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**Chief Electoral Officer**

**An Independent Officer of the  
Legislative Assembly of Nunavut**

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**Position Profile**



**Legislative Assembly of Nunavut**

**January 2023**

[www.assembly.nu.ca](http://www.assembly.nu.ca)

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## CHIEF ELECTORAL OFFICER

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### I. ENABLING LEGISLATION, PURPOSE AND MANDATE

The position of Chief Electoral Officer is established pursuant to section 188 of the *Nunavut Elections Act*. The Chief Electoral Officer fulfills a wide range of statutorily-prescribed responsibilities under the *Nunavut Elections Act* and the *Plebiscites Act*.

The purpose of the *Nunavut Elections Act* is to establish a regime for the election of members of the Legislative Assembly that promotes the meaningful exercise of the democratic rights and freedoms of the residents of Nunavut and the equality of opportunity to participate in determining the outcome of elections and the formation of the government.

The *Nunavut Elections Act* also provides for the election of Mayors, members of municipal councils, members of District Education Authorities and members of Alcohol Education Committees.

The purpose of the *Plebiscites Act* is to establish a regime for the conduct of plebiscites that is consistent with the *Nunavut Elections Act* and promotes opportunities to participate in expressing popular opinion on issues of interest and concern to Nunavummiut.

The Chief Electoral Officer also administers local option plebiscites under the *Liquor Act* through an agreement with the Government of Nunavut's Department of Finance.

### II. ACCOUNTABILITY TO THE LEGISLATIVE ASSEMBLY AND STATUTORY REPORTING REQUIREMENTS

The Chief Electoral Officer is appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly for a seven-year term of office. The Chief Electoral Officer may be reappointed for additional terms of office.

The Management and Services Board of the Legislative Assembly approves the remuneration and budgets of all independent officers of the Legislative Assembly. From time to time, the Management and Services Board may issue direction concerning the operations of offices of independent officers in respect to such areas as financial management, human resources management, contracting and procurement.

Under section 196 of the *Nunavut Elections Act*, the Chief Electoral Officer is required to prepare and submit to the Speaker of the Legislative Assembly an annual report for each fiscal year within six months after the end of the fiscal year. The annual report is tabled in the Legislative Assembly.

The Chief Electoral Officer may be required to appear before the Committee of the Whole to account for their annual report in a manner consistent with the reporting practices of other independent officers of the Legislative Assembly, including the Auditor General, the Information and Privacy Commissioner, the Languages Commissioner and the Representative for Children and Youth.

From time to time, amendments to the *Nunavut Elections Act* and/or the *Plebiscites Act* may be introduced in the Legislative Assembly. Both statutes fall under the jurisdiction of the Legislative Assembly itself.

Consequently, the Speaker of the Legislative Assembly, in their capacity as the Chairperson of the Management and Services Board, appears before the Committee of the Whole on the occasion of its consideration of the proposed amendments. By convention, the Chief Electoral Officer appears with the Speaker to respond to Members' questions concerning the proposed amendments.

### **III. SPECIFIC ACCOUNTABILITIES**

The following does not represent an exhaustive listing of the responsibilities of the Chief Electoral Officer. Rather, these accountabilities are the primary indicators against which performance will be measured in assessing the overall success of the office-holder.

The authoritative description of the role, responsibilities and statutory requirements of the position of Chief Electoral Officer may be found in the *Nunavut Elections Act* and the *Plebiscites Act*.

#### **Statutory Functions**

- Formulate policies regarding the conduct of general elections, by-elections and plebiscites;
- Exercise general direction and supervision over the administrative conduct of general elections, by-elections and plebiscites;

- Enforce, on the part of all candidates and election officers, fairness, impartiality and compliance with the *Nunavut Elections Act* and the *Plebiscites Act*;
- Prepare guidelines with respect to the electoral process for candidates, financial agents, campaign managers, election officers and other interested groups or persons;
- Establish any forms that may be required under the *Nunavut Elections Act* and the *Plebiscites Act*;
- Provide direction to and manage the staff of the Office of the Chief Electoral Officer;
- Issue instructions or directions to election officers, candidates, financial agents and persons who are campaigning;
- Provide such maps, mapping services and data as may be required by an Electoral Boundaries Commission; and
- Perform any other functions related to the purpose and principles of the *Nunavut Elections Act* and the *Plebiscites Act*.

