

Do you intend
to run
in an election?

HERE IS YOUR ELECTORAL ROADMAP



LE DIRECTEUR GÉNÉRAL
DES ÉLECTIONS DU QUÉBEC

Because every vote counts

Are you thinking of running in an election?

Here is a summary of the electoral procedure that you have to follow from the moment you declare your intention to run, until you probably officially become a member of the National Assembly.

There are even things you can do before the electoral period if you intend to run as an independent candidate.

You first have to determine if you can legally run for the position of Member.

Can I Run?

With a few exceptions that are outlined in the *Election Act*, if you are a qualified elector, you can be elected to the National Assembly. Obviously, you cannot run in more than one electoral division in the same election.

INDEPENDENT CANDIDATE: A PARTICULAR CASE

If you intend to run as an independent candidate, you can obtain an authorization for the next elections from the Chief Electoral Officer at the

expiry of a period of three years after the previous general elections¹. This authorization will enable you to **receive contributions or contract loans** to fund your election expenses. Candidates representing a political party do not have to follow this procedure since their political party can receive contributions at all times.

Prior to the filing of your nomination paper, to be authorized, you have to submit an application to the Chief Electoral Officer. The application should be accompanied by the signatures and addresses of at least 100 electors of the electoral division declaring that they support you. These signatures cannot be used again for your nomination paper (see *Documents to attach to your nomination paper*). An elector may, however, sign both these documents.

¹ *The Election Act states that the authorization can be requested three years after the date on which the Secretary General of the National Assembly receives the list of candidates who are declared elected during the last elections. In the case of a by-election, the authorization may be requested as soon as the seat of the elected member of the electoral division becomes vacant.*

During the election period, you can also obtain an authorization by making your application using your nomination paper form or following the filing of the nomination paper, and this up until polling day. In these situations, the signatures in support of your nomination paper will be considered for your application for authorization.

STEP 1: FILE YOUR NOMINATION PAPER

We are now in the electoral period that begins when the government issues a writ calling the election. At this point, the first step in your election process **is the filing of your nomination paper**. You can file your nomination paper soon after the writ is issued. This signals your official entry into the race.

First Stop: Office of the returning officer

The form for filing the nomination paper is available at the main office of the returning officer of your electoral division. By completing this form, you are confirming your identity as well as minimum support of your candidacy as required by law. You also identify your official agent and,

if possible, the agent(s) who can represent you during the election period.

If you are the candidate of an authorized party, you have to indicate the name of your party. Otherwise, you may add the word “independent” after your name and it will appear on the ballot paper.

Documents to attach to your nomination paper

Your nomination paper should be accompanied by a photograph that confirms to the requirements of the Nomination Regulation and it should be signed on the reverse by two electors of your electoral division who know you. Also attach your birth certificate or one of the following identification documents: your citizenship certificate, your passport or your driver’s license and, if necessary, a copy of the order of name change.

You also have to produce a letter from the leader of your party recognizing you as the party's official candidate in the electoral division in which you intend to run.

Finally, your nomination paper should include **the signatures and addresses of the domicile of at least 100 electors** who are entered on the list of electors of the electoral division where you intend to run. These signatures should be collected by you or by one of your agents. The returning officer will crosscheck to ensure that the electors who signed your nomination paper are actually entered on the list of electors of the electoral division.

Filing your nomination paper

Once your nomination paper has been completed, you can file it at the office of the returning officer:

- Earliest from 2 p.m. the second day after the writ is issued;
- Latest at 2 p.m. the sixteenth day before polling day.

STEP 2: WORKING ON YOUR ELECTION

You are now a candidate. You can thus seek the support of the electors of your electoral division and ask them to vote for you.

However, there are rules to follow: you have to campaign while respecting the provisions of the Election Act, especially those regarding financing and the control of election expenses. In other words, when you receive money or when you spend to promote your election, you have to respect the law.

It is worth noting that violations regarding financing and the control of election expenses expose you to legal proceedings that could lead to fines or other penalties or you could even be barred from voting, running in an election or sitting at the National Assembly.

Raising funds: what you should know about financing a campaign ...

The Official Representative is the key person as far as financing is concerned. He is responsible for collecting funds, mainly by soliciting contributions from electors, organizing political activities or by contracting loans. He also has to produce a financial report as per the requirements of the *Election Act*. Even as a candidate, **if you intend to collect money yourself, you must have a written authorization** from your official representative.

If you intend to run as an independent candidate, your application for authorization requires you to appoint an official representative who is also your official agent. Once you are authorized, money collected by your official representative in accordance with the law will constitute your election fund.

Can I contribute to my campaign?

As a candidate, you can pay up to \$3,000 per year to your official representative, from your personal resources, your own assets.

It is important to keep in mind that every contribution from an elector or a candidate must be paid by said elector or candidate, be made without consideration or compensation, and must not give rise to any reimbursement whatsoever by a third party (an employer, for example).

Subject to the terms and rules established by *Revenu Québec*, a cash contribution can give rise to a tax credit.

Incurring election expenses there are limits and a report to be filed

While the official representative is responsible for raising funds, **it is the official agent who is responsible for authorizing and incurring election expenses.** It is possible for one person to hold both positions within a political party.

If you represent a political party, the official representative of the party or of one of its party authorities (that is, its organization in an electoral division, in a region or Québec-wide) will place at the disposal of your official agent an election fund made up of amounts collected in accordance with the law, so that he can pay your election expenses. All election expenses must be paid out of this election fund.

You cannot pay election expenses yourself, with the exception of certain personal expenses provided for in the Act.

Is there a limit to your election expenses?

Yes, the expenses incurred by your official agent during the election period will be limited under certain criteria outlined in the Election Act. For more information, consult the Web site of the Chief Electoral Officer:

www.electionsquebec.qc.ca

Accountability for your election expenses

Within 90 days after polling day, your official agent has to file a report of your election expenses as per the Election Act. If you are an authorized independent candidate, your official representative also has to file a financial report.

Reimbursement of election expenses

Some candidates are entitled to a partial reimbursement of their election expenses. This applies if you are elected or if you obtain 15% of the valid votes.

Can you withdraw your candidacy?

Yes, you can withdraw your candidacy. You thus have to submit a declaration to this effect to the returning officer. The declaration has to be signed by you and by two electors of the electoral division in which you were running.

If you are a party candidate, you can only withdraw your candidacy after giving 48 hours notice to your party leader.

If you are an authorized independent candidate and you withdraw before polling day, your official representative maintains the power to receive contributions that will be used to pay debts from election expenses already incurred.

STEP 3: IF YOU ARE ELECTED...

You officially become a Member of the National Assembly as soon as the Secretary General of the National Assembly receives the names of persons who are declared elected from the Chief Electoral Officer.

For additional information, please contact your returning officer or:

The Chief Electoral Officer of Québec

Édifice René-Lévesque

3460, rue de La Pérade

Québec (Québec) G1X 3Y5

Telephone: **1-888-ELECTION**

1-888-353-2846 (toll free)

Web Site: **www.electionsquebec.qc.ca**

E-mail: **info@electionsquebec.qc.ca**



The deaf or hard of hearing can call the following toll free number: 1-800-537-0644.

This folder contains a summary of the main standards that are applicable to elections. For further information, please refer to applicable legislative texts or contact the Chief Electoral Officer of Québec.

In case of a discrepancy between the contents of this brochure and applicable legislative texts, the legislative texts will have precedence. They are the only documents to which the Chief Electoral Officer of Québec is bound.

Une version française de ce document est disponible sur demande.