Nunavut Tunngavik Inc.

ELECTIONS CONTRIBUTION, EXPENSE, AND REPORTING RULES

Approved by the Members in November 2003
Last amended in October 2013

I. DEFINITIONS

"board of directors" means the board of directors of Nunavut Tunngavik Incorporated.

"campaign period" means the period beginning on the Tuesday five weeks prior to voting day and ending at 12 a.m. of voting day.

"charitable organization" means an organization registered as a charity under the *Income Tax Act*.

"contribution" includes money, services and goods but does not include volunteer labour or any goods produced by volunteer labour.

"election expenses" means any amounts paid or liabilities incurred during a campaign period to promote or oppose the election of a candidate and includes any contribution of goods or services.

"elector" means an individual who has been enrolled under the *Nunavut Land Claims Agreement* and is 16 years of age or older.

"official agent" means the individual that a candidate appointed in his or her nomination paper to act as his or her agent.

"pre-election expenses" means any amounts paid or liabilities incurred during a pre-election period that promote or oppose the election of an individual who may be a candidate at a future election, and includes any contribution of services or goods.

"pre-election period" means that period beginning three months before the first day of the campaign period and ending on the first day of the campaign period.

"volunteer labour" means any service provided free of charge by an individual outside of the working hours of that individual, but does not include a service provided by an

individual who is self-employed if the service is one that is normally sold or otherwise charged for by that individual.

II. CONTRIBUTIONS

1. No candidate may accept a contribution from an individual, corporation, association, society, partnership or other organization before the beginning of the campaign period.

2. A candidate may accept a contribution from an individual resident in Nunavut and a corporation carrying on business in Nunavut during the campaign period.

3. A candidate may accept a contribution from a cooperative association during the campaign period provided that the association:

   (a) carries on business in Nunavut; and
   (b) attaches to the contribution a list of the individual sources and amounts making up the contribution.

4. No candidate may accept a contribution from a non-profit corporation, society or partnership.

5. No candidate may accept a contribution from an individual, corporation, or association that exceeds $2,000.

6. Where transportation for a candidate is given as a contribution of goods or services, the value of the contribution may exceed $2,000.

7. A candidate may, in the pre-election period and the campaign period, use an amount of his or her own funds not exceeding $30,000 on his or her campaign.

8. Only an official agent or any individual whom the official agent authorizes in writing to act on behalf of the official agent may receive a contribution on behalf of a candidate.

9. No candidate may accept a contribution or gift unless it is made to the official agent of the candidate or an individual whom the official agent has authorized to act on behalf of the official agent.

10. An official agent shall deposit all money collected on behalf of a candidate
   (a) in a bank account registered with the Chief Returning Officer; or
   (b) where no bank exists where the official agent resides, with an institution approved by the Chief Returning Officer.

11. An official agent may accept an anonymous contribution not exceeding $100.

12. Where an official agent receives an anonymous contribution exceeding $100, the official agent shall:

(a) return the portion of the contribution over $100 to the contributor if the identity of the contributor can be established; or
(b) if the identity of the contributor cannot be established, send the entire contribution to the Chief Returning Officer to be credited to the Nunavut Trust.

13. The official agent shall record and report all contributions received during a campaign period and, where a contribution exceeds $100, the official agent shall record and report the name and address of the contributor.

14. Where a contribution is not made in the form of money, the official agent shall value a contribution of goods and services based on the market value of the goods and services.

15. No official agent shall knowingly accept contributions from

(a) an individual resident outside Nunavut;
(b) a corporation that does not carry on business in Nunavut;
(c) a cooperative association that does not carry on business in Nunavut; or
(d) a society or partnership either in Nunavut or elsewhere.

16. Where an individual, corporation, or association with the knowledge and consent of a candidate, promotes the election of the candidate or opposes the election of a candidate
(a) by advertising through the facilities of a broadcasting corporation,
(b) by publishing an advertisement in a newspaper, magazine or other periodical publication or other printed documents, or
(c) through the use of any outdoor advertising facility,
the amount of the cost of the advertising shall be considered a contribution to the candidate with whose knowledge and consent the advertising was done.

17. A candidate who causes an advertisement to be published or broadcast shall provide the publisher or broadcaster of the advertisement with the identification, in writing, of the candidate who is sponsoring the advertisement.

18. A candidate shall, within 60 days after voting day, give contributions that were not expended on his or her campaign

(a) to a charitable organization of the candidate's choice; or
(b) to the Nunavut Trust.