### **Financial and Human Resources Management Functions**

- The Chief Electoral Officer is accountable for the prudent management of the Office's financial and human resources in compliance with relevant statutory authorities, including the *Financial Administration Act*, the *Government Contract Regulations* and the *Public Service Act*.
- The Chief Electoral Officer is accountable for the development and submission of the Office's annual budget and business plan to the Management and Services Board of the Legislative Assembly for consideration and approval. The Chief Electoral Officer is accountable for ensuring that the contents of the annual business plan meet or exceed the requirements established in legislation and in any guidelines issued by the Management and Services Board, including, but not limited to:
  - A detailed description of the Office's operating environment, statutory obligations and identified challenges;
  - A detailed description of the Office's goals and objectives for the upcoming fiscal year;

- A detailed description of the Office's strategy for achieving its goals and objectives; and
- A detailed rationale for the Office's proposed budget, including any requests for enhanced resources.
- The Chief Electoral Officer is accountable for the development and submission of the Office's statutorily-required annual report to the Legislative Assembly and may be required to appear before the appropriate Standing Committee of the Legislative Assembly to account for its contents. The Chief Electoral Officer is accountable for ensuring that the contents of the annual report meet or exceed the requirements established in legislation and in any guidelines issued by the Management and Services Board, including, but not limited to:
  - A detailed accounting of the conduct of the Office and the discharge of the duties of the Chief Electoral Officer during the preceding fiscal year;
  - A detailed accounting of the expenditures of the Office during the preceding fiscal year;
  - A detailed accounting of the Office's success in meeting the goals and objectives in its annual business plan for the preceding fiscal year; and
  - Recommendations for amendments to the *Nunavut Elections Act* and/or the *Plebiscites Act*.
- The Chief Electoral Officer is accountable for providing leadership to the employees of the Office in a manner that supports the fulfillment of the Office's mandate; and
- The Chief Electoral Officer is accountable for evaluating employee performance and resolving disciplinary issues.

### **Public Information Functions**

- The Chief Electoral Officer is accountable for ensuring that the Office develops and disseminates information to the general public concerning the roles and responsibilities of the Office; and

- The Chief Electoral Officer is accountable for ensuring that the Office maintains an up-to-date website that contains such information as the annual reports of the Chief Electoral Officer, relevant forms for the use of the general public and other information concerning the role of the Office.

#### **IV. BUDGET**

The Management and Services Board of the Legislative Assembly approves the remuneration and budgets of all independent officers of the Legislative Assembly. From time to time, the Management and Services Board may issue direction concerning the operations of offices of independent officers in respect to such areas as financial management, human resources management, contracting and procurement.

##### **Financial Resources**

2022-2023 Annual Operations and Maintenance (O&M) Budget: \$1.488 million. It is important to note that the office's annual budget increases significantly for fiscal years during which general elections and/or territory-wide plebiscites are held.

##### **Human Resources**

There are **4.0** full-time positions in the Office of the Chief Electoral Officer. The Chief Electoral Officer has the authority to hire employees and engage counsel, experts and other persons to carry out the functions of the Office. Full-time, indeterminate employees of the Office of the Chief Electoral Officer are members of the Nunavut Public Service.

#### **V. PROFESSIONAL DEVELOPMENT AND ASSOCIATIONS**

The Chief Electoral Officer participates in the annual Conference of Canadian Election Officials to remain current with developments and best practices in other Canadian jurisdictions.

The Chief Electoral Officer is expected to remain current with relevant literature in the fields of electoral administration and law.

## **VI. TERMS AND CONDITIONS OF EMPLOYMENT**

The Chief Electoral Officer is appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly for a seven-year term of office. The Chief Electoral Officer holds office during good behaviour. The Commissioner of Nunavut, on the recommendation of the Legislative Assembly, may, for cause or incapacity, suspend or remove the Chief Electoral Officer.

The Management and Services Board of the Legislative Assembly approves the remuneration of all independent officers of the Legislative Assembly. A comprehensive remuneration package is provided for this seven-year statutory appointment. Although the Chief Electoral Officer is not considered to be a member of the public service within the meaning of the *Public Service Act*, the remuneration and benefits package for the position is generally equivalent to that which is provided to senior managers in the territorial public service. The detailed terms and conditions of employment and the associated benefits will be specified in the contract of employment.

The Office of the Chief Electoral Officer (Elections Nunavut) is physically located in Rankin Inlet, Nunavut.

## **VII. COMPETENCIES**

### **1. Credentials**

The Chief Electoral Officer should have a post-secondary qualification in a relevant field of study, such as public administration or law.

### **2. Knowledge/Experience**

- Familiarity with the Canadian parliamentary system, an understanding of the unique characteristics and practices of the Legislative Assembly of Nunavut and respect for such concepts as Parliamentary Privilege;
- Familiarity with electoral law;
- Experience in administering legislation;
- Experience in administering budgets and employees; and

- Understanding of Inuit societal values, culture, language, traditions, beliefs and history.

### **3. Skills and Abilities**

- Strong problem-solving skills;
- Strong analytical and decision-making skills;
- Strong writing skills, including the ability to prepare meaningful reports in terms that are understandable to a variety of audiences;
- Strong financial and human resources management skills, including the ability to motivate and lead teams in achieving common objectives; and
- Proficiency in both the Inuit Language and English is a definite asset.