

Application FAQ

How do I apply for a recall petition?

An applicant must submit the following to Elections BC:

- a signed Application for Recall Petition form
- a statement of 200 words or less stating why the Member should be recalled
- a completed Appointment of Financial Agent form or a statement that they are acting as their own financial agent
- a non-refundable \$50 processing fee, payable to the Minister of Finance, in the form of a certified cheque, bank draft or money order

When can I submit a recall application?

Applications can only be submitted after the first 18 months following the election of a Member in a provincial general election or by-election.

What are valid reasons to recall a Member?

There is no set criteria. The only requirement is that the applicant provide a statement of 200 words or less of why, in the opinion of the applicant, the Member should be recalled.

Can a group or an organization begin a recall campaign?

No. Only an individual who is a registered voter in the Member's electoral district can apply to have a petition issued.

Can there be multiple recalls against the same Member at one time?

Yes. Each recall petition is treated independently.

Can a proponent be changed during the recall period?

No. If a recall proponent is unable to continue with the recall campaign at any point before the petition sheets are returned, the proponent must advise Elections BC. All materials provided by Elections BC must be returned, at which time the recall period will end. If there is interest in continuing, a new proponent must begin a new campaign.

Who will have access to the voters list?

The proponent and the Member are provided with lists of individuals who were registered voters for the electoral district during the last election.

Canvassing FAQ

How do I become a canvasser?

Completed recall canvasser applications must be submitted to the proponent, who is responsible for registering canvassers with Elections BC. The proponent will be notified by Elections BC once the approved canvassers have been registered.

Who can register as a canvasser?

Canvassers must be registered to vote in British Columbia but do not have to be a registered voter in the Member's electoral district. By law, canvassers must be volunteers and cannot be compensated for their time.

Where can I find the rules around canvassing?

The rules are established in the *Recall and Initiative Act*. It is very important for canvassers to know their responsibilities and the rules governing their conduct. Not following the rules can constitute an offence under the Act. Additional information is available on the Recall Petition Canvasser Guide and Application form.

When can canvasser applications be submitted to Elections BC?

Any time after an application for a recall petition has been received by Elections BC until the end of the petition period. Note that if the recall petition is not approved, the canvasser applications associated with that petition will also be rejected.

I was not a registered voter when the petition was issued. Can I still canvass?

Yes, as long as you register to vote with Elections BC prior to canvassing. The Recall Petition Canvasser Guide and Application form also provides space to register as a voter.

If there is more than one recall campaign, do I have to register as a canvasser for each one?

Yes. A canvasser may register to canvass for more than one recall petition, but a separate registration must be made for each petition.

If I am the proponent, do I need to register as a canvasser?

Yes. The proponent must complete a canvasser application form in order to collect signatures.

How can I prove that I am a registered canvasser?

Elections BC will issue an identification card to all registered canvassers who must carry it with them and produce it upon request.

Can I demand access to apartment buildings to collect signatures?

No. Unlike candidates in elections who have legislated access for campaigning purposes, canvassers are not guaranteed access to rental properties. Access may be granted at the discretion of the landlord.

Can I demand access to malls and recreation centres, etc., to collect signatures?

No. There are no provisions under the *Recall and Initiative Act* to require landlords, businesses or recreation centres to provide access to canvassers. Therefore, permission must be obtained from the property manager or business owner.

If I am a business owner, can I canvass at my work place?

Yes, as long as you are a registered canvasser.

If I am an employer, can I pay my employees to canvass my customers?

No. Paying an employee to canvass while performing their regular job would be considered an inducement. Compensation in the form of extra vacation or leave is also considered an inducement.

If I am an employee, can I canvass at my work place while doing my regular job?

No. By law, canvassers must be volunteers. Canvassing while performing a regular job or duties would be considered as being paid for canvassing, or collecting an inducement for canvassing.

Can I leave petition sheets on a counter or table for customers to sign?

No. Petition sheets must not be left unattended by a canvasser. The canvasser must personally witness all voters signing their petition sheets.

What is the recall voters list? Why am I finding so many people who are not on the list?

The recall voters list is compiled by Elections BC with the names of all the individuals who were registered voters for the electoral district at the time of the last election of the Member.

There are a number of reasons why an individual's name may not appear on the list:

- they may not be a registered voter;
- they may have not been registered to vote at the time of the last election;
- they may have moved into the electoral district since the last election;
- they may live near, but just outside, the electoral district boundary and are not eligible; or,
- they may have assumed that registering as a municipal or federal voter automatically registered them as a provincial voter, which is not always the case.

How does Elections BC handle complaints about the behaviour of canvassers?

Complaints relating to the conduct of canvassers are reviewed by Elections BC. Where a complaint is found to be valid, the proponent is advised to correct the conduct of their canvassers. Canvassers must ensure that they abide by the legislation and regulations with respect to canvassing.

What if someone disrupts a recall meeting or rally?

