
By-election

If the verification process shows that sufficient valid signatures are on the petition and the financing requirements have been met by the proponent, the Member ceases to hold office and a by-election must be called within 90 days. A recalled Member can be a candidate in the by-election.

Recall Financing and Communications

There are important financing rules that participants must follow regarding the disclosure and limits of expenditures and contributions permitted during the recall process.

Contributions to recall participants are not eligible for income tax receipts.

If the proponent exceeds the spending limit, the recall petition will fail, even with enough signatures.

Recall advertising can only be conducted by an authorized participant or a registered advertising sponsor.

Penalties for Recall Offences

It is very important that participants comply with the legislation. Non-compliance can result in significant penalties, such as being fined up to \$10,000 and/or being imprisoned for up to two years. In the case of a Member, the Member will also cease to hold office. In the case of a proponent, the recall petition fails.

Elections BC's Role in the Process

Elections BC is the non-partisan Office of the Legislature responsible for administration of the *Recall and Initiative Act*, ensuring that the recall process is conducted in a fair and impartial fashion.

For more information

Elections BC

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The Recall Process in British Columbia



Overview

The *Recall and Initiative Act* allows voters in British Columbia to petition to remove a Member of the Legislative Assembly (MLA) between elections.

The Application Process

An individual can apply to the Chief Electoral Officer for a petition for the recall of the Member of the Legislative Assembly (MLA) for the electoral district in which the applicant is registered to vote. A Member cannot be recalled during the first 18 months after his or her election.

A registered voter who wants to start a recall petition must obtain an application from the Chief Electoral Officer. A completed application consists of a fully completed and signed application form, a statement of 200 words or less of why, in the applicant's opinion, the Member should be recalled, and a non-refundable \$50 processing fee.

Approval in Principle

If the application is complete and meets the requirements of the *Recall and Initiative Act*, the Chief Electoral Officer notifies the applicant (the "proponent"), the Member and the Speaker of the Legislative Assembly that approval in principle has been granted and that a petition will be issued within seven days.

Recall Petition Period

The proponent has 60 days from when the petition is issued to collect signatures. The proponent must collect signatures from 40 percent of the voters who were registered to vote in the Member's electoral district at the last election, and who are currently registered as voters in British Columbia.

Canvasser Registration

A proponent may be helped by volunteers to gather signatures. The volunteers are called "canvassers." Canvassers must be registered voters and must have been a resident of British Columbia for at least six months before the date on which they intend to begin canvassing. Registered voters may apply to be canvassers any time after the application for a recall petition is submitted to the Chief Electoral Officer.

Collecting Signatures on the Petition

A recall petition may only be signed by individuals who:

- were registered to vote in the Member's electoral district on General Voting Day for the Member's last election; and
- are registered to vote anywhere in the province at the time they sign the petition.

An individual may only sign a recall petition once, and their signature must be accompanied by the residential address at which the person is registered as a voter. All signatures must be witnessed by the individual who canvassed the signature (a registered canvasser).

Submitting Petitions

The proponent must submit, at one time, all of the signed petition sheets to the Chief Electoral Officer. The petition period ends when the proponent submits the petition to the Chief Electoral Officer, regardless of whether the full 60 days have elapsed. If the petition is not submitted within 60 days, it fails.

Petition Verification

When a petition is submitted, the Chief Electoral Officer has 42 days to complete the verification process.

The first stage of the verification process is a preliminary count of the signatures. This is to ensure that enough signatures have been obtained. If there are not enough signatures, the petition fails and the proponent and the Member are notified.

If there are enough signatures, the registration status of the voters who signed the petition is verified to ensure that the people who signed the petition were entitled to do so. Petition lines that do not include the residential address of the voter who signed the petition will not be counted. The registration status of canvassers is also verified to ensure that signatures were gathered by authorized individuals. If the signatures are not collected by authorized individuals, the signatures will not be counted during the verification process. Voters who signed the petition may also be contacted by Elections BC during the verification process to ensure the validity of the signatures.
