

the person's predecessor would have held office had that predecessor continued in office.

1983 cL-27.5 s8;1994 cM-26.1 s642(42)

General term of office

10(1) Commencing with the year 2013,

- (a) the members of an elected authority elected at a general election hold office for a term of 4 years, and
- (b) a general election shall be held every 4th year.

(2) If a declaration is made under section 34(1) with respect to every office of the elected authority, those declared elected may hold an organizational meeting before the date of the general election.

(3) Despite subsection (1), an organizational meeting held pursuant to subsection (2) terminates the term of office of the members of the elected authority elected at the previous general election.

RSA 2000 cL-21 s10;2003 c27 s3;2006 c22 s6;2012 c5 s105

Election day

11(1) Election day for a local jurisdiction

- (a) in the case of a general election, if required, is to be the 3rd Monday in October, or
- (b) in the case of a by-election or vote on a bylaw or question, shall be the day fixed by a resolution of the elected authority.

(2) Notwithstanding subsection (1)(a), an elected authority may, by a bylaw passed prior to June 30 of a year in which a general election is to be held, provide that the election day in the local jurisdiction is to be the Saturday immediately preceding the 3rd Monday in October.

1983 cL-27.5 s10;1991 c23 s2(3)

Summer villages

12 The provisions of this Act that apply to municipalities apply to summer villages except that in respect of a summer village

- (a) election day
 - (i) in the case of a general election for council or for school representatives, shall be 4 weeks after nomination day for that election, and

- (ii) in the case of a by-election or vote on a bylaw or question, shall be as established by resolution of the summer village council,
- (b) a person is entitled to vote at an election if
 - (i) the person is eligible to vote under section 47,
 - (ii) the person is 18, a Canadian citizen and is named on a certificate of title as the person who owns property within the summer village, or
 - (iii) the person is 18, a Canadian citizen and is the spouse or adult interdependent partner of a person referred to in subclause (ii),
- (c) the nomination of candidates for election as councillors shall be in the form prescribed for use under section 27(1) and shall be signed by at least 5 electors eligible to vote at that election,
- (d) in the case of a general election, nominations for councillors shall be received by the returning officer in June or July or both June and July in the year in which an election is to be held at a date and place and between the hours established by council, and sections 25 and 28(1) do not apply,
- (e) in the case of a by-election, nominations for councillors and school representatives, if any, shall be received by the returning officer between the hours of 10 a.m. and 12 noon at a date and place established by council,
- (f) voting hours in an election or in a vote on a bylaw or question shall be between the hours of 10 a.m. and 7 p.m., and section 46 applies except as to hours,
- (g) the time limit for withdrawal of nominations shall be 48 hours and section 32 applies except as to hours, and
- (h) in order to qualify for nomination as a councillor, a person is not required to be a resident of the summer village but must be entitled to vote in the election and have been a resident of Alberta for the 12 consecutive months immediately preceding election day.

RSA 2000 cL-21 s12;2002 cA-4.5 s52;
2003 c27 s4;2006 c22 s7

Appointment of returning officers

13(1) An elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act.

- (a) on the request of the returning officer, provide the returning officer with information and assistance, and
 - (b) on the vote results being declared by the returning officer, take custody of election materials and provide for their destruction in accordance with this Act.
- (2) The secretary may delegate any powers and duties of the secretary under this Act to the returning officer.

RSA 2000 cL-21 s19;2003 c27 s7

Administration of oaths

20 The returning officer, a presiding deputy or a commissioner for oaths is authorized to administer an oath to a person making an oath that is authorized or required by this Act.

RSA 2000 cL-21 s20;2003 c27 s8;2006 c22 s12

Qualification of candidates

21(1) A person may be nominated as a candidate in any election under this Act if on nomination day the person

- (a) is eligible to vote in that election,
- (b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately preceding nomination day, and
- (c) is not otherwise ineligible or disqualified.

(2) Notwithstanding subsection (1), in the case of a city, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the city.

(3) Notwithstanding subsection (1), a candidate for trustee of a board of a school district that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school district.

(4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least the 6 months immediately preceding nomination day is deemed, for the purposes of this Act, to have been a resident, during that time, of the local jurisdiction to which the land was added.

