



## **NOTICE OF OFFENCE - NOTICE OF CORRUPT PRACTICE\*EL35**

*Municipal Elections Act, 1996 (s. 89)*

Section 89 of the *Municipal Elections Act, 1996* provides that a person is guilty of an offence and liable, on conviction, to a fine of not more than \$5,000, if he or she:

- (a) votes without being entitled to do so;
- (b) votes more times than the Act allows;
- (c) votes in a voting place in which he or she is not entitled to vote;
- (d) induces or procures a person to vote when that person is not entitled to do so;
- (e) having appointed a voting proxy that remains in force, votes otherwise than by the proxy;
- (f) having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote, or has died;
- (g) before or during an election, publishes a false statement of a candidate's withdrawal;
- (h) furnishes false or misleading information to a person whom this act authorizes to obtain information;
- (i) without authority, supplies a ballot to anyone;
- (j) delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gave him or her;
- (k) takes a ballot away from the voting place;
- (l) at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having the authority to do so;
- (m) attempts to do something described in clauses (a) to (l)

**Section 90 of the said Act provides that if, when a person is convicted of an offence under Section 89, the presiding judge finds that the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for imprisonment for a term of not more than six months.**

*\* Clerk may choose to POST this notice in the voting place.*