If an event is open to the general public, anyone may attend. If an individual disrupts the meeting or intimidates any of the attendees, the appropriate remedy is to call the police.

Signing FAQ

Who is eligible to sign a recall petition?

To be eligible to sign a recall petition, signatories must:

- be a registered voter in B.C., and
- have been registered to vote in the Member's electoral district when the Member was last elected in a provincial general election or by-election

If you are uncertain about your eligibility, contact Elections BC toll-free at 1-800-661-8683.

I am a registered voter but did not vote in the last election. Can I sign the petition?

Yes. You are entitled to sign the petition as long as you were registered to vote when the Member was last elected in a provincial general election or by-election.

I moved into the electoral district after the Member was elected. Can I sign the petition?

No. To be eligible to sign the petition, the *Recall and Initiative Act* requires that an individual was registered to vote in the Member's electoral district when the Member was last elected in a provincial general election or by-election.

I moved out of the electoral district after the Member was elected. Can I sign the petition?

You are still eligible to sign the petition if you were a registered voter in the electoral district when the Member was last elected and you are still a registered voter in B.C. You must sign the petition using your current address and must ensure your voter registration is current before the petition is submitted to Elections BC.

When and where can I sign the petition?

Recall petitions can only be signed after the petition has been issued by Elections BC. For information about where to sign, contact the proponent of the petition.

Can I sign on the Internet?

No. There are no official recall petitions online. Recall petitions must be signed by registered voters, in ink, on official paper petition sheets. Signatures collected in any other way are not accepted.

If I am a canvasser, can I sign and witness my own signature on a petition sheet?

No. You may only sign a petition sheet belonging to another canvasser.

What if I am physically unable to sign the petition? Can a family member, friend, or assistant sign on my behalf?

Yes. You may designate a person to sign on your behalf. The canvasser must provide a form for your assistant to sign to show that they have signed the petition sheet on your behalf.

Can I sign more than once?

No. It is an offence under the *Recall and Initiative Act* to sign a recall petition more than once.

What information do I have to provide when I sign a recall petition?

Every signature on a recall petition must be accompanied by the residential address of the individual who signed. Postal addresses, such as PO box numbers, are not acceptable. Signatures not accompanied by a residential address will not be counted.

Why am I asked to provide my phone number when I sign the petition?

Although providing your phone number is voluntary, it is important to the recall process. You may be called by Elections BC to confirm that you signed the petition or by the proponent to confirm that your information is correct.

If I sign the petition, will my personal information be made public?

The *Recall and Initiative Act* requires that petition sheets be made available for public inspection for one year from the time it is filed or submitted. Voters who sign the petition may request that their residential address and phone number be obscured from public inspection by checking the box next to their signature on the petition.

Individuals who request to view copies of recall petition sheets are required to sign a declaration stating that the personal information viewed will not be used except as permitted under the *Recall and Initiative Act* and the *Election Act*. Section 163(2) of the *Recall and Initiative Act* provides for penalties of up to \$10,000 and/or imprisonment for up to two years for the misuse of personal information. (continued on page 5)

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Elections BC has the authority to collect, use, disclose and dispose of personal information under the *Recall and Initiative Act*. This information is used to administer recall petitions as required by statute.

For information about Elections BC's privacy policies visit our Privacy page at www.elections.bc.ca/privacy.

I have moved since the last election. Which address should I use?

You must sign the petition with your current residential address. Registration information can be updated online or by calling 1-800-661-8683.

I have changed my name since the last election. Which name should I use?

The name that you use to sign the petition must match the name on the current provincial voters list. Registration information can be updated online or by calling 1-800-661-8683.

I haven't moved but local government authorities have changed the name of my street (or given us a house number). I've signed the petition with the new address information. Will my signature still be counted?

Your signature will be counted if you contact Elections BC to update your voter registration before the petition is submitted for verification. Registration information can be updated online or by calling 1-800-661-8683.

My street has two names, which should I use?

The street name you normally use when describing where you live. Elections BC maintains a list of common alternate street names (such as Pat Bay Highway instead of Highway 17), so your signature will likely be accepted. If you are unsure, please advise Elections BC of a potential address mismatch by calling 1-800-661-8683.

What if I make a mistake when signing the petition?

To correct mistakes, neatly put a line through the mistake and make the necessary correction. If the name or address becomes unreadable after the correction, put a line through the petition row and start again on a new row.

I've signed the petition but have changed my mind – can I have my name removed?

The proponent may remove any signature from the petition upon the request of the voter. However, the proponent is not compelled to do so. Elections BC has no direct control over the signatures on a petition during the canvassing period, and once the petition has been submitted to the Chief Electoral Officer, Elections BC cannot remove a name from the petition.

Advertising FAQ

What is recall advertising?

Any material used during a recall petition period to promote or oppose, directly or indirectly, the recall of the Member who is the subject of the petition is advertising. This includes, but is not limited to, leaflets, lawn signs, billboards, brochures, buttons, badges, newspapers, radio, television, websites, newsletters and public address systems.

