



BILL NO. 205

Government Bill

*1st Session, 65th General Assembly
Nova Scotia
4 Charles III, 2026*

**An Act to Amend Chapter 5
of the Acts of 2011,
the Elections Act,
and Chapter 1 (1992 Supplement)
of the Revised Statutes, 1989,
the House of Assembly Act**

CHAPTER 9
ACTS OF 2026

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 9, 2026**

The Honourable Scott Armstrong
Attorney General and Minister of Justice

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 5
of the Acts of 2011,
the Elections Act,
and Chapter 1 (1992 Supplement)
of the Revised Statutes, 1989,
the House of Assembly Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 5 of the Acts of 2011, the *Elections Act*, as amended by Chapter 17 of the Acts of 2015, Chapter 7 of the Acts of 2016 and Chapter 8 of the Acts of 2020, is further amended by

- (a) adding “(1)” immediately after the Section number;**
- (b) striking out “(da)” the second time that it appears and substituting “(db)”;**
- (c) striking out the period at the end of clause (1)(ada), as renumbered, and substituting a semicolon; and**
- (d) adding immediately after subsection (1), as renumbered, the following subsection:**

(2) For greater certainty, the use of a list of electors or information contained in a list of electors to communicate with electors in order to solicit campaign support, solicit political contributions or recruit party members, or communicate with electors for similar purposes, whether during an election or between elections, is a use of that list or information for electoral purposes.

2 Section 5 of Chapter 5, as amended by Chapter 17 of the Acts of 2015 and Schedule A of Chapter 1 of the Acts of 2018, is further amended by striking out the semicolon at the end of subclause (a)(i) and substituting a comma.

3 Subsection 16(1) of Chapter 5 is amended by adding “legal” immediately after “such”.

4 Subsection 22(6) of Chapter 5 is repealed and the following subsection substituted:

(6) The returning officer of an electoral district must be eligible to vote in the Province.

5 Subsection 35(3) of Chapter 5 is amended by striking out “in which ten or more electors may reside”.

6 (1) Subsection 57(2) of Chapter 5 is amended by striking out “clauses” and substituting “clause”.

(2) Subsection 57(4) of Chapter 5 is amended by striking out “clauses” and substituting “clause”.

7 Subsection 65(2) of Chapter 5 is repealed and the following subsection substituted:

(2) Where the prospective candidate is endorsed by a registered party, the nomination documents must be accompanied by a statement signed by the leader of that party that the prospective candidate is the endorsed candidate of the party.

8 Section 66 of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by striking out “and nomination deposit” wherever it appears.

9 (1) Section 67 of Chapter 5 is amended by striking out “and the nomination deposit” wherever it appears in subsections (1) to (3).

(2) Subsection 67(3) of Chapter 5 is amended by striking out “or appropriate nomination deposit”.

(3) Subsection 67(4) of Chapter 5 is amended by striking out “, a copy of the certificate and the nomination deposit” and substituting “and a copy of the certificate”.

10 Subsection 69(1) of Chapter 5 is amended by striking out “and present the nomination deposit”.

11 Section 71 of Chapter 5 is repealed.

12 Subsection 72(3) of Chapter 5 is amended by striking out “and the candidate’s nomination deposit is forfeited”.

13 Section 82 of Chapter 5, as amended by Chapter 17 of the Acts of 2015 and Chapter 8 of the Acts of 2020, is further amended by adding a comma after “officer” the second time that it appears.

14 Chapter 5 is further amended by adding immediately after Section 102 the following Section:

102A (1) After the close of nominations, a ballot containing the information set out in clauses 88(2)(a) to (c) may, in the sole discretion of the Chief Electoral Officer, be used in a write-in ballot poll.

(2) Where a ballot referred to in subsection (1) is used in a write-in ballot poll,

(a) subsections 88(3) to (5) apply, with any necessary changes; and

(b) the ballot is, for the purpose of the write-in ballot poll, deemed to be a write-in ballot.

15 Clause 103(2)(a) of Chapter 5 is repealed and the following clause substituted:

(a) mark the ballot by

(i) before the close of nominations or where, after the close of nominations, the ballot used does not contain the information set out in clauses 88(2)(a) to (c), printing or writing on it, in the prescribed manner, the name of the candidate for whom the elector wishes to vote, the name of the registered party endorsing the candidate for whom the elector wishes to vote or both, or

(ii) where a ballot containing the information set out in clauses 88(2)(a) to (c) is used in the write-in ballot poll, marking, in the prescribed manner, a cross, an “X”, a check mark, a line or other mark on the blank space provided on the ballot opposite the name of the candidate for whom the elector wishes to vote;

16 Section 105A of Chapter 5, as enacted by Chapter 17 of the Acts of 2015, is amended by adding “and, where determined by the Chief Electoral Officer, in the Chief Electoral Officer’s sole discretion, after the close of the write-in ballot poll on the tenth day before election day” immediately after “day” the second time that it appears.