19. Where a candidate gives surplus contributions to a charitable organization or to the Nunavut Trust the candidate shall, within 30 days of making the gift, transmit, in the approved form, a notice of the gift to the Chief Returning Officer.

20. An official agent may, on behalf of a candidate who has a campaign deficit, receive additional contributions within 60 days after voting day.

21. Additional contributions received within 60 days after voting day shall be deemed to have been made during the campaign period.

III. EXPENSES

22. An individual who becomes a candidate shall not spend amounts, or incur pre-election expenses and election expenses, that exceed $40,000.

23. An individual who becomes a candidate shall keep proper records of pre-election expenses.

24. An official agent of a candidate shall keep proper records of contributions received and election expenses incurred.

25. Only an official agent, or an individual authorized in writing by an official agent, may enter into a contract to incur an election expense.

26. A candidate may pay his or her own reasonable travel and living expenses and such expenses shall not be considered to be election expenses.

27. The candidate shall transmit to the official agent a statement of the details of payments made in respect of travel and living expenses and a receipt proving the payments.

28. Where the official agent receives a statement providing details of payment made in respect of travel and living expenses and a receipt proving the payments, the official agent may reimburse the candidate for the payments.

29. Every payment made by an official agent in respect of election expenses shall be proved by a bill providing the details of the expense except where the expense is less than $25.

30. An individual may, if authorized in writing by an official agent, pay any necessary expenses for stationery, postage, telegrams and other petty expenses to a total amount not exceeding $25.

31. The Chief Returning Officer may issue instructions to candidates and official agents respecting the nature of the expenses which may be paid by, and reimbursed to, a candidate.

IV. RETURNS OF ELECTION CONTRIBUTIONS AND EXPENSES

32. Within 60 days after voting day, every official agent shall transmit to the Chief Returning Officer

    (a) an accurate signed return in the approved form containing detailed statements in respect of the candidate of

(i) the total amount of contributions received during the campaign period,
(ii) the total amount of contributions received after voting day but deemed to have been made during the campaign period,
(iii) the individual amounts of contributions in excess of $100 and the name and address of each such contributor,
(iv) the gross amount collected at a meeting, dance, dinner, feast or other function and the name of each sponsor of a meeting, dance, dinner or other function, and
(v) all election expenses including disputed claims and unpaid claims;

(b) bills proving payment of election expenses; and
(c) a declaration, in the approved form, made by the official agent.

33. An official agent may apply to the Chief Returning Officer for an extension of the time limit for transmitting to the Chief Returning Officer the return, bills and declaration and the Chief Returning Officer may grant an extension of time for such period of time as the Chief Returning Officer considers appropriate. An application shall be brought before the expiry of the time limit. A candidate will forfeit his or her deposit and be ineligible to run in a Nunavut Tunngavik Inc. election for five years if his or her official agent fails to comply with Sections 32 and 33.

34. Within 60 days after voting day, each candidate shall transmit to the Chief Returning Officer a declaration by the candidate, in the approved form, respecting the election contributions to and election expenses of the candidate.

35. A candidate may apply to the Chief Returning Officer for an extension of the time limit for transmitting to the Chief Returning Officer the declaration and the Chief Returning Officer may grant an extension of time for such period of time as the Chief Returning Officer considers appropriate. An application shall be brought before the expiry of the time limit. A candidate will forfeit his or her deposit and be ineligible to run in a Nunavut Tunngavik Inc. election for five years if he or she fails to comply with Sections 34 and 35.

36. All bills must be submitted and paid within 60 days after voting day. The Chief Returning Officer may approve the receipt and payment of a bill made more than 60 days after voting day where, in the opinion of the Chief Returning Officer, extraordinary circumstances exist that warrant the waiving of the time limit.

37. The Chief Returning Officer shall, as soon as is reasonably practicable, transmit returns and declarations received by the Chief Returning Officer to the Governance Coordinator.

38. The Governance Coordinator shall preserve all returns and declarations respecting election contributions and expenses that are transmitted to the Governance Coordinator for a period of six months.

39. The Governance Coordinator shall, at all reasonable times during the six months after the transmission of the returns and declarations to the Governance Coordinator, permit a elector, on written request, to inspect them and to make photocopies of them.

40. The Governance Coordinator may, after the expiration of the six-month period, destroy the returns and declarations but if the candidate or the official agent of the candidate applies for their return before they are destroyed, the Governance Coordinator shall return these documents to the candidate.

V. ENFORCEMENT

41. Any dispute arising out of the application of these Rules shall be determined in accordance with the procedures set forth in Section 13 of the Election Rules and Procedures.

(Last amended in October 2013)