Document issued by the returning officer that formalizes the election. This notice specifies the dates and times for submitting nominations and provides information on voting. It may be published in a newspaper, posted on the RCM's website, displayed in a location, etc.; practices vary from one RCM to another.

### **Tutorship:**

Legal representation measure granted by the court to ensure a person's protection, asset management, and exercise of their rights. The judgment declaring a person's incapacity may specify that they lose their right to vote.

### **Corrupt electoral practice:**

Offence of electoral legislation committed by a person which may result in the loss of certain election rights for a specified period.

### **Polling day:**

The day on which ordinary polling is held. This is generally the day on which the votes are counted, after the polls have closed, and the results are announced.

### **Election clerk:**

Person who assists or replaces the returning officer in carrying out certain duties, such as receiving nomination papers. Their name appears on the notice of election.

### **Assistant authorized to receive nomination papers:**

Person able to receive nomination papers. If the returning officer appoints such an assistant, their name will appear in the notice of election.

## APPENDIX II Summary table of reasons that may make a person ineligible to run as a candidate

The information in this table is provided for illustrative purposes only. Ineligibility may arise for other reasons. When in doubt, consult the *Act respecting elections and referendums in municipalities* (CQLR, c. E-2.2) [AERM] or a legal advisor.

Section in the AERM	Reason for ineligibility	Applicable territories	Duration of ineligibility
62	<p>Any person who is:</p> <ul style="list-style-type: none"> <li>• a judge of the courts of justice;</li> <li>• Chief Electoral Officer and or a member of the Commission de la représentation électorale;</li> <li>• a minister of the Government of Québec or the Government of Canada;</li> <li>• a civil servant, other than an employee within the meaning of the <i>Labour Code</i> (chapter C- 27), of the Ministère des Affaires municipales et de l'Habitation, or of any other department who is assigned to the Ministère des Affaires municipales et de l'Habitation on a permanent basis;</li> <li>• a member and officer, other than an employee within the meaning of the <i>Labour Code</i>, of the Commission municipale du Québec;</li> <li>• a criminal and penal prosecuting attorney;</li> <li>• the Director of Criminal and Penal Prosecutions.</li> </ul>	All municipalities and RCMs in Québec	The entire term of office or appointment

Section in the AERM	Reason for ineligibility	Applicable territories	Duration of ineligibility
<b>63</b>	<p>Any person who is:</p> <ul style="list-style-type: none"> <li>• an officer or employee of the municipality (excluding volunteer firefighters, first responders within the meaning of the Act respecting pre-hospital emergency services, and persons who are considered only for the purposes of the law to be officers or employees of the municipality);</li> <li>• an officer or employee of a mandatory body of the municipality referred to in paragraph 1 or 2 of section 307 of the AERM;</li> <li>• an election officer of the municipality;</li> <li>• A person acting as an official agent or official representative (including deputies and delegates) of a political party or candidate (other than themselves) authorized in the municipality.</li> </ul>	Municipality where the person performs these duties	The entire term of office or appointment
<b>64</b>	<p>Any party leader or any authorized elector or authorized independent candidate at a previous election who has not filed:</p> <ul style="list-style-type: none"> <li>• their return of election expenses (under section 492 of the AERM);</li> <li>• Their financial report (under sections 408, 419, 479, 483.1, 484, or 485 of the AERM).</li> </ul> <p>Any candidate in a provincial election whose official agent has not submitted the return of election expenses or the declaration provided for in section 432 of the <i>Election Act</i>.</p> <p>Any person disqualified from sitting or voting in the National Assembly under sections 127 or 442 of the <i>Election Act</i> for failing to file a financial report or return of election expenses and a statement.</p>	All municipalities and RCMs in Québec	Until the report or declaration is filed



Section in the AERM	Reason for ineligibility	Applicable territories	Duration of ineligibility
<b>65</b>	<p>Any authorized elector or authorized independent candidate who has not paid in full the debts contracted during the term of their authorization (in accordance with section 474 of the AERM).</p> <p>Any authorized independent candidate who was not elected in a provincial election who has not discharged all the debts contracted during the term of their authorization (ineligible under section 125 of the <i>Election Act</i>).</p>	All municipalities and RCMs in Québec	For a period of four years from the date of default or, if the independent candidate is elected, until transmission of the financial report
<b>66</b>	<p>Any person who:</p> <ol style="list-style-type: none"> <li>1. was convicted of an offence under paragraph 1 of section 632 or a corrupt electoral practice (section 301 of the AERM);</li> <li>2. was convicted of an offence punishable by imprisonment for a term of two years or more two years' imprisonment or more, if the prosecutor had proceeded by indictment (section 302 of the AERM);</li> <li>3. Is disqualified to hold office as a member of the council under sections 303 to 307 of the AERM or any of the sections of other acts referred to in section 66, paragraph 2 of the AERM.</li> </ol>	All municipalities and RCMs in Québec	<p>For a period of five years from the day on which the judgment convicting the person becomes a <i>res judicata</i></p> <p>For the period equal to the longer of five years or twice the term of imprisonment, starting from the day on which the judgment convicting the person becomes a <i>res judicata</i></p> <p>As the case may be, for a period of two years or five years* starting from the day on which the judgment declaring the person disqualified becomes a <i>res judicata</i></p> <p>* The period may be less than five years if the judgment declaring the person disqualified fixes a shorter period (sections 305.1 and 306 of the AERM)</p>

Section in the AERM	Reason for ineligibility	Applicable territories	Duration of ineligibility
<b>67</b>	<p>Any person who:</p> <ul style="list-style-type: none"> <li>holds office as a member of the council of another municipality, who is a candidate for such an office, or who has been declared elected thereto for 30 days or less (except the elected warden of a regional county municipality);</li> <li>holds another office on this council, except in the event of an election at which this office is open for nominations or ceases to exist (e.g., during general elections).</li> </ul>	All municipalities and RCMs in Québec	The entire term of office