Who must register as a recall advertising sponsor?

Any individual or organization who sponsors recall advertising, other than the proponent of the petition and the Member, must register by submitting the Recall Advertising Sponsor Application for Registration form.

When can I register as a recall advertising sponsor?

Registration applications can be submitted any time after an application for a recall petition has been approved by Elections BC until the end of the petition period.

Can I place advertising in my local paper/TV supporting or opposing the petition?

Yes, although you must register as a recall advertising sponsor with Elections BC before doing any advertising. All advertisements must display the authorization statement.

Can I place supporting or opposing notices on my store/business website?

Yes, although you must register as a recall advertising sponsor with Elections BC before doing any advertising. All notices must display the authorization statement.

Can I put up signs supporting or opposing the recall petition in my home or business?

Yes. If you support or oppose the petition and have received signs from the petition proponent or Member or a registered recall advertising sponsor, you can display the signs. If you want to make your own signs supporting or opposing the petition, you must register as a recall advertising sponsor with Elections BC.

All signs supporting the petition must have the authorization statement of a registered recall advertising sponsor or the proponent's financial agent. All signs opposing the petition must have the authorization statement of a registered recall advertising sponsor or the Member's financial agent.

Are there any spending limits on recall advertising?

No.

Financial FAQ

Can a proponent submit financial agent or assistant financial agent appointment forms before the recall petition application has been submitted?

No. However, individuals who will be a financial agent or assistant financial agent should complete and sign the appointment form before they start receiving contributions. The appointment forms should be sent in for processing with the application for a recall petition.

Can a proponent accept recall contributions prior to the recall petition period?

Yes. The definition of a recall proponent in Section 1 of the *Recall and Initiative Act* includes an individual who intends to become a proponent. The proponent acts as their own financial agent until such time as another individual is appointed and may accept recall contributions prior to the recall period. The financial agent or any assistant financial agent may accept contributions before a recall application has been made.

Who can accept contributions? Who can incur recall expenses?

Only the registered financial agent or an assistant financial agent for either the proponent or the Member is authorized to collect contributions and incur recall expenses.

How much can the proponent and Member spend during a recall campaign?

There are equal spending limits for both the proponent and the Member. The limits are based on the number of registered voters in the electoral district. Elections BC calculates the recall expenses limits, which are published in the BC Gazette and communicated to the proponent and the Member.

Who can make a contribution to support or oppose the petition?

Any individual can make a donation, but it must be given to the financial agent or any assistant financial agent registered with the proponent or the Member. Charitable organizations must not make recall contributions. For more information about acceptable contributions, refer to the Guide to the Recall Process or the *Recall and Initiative Act*. Recall contributions are not eligible for income tax receipts.

Verification FAQ

How must the petition be submitted?

The proponent can submit the petition to the Chief Electoral Officer by mail, courier or in person, but must meet the following rules:

- Submit all petition sheets at one time. No late submissions or partial submissions will be accepted.
- Submit only the original signed petition sheets. Photocopies and faxes of signed petition sheets will not be counted.
- Submit all of the original signed petition sheets, regardless of whether sufficient signatures have been collected.

What happens if a petition is submitted early?

The verification period begins as soon as a petition is submitted. If a proponent submits a petition before the end of the 60 day canvassing period, they cannot continue to collect and submit signatures.

How does the verification process work?

The Chief Electoral Officer has 42 days to complete the three-phase verification process:

- The first stage is a preliminary count of the petition sheets to confirm whether enough signatures have been obtained.
- The second stage ensures that the people who signed the petition were entitled to do so and that signatures were gathered by authorized canvassers.
- The third stage involves contacting a random sample of voters who signed the petition to ensure the validity of their signatures and to obtain a reliable estimate of the rate at which signatories confirm they signed the petition.

Incomplete or invalid signatures are screened out and are not included in the final count. If it becomes clear during any phase of verification that the count will not meet the 40% threshold, no further verification is done.

How are duplicate signatures dealt with?

Signing a recall petition more than once is specifically prohibited by law with penalties (on conviction) of a fine of not more than \$10,000 or imprisonment of up to two years or both. Depending on the circumstances, Elections BC may move to investigate instances of multiple signing. Only an individual's first signature on a petition will count.

Does the proponent or the Member have any role in verification?

There is no provision in the *Recall and Initiative Act* for observers or scrutineers. However, Elections BC allows both the proponent and the Member to have two observers present during verification to ensure transparency of the process.

What happens if the petition has enough valid signatures and financing requirements have been met? The Member ceases to hold office and their seat becomes vacant. The Chief Electoral Officer notifies the Member and the Speaker of the House as soon as possible. A writ for a by-election must be issued within 90 days after receipt of the warrant by the Chief Electoral Officer.

Can a recalled Member run in the subsequent by-election?

Yes.