1983 cL-27.5 s21;1985 c38 s6;1988 cS-3.1 s247;1990 c36 s52;
1991 c23 s2(10)

Ineligibility

- 22(1)** A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day
- (a) the person is the auditor of the local jurisdiction for which the election is to be held;
 - (b) the person is an employee of the local jurisdiction for which the election is to be held unless the person takes a leave of absence under this section;
 - (c) the person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount
 - (i) any indebtedness for current taxes, and
 - (ii) any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement;
 - (d) the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;
 - (d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada).
 - (e),(f) repealed 2006 c22 s13.

(1.1) A person is not eligible to be nominated as a candidate for election as a trustee of a school board if on nomination day the person is employed by

- (a) a school district or division,
- (b) a charter school, or
- (c) a private school,

in Alberta unless the person takes a leave of absence under this section.

(1.2) A person is not eligible to be nominated as a candidate for election as a councillor if

- (a) the secretary transmitted a report to council under section 147.8(1) in respect of the person,

- (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- (c) subject to subsection (1)(d.1), nomination day for the election occurs within
 - (i) the 8-year period following the day on which the secretary transmitted the report to council, or
 - (ii) where the disclosure statement required by section 147.4 has been filed with the municipality, the 3-year period following the day of filing,whichever period expires first.

(1.3) Subsection (1.2) applies where a report has been transmitted under section 147.8(1) respecting a campaign period beginning on or after January 1, 2014.

(2) Repealed 2006 c22 s13.

(3) Subsection (1)(b) to (d) do not apply to a candidate for election as a trustee of a school board.

(4) Subsection (1) does not apply to a person by reason only

- (a) that the person is a shareholder in a corporation having a contract or dealings with the local jurisdiction or elected authority for which the election is being held,
 - (i) unless the person holds or there is held by the person and the person's spouse or adult interdependent partner, parents, children, brothers and sisters more than 25% of the issued capital stock of the corporation, or
 - (ii) unless the contract or dealings are for the building or construction of a public work of the local jurisdiction;
- (b) that the person has a contract with the local jurisdiction for the supplying to the person, the person's spouse or adult interdependent partner or child of a service, utility or commodity that the local jurisdiction has statutory authority to supply;
- (c) that the person holds an interest in a publication
 - (i) in which official advertisements of the local jurisdiction appear, or

- (ii) that is supplied to the local jurisdiction at the usual rates;
- (d) that the person sells or leases to the local jurisdiction land or interest in land that the local jurisdiction has authority to expropriate;
- (e) that the person supplies goods, merchandise or services to the local jurisdiction or to persons contracting with the local jurisdiction if they are supplied at competitive prices and in the ordinary course of the person's business or profession;
- (f) that the person renders
 - (i) services to indigents who are residents of the local jurisdiction and for which the local jurisdiction is or may become liable to pay, or
 - (ii) services for which the local jurisdiction has provided a subsidy;
- (g) that the person is appointed to a position under the *Emergency Management Act*;
- (h) that the person has rendered professional services as a lawyer to the local jurisdiction, if the fees for the services have been reviewed or assessed under the *Alberta Rules of Court*;
- (i) that the person has received a gratuity or allowance for services on a committee or board appointed by or responsible to the local jurisdiction;
- (j) that the person is a member of an association under the *Rural Utilities Act* or is a member of a cooperative under the *Cooperatives Act*;
- (k) that the person is a vendor, purchaser, assignor or assignee of land bought or sold under the *Agriculture Financial Services Act*;
- (l) that the person is a party to a contract for the purchase or lease of real or personal property from the local jurisdiction entered into before nomination day;
- (m) that the person is a volunteer chief, officer or member of a fire, ambulance or emergency measures organization established by a local jurisdiction or that the person is a volunteer for another purpose who performs duties under the direction of the local jurisdiction.

(5) An employee of a municipality who wishes to be nominated as a candidate in an election to be held for that municipality may notify his or her employer on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the employee's last working day prior to nomination day that the employee is taking a leave of absence without pay under this section.

(5.1) An employee referred to in subsection (1.1) who wishes to be nominated as a candidate for election as a trustee of a school board may notify his or her employer on or after July 1 in the year of an election but before the employee's last working day prior to nomination day that the employee is taking a leave of absence without pay under this section.

(6) Notwithstanding any bylaw, resolution or agreement of a local jurisdiction, every employee who notifies his or her employer under subsection (5) or (5.1) is entitled to a leave of absence without pay.

(6.1) Repealed 2012 c5 s107.

(7) An employee who takes a leave of absence under this section is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.

(8) If an employee who takes a leave of absence under this section is not elected, the employee may return to work, in the position the employee had before the leave commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.

(9) If an employee who takes a leave of absence under this section is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official.

