

OTIPEMISIWAK MÉTIS GOVERNMENT

BILL 2024-02

An Act to amend the *Elections and Referenda Act*

FIRST READING
DECEMBER 18, 2024

SUMMARY

This enactment amends the *Elections and Referenda Act* to:

- (a) apply similar protection(s) from inducement, intimidation, and interference for prospective nominees, nominees, and candidates, as have been applied to voters during Otipemisiwak Métis Government elections and by-elections;

in support of maintaining the principles of fair, equitable, and transparent elections, which are safe and open for participation by all Citizens of the Otipemisiwak Métis Government.



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An Act to amend the *Elections and Referenda Act*

Elections and Referenda Act

AMENDMENTS TO THE ACT

1. Section 128 of the Act is amended by:

- a. replacing the following line in subsection (1) “A person must not ... persuade another person to vote or refrain from voting:” with “A person must not ... persuade another person to seek nomination as a candidate, withdraw from being a nominee or candidate, or to vote or refrain from voting:”.

2. Section 129 of the Act is amended by:

- a. adding a semicolon following the word “election” in subsection (a)(i);
- b. replacing the following word(s) in subsection (a)(iv): “; or” with “;”;
- c. replacing the following punctuation in subsection (b)(iv): “.” with “; or”; and
- d. adding the following paragraph as subsection (c): “to persuade or compel a person to seek nomination as a candidate, or withdraw from being a nominee or candidate in an election.”

3. Section 130 of the Act is amended by:

- a. replacing the following line in subsection (b) “impede, prevent or otherwise interfere with a person’s right to vote” with “impede, prevent or otherwise interfere with a person’s right to vote, seek nomination as a candidate, or stand for election to office”;
- b. adding the following paragraph as subsection (d): “persuade, compel or otherwise cause a person to seek nomination as a candidate, or withdraw from being a nominee or candidate”;
- c. renumbering the existing subsection (d) as subsection (e); and
- d. renumbering the existing subsection (e) as subsection (f).

**SCHEDULE I:
EXCERPT OF AMENDED PROVISIONS**

Elections and Referenda Act (as amended)

No inducement

128 (1) A person must not, by inducement, either directly or through another person on their behalf, persuade or attempt to persuade another person to seek nomination as a candidate, withdraw from being a nominee or candidate, or to vote or refrain from voting:

- (a) in an election or for or against a particular candidate; or
- (b) in a referendum or for or against a particular answer to the referendum question.

No intimidation

129 A person must not, either directly or through another person on their behalf, intimidate or attempt to intimidate another person:

- (a) to persuade or compel a person to vote or refrain from voting:
 - (i) in an election;
 - (ii) for or against a particular candidate;
 - (iii) in a referendum; or
 - (iv) for or against a particular answer to the referendum question;
- (b) to punish a person for having voted or refrained from voting:
 - (i) in an election;
 - (ii) for or against a particular candidate;
 - (iii) in a referendum; or
 - (iv) for or against a particular answer to the referendum question; or
- (c) to persuade or compel a person to seek nomination as a candidate, or withdraw from being a nominee or candidate in an election.

No Interference

130 A person must not, either directly or through another person on their behalf, by interference do or attempt to do any of the following:

- (a) without authority, obtain a ballot or supply a ballot to a person;
- (b) impede, prevent or otherwise interfere with a person's right to vote, seek nomination as a candidate, or stand for election to office;
- (c) persuade, compel or otherwise cause a person to vote or refrain from voting for a particular candidate or for a particular answer to a referendum question;
- (d) persuade, compel or otherwise cause a person to seek nomination as a candidate, or withdraw from being a nominee or candidate;
- (e) obtain information as to how the voter is about to vote or has voted; or
- (f) mark a ballot in a way that identifies the voter.