17 Subsection 106(2) of Chapter 5, as amended by Chapter 17 of the Acts of 2015 and Chapter 8 of the Acts of 2020, is further amended by striking out the period at the end of clause (b) and substituting a comma.

18 Section 108B of Chapter 5 is repealed and the following Section substituted:

108B No person may vote by Internet voting unless the person’s name is added to the applicable list of electors by the person providing evidence acceptable to the Chief Electoral Officer that the person is

(a) a resident of the Province;

(b) a member of the Canadian Armed Forces, as defined in Section 41, or such other person or class of persons as prescribed by the regulations; and

(c) stationed outside the Province or will be so stationed during an election.

19 Clause 111(1)(cb) of Chapter 5, as enacted by Chapter 17 of the Acts of 2015, is amended by striking out “(1)(d)” and substituting “(1)(ca)”.

20 Subsections 123(2) and (3) of Chapter 5 are repealed and the following subsections substituted:

(2) The application for addition must be made to

(a) the presiding officer or deputy presiding officer when applying for a write-in ballot in the returning office;

(b) the presiding officer or deputy presiding officer when voting at the returning office continuous poll, community continuous poll or advance poll;

- (c) a poll clerk when voting at the polling station on election day; or
 - (d) a write-in ballot co-ordinator who is conducting the write-in ballot poll outside the returning office.
- (3) Upon accepting the application for addition,
- (a) in the case of a write-in ballot poll in the returning office, the presiding officer or deputy presiding officer shall add the elector to the list of electors, and the presiding officer shall cause a write-in ballot kit be delivered to the elector;
 - (b) in the case of the returning office continuous poll, community continuing poll or advance poll, the presiding officer or deputy presiding officer shall add the elector to the list of electors;
 - (c) in the case of an election day poll, the poll clerk shall add the elector to the official list of electors and issue to the elector a certificate in the prescribed form to be presented to the deputy returning officer; or
 - (d) in the case of a write-in ballot poll where an application is approved outside the returning office, the write-in ballot co-ordinator shall cause a write-in ballot kit to be delivered to the elector and shall add the elector to the list of electors.

21 Chapter 5 is further amended by adding immediately after Section 139B the following Section:

139C (1) Subject to subsection (3), during a returning office continuous poll, a community continuous poll and an advance poll, Elections Nova Scotia shall, on the request of a candidate, a candidate's official agent, a scrutineer representing a candidate, or a registered party, provide on the next day of voting an electronic record identifying every elector who, during the prior day, has been crossed off the list of electors as having voted or declined to vote.

(2) The electronic record referred to in subsection (1) must include any electors added to the list of electors during the prior day.

(3) A person may apply to Elections Nova Scotia to have the person's name obscured on an electronic record provided under subsection (1).

(4) Unless the requester agrees in writing to a different manner of delivery,

(a) the electronic record referred to in subsection (1) must be delivered in an electronic format over the Internet; and

(b) the electronic record must be delivered in a manner that does not involve physical media or otherwise require in-person receipt.

22 Subclause 142(3A)(d)(ii) of Chapter 5, as enacted by Chapter 8 of the Acts of 2020, is amended by striking out "few" and substituting "view".

23 Subsection 143(2) of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by striking out “polling station” and substituting “poll, selected at the discretion and”.

24 Subsection 151(1) of Chapter 5 is amended by

- (a) adding “legal” immediately after “their”;
- (b) adding “or the Chief Electoral Officer’s designate” immediately after “Officer” in clause (b); and
- (c) striking out “other appropriate election officers” in clause (c) and substituting “such other election officers as the Chief Electoral Officer determines appropriate”.

25 Chapter 5 is further amended by adding a comma after “DOCUMENTS” in the heading immediately before Section 160.

26 Section 166 of Chapter 5, as amended by Chapter 17 of the Acts of 2013, Chapter 17 of the Acts of 2015, Chapter 7 of the Acts of 2016 and Chapter 8 of the Acts of 2020, is further amended by

- (a) striking out “and” at the end of subclause (i)(ii);
- (b) adding “and” at the end of subclause (i)(iii);
- (c) adding “or” at the end of subclause (i)(x); and
- (d) striking out subclause (i)(xi).

27 (1) Subsection 169(1) of Chapter 5, as enacted by Chapter 17 of the Acts of 2015, is amended by striking out “subsection (2)” and substituting “subsections (2) and (3)”.