(10) If an employee who takes a leave of absence under this section is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.

(11) Subject to subsection (12), an employee who takes a leave of absence under this section and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.

(12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

RSA 2000 cL-21 s22;2001 cC-28.1 s458;2001 c23 s1(11);
2002 cA-4.5 s52;2002 c23 s1;2006 c22 s13;2007 c12 s12;
2009 c53 s104;2010 c9 s1;2012 c5 s107

Ineligibility for nomination

23(1) A person is not eligible to be nominated for more than one office of the same elected authority.

(2) A member who holds office on an elected authority is not eligible to be nominated for or elected to the same or any other office on the elected authority

- (a) unless the member's term of office is expiring, or
- (b) if the member's term of office is not expiring, unless the member has resigned that office effective 18 days or more before nomination day.

1983 cL-27.5 s23

Re-election

24(1) A person who held office on a board of trustees under the *School Act* and

- (a) who resigned that office to avoid making restitution for money the person received that disqualified the person from holding that office pursuant to this or any other Act and has been ordered by a judge to make restitution, or
- (b) who was declared by a judge to be disqualified to hold that office pursuant to this or any other Act,

is not eligible to become a member of that board of trustees until after 2 general elections have occurred after the date on which the person was ordered to make restitution or was declared to be disqualified.

(2) Notwithstanding that a by-election or general election has been held between the time when the disqualification of the member or former member arose and the time when the order or declaration has been made by the judge, subsection (1) applies and, if the person was re-elected, the person is not eligible to remain a member of the board of trustees.

(3) Notwithstanding subsections (1) and (2), a judge

(a) who has made an order described in subsection (1)(a), or

(b) who has declared a person to be disqualified

may reduce the period of disqualification.

(4) An appeal against the decision of a judge under this section lies to the Court of Appeal.

1983 cL-27.5 s24;1994 cM-26.1 s642(42)

Nomination day

25 Nomination day shall be 4 weeks before election day.

1983 cL-27.5 s25

Notice of nomination day

26(1) The returning officer shall give notice of nomination day in the prescribed form by publishing a notice at least once a week in each of the 2 weeks before nomination day in a newspaper or other publication circulating in the area, or by mailing or delivering a notice to every residence in the local jurisdiction at least one week before nomination day.

(2) On complying with subsection (1), the returning officer may publish, mail and deliver additional notices and give notice by any other method as many times as the returning officer considers appropriate.

RSA 2000 cL-21 s26;2003 c27 s9

Form of nomination

27(1) Every nomination of a candidate shall be in the prescribed form and signed by at least 5 electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated, stating

(a) that the person is eligible to be elected to the office,

(a.1) the name, address and telephone number of the person's official agent, and

(b) that the person will accept the office if elected,

and if required by bylaw, it must be accompanied with a deposit in the required amount.

(2) Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the *School Act* of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to June

30 of a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.

(3) Notwithstanding subsection (1), if a system of wards is in effect, only an elector who is a resident of the ward for which a candidate for election is being nominated may sign the nomination of the candidate.

(4) If a bylaw has been passed providing for a deposit, a nomination paper is not valid nor shall it be acted on by the returning officer unless it is accompanied with the deposit.

RSA 2000 cL-21 s27;2003 c27 s10;2006 c22 s14

Nominations

28(1) The returning officer shall receive nominations at the local jurisdiction office between 10 a.m. and 12 noon on nomination day.

(1.1) The person who is nominated as a candidate is responsible for ensuring that the nomination filed under subsection (1) meets the requirements of section 27.

(2) Notwithstanding subsection (1), an elected authority may, by a bylaw passed prior to June 30 of a year in which an election is to be held, provide that the returning officer

- (a) may receive nominations earlier than 10 a.m., and
- (b) may establish locations, in addition to the local jurisdiction office, where a deputy may receive nominations.

(3) Any person may file a nomination described in section 27 with the returning officer or deputy.

(3.01) If a nomination is not signed by at least the minimum number of electors required to sign the nomination, the returning officer shall not accept it for filing.

(3.1) Repealed 2006 c22 s15.

(4) At any time after 12 noon on nomination day until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy or secretary.

June 30 of a year in which an election is to be held, provide that voting stations in an area that is subject to the agreement are to be open before 10 a.m.

(3) Promptly at 8 p.m. on election day, the deputy shall declare the voting station closed.

(4) If, when the voting station is declared closed, there is an elector in the voting station who wishes to vote, the elector shall be permitted to do so, but no other person shall be allowed to enter the voting station for that purpose.

