



2nd SESSION, 63rd GENERAL ASSEMBLY
Province of Prince Edward Island
57 ELIZABETH II, 2008

CHAPTER 41

(Bill No. 40)

An Act to Amend the Election Act (No. 2)

Honourable L. Gerard Greenan
Attorney General

GOVERNMENT BILL

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(Assented to December 3, 2008)

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. Section 37 of the *Election Act* R.S.P.E.I. 1988, Cap. E-1.1 is amended

(a) in the words preceding clause (a), by the deletion of the words “Any 10 or more persons” and the substitution of the words “Any 25 or more persons”; and

(b) in clause (a), by the deletion of the words “duly completed” and the substitution of the words “duly completed and signed”.

2. Clause 39(b) of the Act is amended by the deletion of the words “if 10 persons qualified have signed it” and the substitution of the words “if 25 persons qualified have signed it”.

3. Section 42 of the Act is repealed and the following substituted:

42. The Provincial Treasurer shall dispose of the deposit of a candidate as follows:

(a) if

(i) the Chief Electoral Officer advises the Provincial Treasurer that the official agent of the candidate has filed the documents required by subsection 20(1) of the *Election Expenses Act* R.S.P.E.I. 1988, Cap. E-2.01 with the Chief Electoral Officer within the period of time required by that subsection, the Provincial Treasurer shall return the deposit to the candidate, or

(ii) the candidate dies before the close of the polls, the Provincial Treasurer shall return the deposit to the candidate’s official agent;

(b) in all other cases, the Provincial Treasurer shall pay the deposit into the Operating Fund.

Disposition of
deposit by
Provincial
Treasurer

4. Form 3 of Schedule 1 of the Act is repealed and the Form 3 set out in the Schedule to this Act is substituted.

Certification by Political Party

This is to certify that _____ of _____
(name) (address)

is the official candidate of the _____ Party.

Witnessed: _____ Signed: _____
(Signature of Witness to Leader's Signature) (Signature of Leader of Party)

Leader of the _____ Party
(Political Party Name)

Consent And Oath of Candidate

I, the undersigned, do swear (or affirm) that I consent to the foregoing nomination and that I am qualified under section 36 of the *Election Act* to be a candidate.

So Help me God.

SWORN (or affirmed) at _____, Prince Edward Island, this ____ day
of _____, 20__

(Candidate)

before me

A Commissioner, Returning Officer, etc.

Receipt of Candidate's Deposit

Received from the above candidate the sum of two hundred dollars in legal tender or a certified cheque made payable to the Provincial Treasurer for that amount.

Dated at _____, this ____ day of _____, 20__

(Returning Officer)

(Note: Form 3 is prescribed by sections 20, 36-42 of the *Election Act*)
(October 2008)

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	November 12, 2008
<i>2nd Reading:</i>	November 25, 2008
<i>To Committee:</i>	November 25, 2008
<i>Reported:</i>	November 25, 2008
<i>3rd Reading and Pass:</i>	December 3, 2008
<i>Assent:</i>	December 3, 2008

Honourable L. Gerard Greenan
Attorney General

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