(2) Section 169 of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by adding immediately after subsection (2) the following subsection:

- (3) An individual shall not act as official agent for more than one candidate in any electoral district.

28 Subsection 181(1) of Chapter 5 is amended by striking out the semicolon at the end of clause (b) and substituting a period.

29 Subsection 203(2) of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by

- (a) striking out the period at the end of clause (c) and substituting a comma; and
- (b) adding immediately after clause (c) the following:

but no application to be registered under this Section may be made after the writ of election has been issued.

30 Section 213 of Chapter 5 is amended by striking out “and any of its electoral district associations and candidates” and substituting “, the electoral district associations of that registered party and the candidates endorsed by that registered party”.

31 (1) Subsection 214(2) of Chapter 5 is amended by striking out “the” and substituting “its”.

(2) Subsection 214(4A) of Chapter 5, as enacted by Chapter 17 of the Acts of 2013, is amended by striking out “An” and substituting “A registered party or an”.

(3) Subsection 214(4B) of Chapter 5, as enacted by Chapter 8 of the Acts of 2020, is amended by striking out “the electoral district association” and substituting “the registered party or the electoral district association, as the case may be,”.

32 Subsection 229(3) of Chapter 5 is repealed and the following subsection substituted:

(3) The report referred to in subsection (1) must be accompanied by an auditor’s report prepared in accordance with Section 178 if

(a) the total election expenses of the candidate equal or exceed one thousand dollars;

(b) the total contributions received by the official agent of the candidate equal or exceed one thousand dollars; or

(c) the total net proceeds from fundraising events held by or for the benefit of the candidate equal or exceed one thousand dollars.

33 (1) Subsection 240(1) of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by striking out “to”.

(2) Subsection 240(2) of Chapter 5 is amended by adding “equal or” immediately after “calendar year”.

(3) Subsection 240(3) of Chapter 5 is amended by adding “equal or” immediately after “agent” the second time it appears.

34 Clause 252(2)(b) of Chapter 5 is amended by striking out “to returning officers to distribute”.

35 (1) Section 261 of Chapter 5, as amended by Chapter 17 of the Acts of 2015, is further amended by adding immediately after subsection (4) the following subsection:

(4A) Notwithstanding the other provisions of this Section, during the election period a candidate may pay election advertising expenses directly by credit card up to a total maximum amount of five thousand dollars if prior approval is provided by the candidate’s official agent;

(2) Subsection 261(5) of Chapter 5 is amended by adding “or election advertising expenses pursuant to subsection (4A)” immediately after “(4)”.

36 Subsection 294(4) of Chapter 5 is amended by

- (a) adding “legal” immediately after “by”; and**
- (b) adding “legal” immediately after “obtain”.**

37 Section 303 of Chapter 5, as amended by Chapter 8 of the Acts of 2020, is further amended by

- (a) striking out the period at the end of clause (b) and substituting a semicolon; and**
- (b) adding immediately after clause (b) the following clause:**

(c) organizes or participates in a parade, demonstration, or broadcast using a loudspeaker or a public address system, in support of a candidate or a registered party within fifty metres of a building in which a polling station is located where voting is taking place.

38 Clause 350(1)(b) of Chapter 5 is amended by striking out “election clerk” and substituting “assistant returning officer”.

39 (1) Clause 356(1)(d) of Chapter 5 is amended by striking out “subsection” and substituting “subsections”.

(2) Section 356 of Chapter 5 is further amended by adding immediately after subsection (2) the following subsection:

(2A) The Governor in Council shall appoint a person as Chair of the Election Commission within six months following a general election.

(3) Subsection 356(3) of Chapter 5 is amended by striking out “of five years and may be reappointed” and substituting “ending when the Chair’s successor is appointed by the Governor in Council in accordance with subsection (2A) or when the Chair is reappointed for a subsequent term in accordance with subsection (2A)”.

40 Section 11 of Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the *House of Assembly Act*, is repealed and the following Section substituted:

11 To be eligible to be a member of the House, a person must be a Canadian citizen and at least eighteen years of age.

41 Section 13 of Chapter 1 is amended by

- (a) adding “(1)” immediately after the Section number; and**

(b) adding immediately after subsection (1), as renumbered, the following subsection:

(2) Upon receiving a written notice referred to in subsection (1), the Speaker or the Provincial Secretary, as the case may be, shall notify the Chief Electoral Officer that the member's seat is vacated.

42 (1) Section 21 comes into force on such day as the Governor in Council orders and declares by proclamation.

(2) Section 40 has effect on and after the dissolution or the determination by the effluxion of time of the present House of Assembly.