RSA 2000 cL-21 s46;2006 c22 s22

Eligibility to vote

47(1) A person is eligible to vote in an election held pursuant to this Act if the person

- (a) is at least 18 years old,
- (b) is a Canadian citizen, and
- (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the area on election day.

(2) Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.

(3) If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

(4) In the case of the performance of any function or the exercise of any right under this Act, a person shall be a resident on the day on which that function is performed or that right is exercised in the area, ward or voting subdivision in respect of which that function is performed or that right is exercised and shall have been a resident of Alberta for the 6 consecutive months immediately preceding the day on which that function is performed or that right is exercised, unless otherwise required by this Act.

RSA 2000 cL-21 s47;2003 c27 s15;2006 c22 s23

Rules of residence

48(1) For the purposes of this Act, the place of residence is governed by the following rules:

Elector declining to vote

66 If an elector returns a ballot and states that the elector is declining to vote, the elector is not entitled to another ballot for that office, and the deputy who is supervising at the ballot box shall deposit the declined ballot in the ballot box.

1983 cL-27.5 s66;1989 c17 s17;1991 c23 s2(30)

Persons at voting station

67(1) Except for the returning officer, deputy, constable, candidates, official agents or scrutineers authorized to attend at the voting station and the electors who are for the time being actually engaged in voting, no other person is entitled to be present, nor shall any other person be permitted to be present, in the voting station during the time appointed for voting.

(2) Notwithstanding subsection (1), the presiding deputy at the voting station may authorize a person temporarily to observe the voting procedures from a location within the voting station designated by the presiding deputy.

(3) The presiding deputy shall not designate a location under subsection (2) that would allow the observer to see how electors mark their ballots.

(4) A person permitted to be present in the voting station pursuant to subsection (2) shall leave the voting station on the request of the presiding deputy.

RSA 2000 cL-21 s67;2006 c22 s31

Prohibited removal of ballots

68(1) No person who has received a ballot from the deputy shall take the ballot out of the voting station.

(2) Any person who, having received a ballot from the deputy, leaves the voting station without first delivering it to the deputy in the manner provided by this Act, forfeits the person's right to vote at that election and the deputy shall record in the voting register an entry to the effect that the person left the voting station without first delivering the ballot.

1983 cL-27.5 s68;1989 c17 s17

Official agent

68.1(1) Each person nominated as a candidate may, on the nomination form, appoint an elector to be the candidate's official agent.

(1.1) If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the returning officer in writing of the contact information of the new official agent.

(2) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada) is not eligible to be appointed as an official agent.

(3) No candidate shall act as an official agent for any other candidate.

(4) The duties of an official agent are those assigned to the official agent by the candidate.

2006 c22 s32;2012 c5 s112

Candidate's scrutineer

69(1) If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer,

- (a) signed by a candidate, and
- (b) stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station,

the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.

(1.1) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.

(2) Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.

(3) The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.

(3.1) The presiding deputy shall not permit a candidate to have both an official agent and a scrutineer present at the same time in a voting station during voting hours.

(4) A candidate or official agent personally may

- (a) undertake the duties that the candidate's scrutineer may undertake, and
- (b) attend any place that the candidate's scrutineer is authorized by this Act to attend.

(2) Corporations that are associated with one another under section 256 of the *Income Tax Act* (Canada) shall be considered as a single corporation for the purposes of this Part but in determining whether and at what time corporations are associated for the purposes of this Part, subsection 256(1) of the *Income Tax Act* (Canada) shall be read as though the words “at any time in the year” were struck out.

(3) Nothing done or omitted to be done by a corporation is a contravention of this Part solely because that corporation subsequently becomes associated with any other corporation.

2009 c10 s3;2010 c9 s1

Candidate self-funded election campaign

147.11(1) Any money up to and including \$10 000 paid by a candidate out of the candidate’s own funds for the purposes of the candidate’s election campaign is not a campaign contribution for the purposes of this Part.

(2) If a candidate’s entire election campaign is funded exclusively out of the candidate’s own funds, the candidate is not required to

- (a) open and deposit the funds in a campaign account at a financial institution in the name of the candidate’s election campaign or of the candidate,
- (b) file a disclosure statement with the municipality setting out the total amount contributed by the candidate to the candidate’s own election campaign, or
- (c) file a disclosure statement with the municipality listing the campaign expenses incurred during the candidate’s election campaign.

(3) This section does not apply if the candidate receives or accepts any campaign contribution from any other person, corporation, trade union or employee organization.

2010 c9 s1;2012 c5 s118

Limitations on contributions

147.2(1) Campaign contributions by any person, corporation, trade union or employee organization to a candidate shall not exceed \$5000 in any year.

(1.1) Money paid by a candidate out of the candidate’s own funds to the candidate’s election campaign shall not exceed \$10 000 in any campaign period.

(2) Repealed 2010 c9 s2.

(3) No prohibited organization, person normally resident outside Alberta or trade union or employee organization other than a trade union or employee organization as defined in this Part shall make any campaign contributions to a candidate.

(4) A corporation, trade union or employee organization that contravenes this section is guilty of an offence and liable to a fine of not more than \$10 000.

(5) A person or a candidate who contravenes this section is guilty of an offence and liable to a fine of up to \$5000.

2009 c10 s3;2010 c9 ss1,2

Registration of candidates

147.21(1) No candidate may accept campaign contributions, including the funds of the candidate, unless the candidate is registered under this Act with the municipality in which the candidate intends to run.

(2) The municipality shall maintain a register of candidates in relation to each election and shall register in it any candidate who is eligible to be nominated at the time of registration and who files with the municipality an application for registration setting out

- (a) the full name and address of the candidate,
- (b) the addresses of the place or places where records of the candidate are maintained and of the place to which communications may be addressed,
- (c) the names and addresses of the financial institutions to be used by or on behalf of the candidate as depositories for campaign contributions made to that candidate, and
- (d) the names of the signing authorities for each depository referred to in clause (c).

(3) When there is any change in the information required to be provided under subsection (2), the registered candidate shall notify the municipality in writing within 48 hours after the change, and on receipt of the notice the municipality shall update the register of candidates accordingly.

(4) Notice under subsection (3) may be sent by fax or electronic mail.

(5) A candidate who contravenes subsection (1) or (3) is guilty of an offence and liable to a fine of not more than \$1000.

(6) This section does not apply to a candidate if the candidate's entire election campaign is funded exclusively out of the candidate's own funds up to a maximum of \$10 000.

(7) This section applies to a campaign period beginning on or after January 1, 2014.

2012 c5 s119

Duties of candidate

147.3(1) A candidate shall ensure that

- (a) a campaign account in the name of the candidate's election campaign or of the candidate is opened at a financial institution for the purposes of the election campaign as soon as possible after
 - (i) the total amount of campaign contributions from any person, corporation, trade union or employee organization first exceeds \$5000 in the aggregate, or
 - (ii) the total amount of campaign contributions from any person, corporation, trade union or employee organization in combination with any money paid by the candidate out of the candidate's own funds first exceeds \$5000 in the aggregate;
- (b) if a campaign account has been opened in accordance with clause (a), all contributions of money are deposited into the campaign account;
- (c) money in the campaign account shall only be used for the payment of campaign expenses;
- (d) contributions of real property, personal property and services are valued;
- (e) receipts are issued for every contribution and obtained for every expense;
- (f) disclosure statements are filed in accordance with section 147.4;
- (g) records are kept of campaign contributions and campaign expenses and are retained by the candidate for a period of 2 years following the date on which disclosure statements were required to be filed under section 147.4;
- (h) proper direction is given to the candidate's official agent and any other person who is authorized to incur campaign

make known to any person the name of any candidate for whom the elector has or has not marked the elector's ballot.

(9) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment.

RSA 2000 cL-21 s150;2006 c22 s57

Offence

151 A candidate for elective office who signs a candidate's acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1000.

1983 cL-27.5 s151

Advertisement distribution

152(1) Subject to subsection (2), a person who, on election day,

- (a) displays inside or on the outside of a building used for a voting station, or
- (b) distributes within a building used for a voting station,

an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine of not more than \$500.

(2) When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the store, office or facility comprising the area used as a voting station.

(3) The distribution by or on behalf of a candidate or the candidate's official agent or scrutineer of newspapers, pamphlets or other literature containing articles or reports on matters of public interest is not a contravention of this section.

(4) Where a person displays an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper contrary to subsection (1), the deputy may cause it to be removed, and neither the deputy nor any person acting under the deputy's instructions is liable for trespass or damages resulting from or caused by the removal.

RSA 2000 cL-21 s152;2006 c22 s58

Interference with posted documents

153 A person who, without authorization, takes down, covers up, mutilates, defaces or alters any notice or other document required to be posted under this Act is guilty of an offence and liable