



# **BILL NO. 135**

*Government Bill*

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*2nd Session, 60th General Assembly  
Nova Scotia  
57 Elizabeth II, 2008*

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## **An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act**

CHAPTER 24  
ACTS OF 2008

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 27, 2008**

The Honourable Jamie Muir  
*Minister of Service Nova Scotia and Municipal Relations*

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

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**An Act to Amend Chapter 300  
of the Revised Statutes, 1989,  
the Municipal Elections Act**

Be it enacted by the Governor and Assembly as follows:

**1** Subsection 131(1) of Chapter 300 of the Revised Statutes, 1989, the *Municipal Elections Act*, as amended by Chapter 46 of the Acts of 2007, is further amended by striking out “county court” in the third and fourth lines and substituting “Supreme Court of Nova Scotia”.

**2** (1) Subsection 146A(3) of Chapter 300, as enacted by Chapter 9 of the Acts of 2003 and amended by Chapter 46 of the Acts of 2007, is further amended by

(a) adding immediately after clause (c) the following clauses:

(ca) voting by telephone, via the internet or by any other electronic means, including a combination of different electronic means;

(cb) the method of recounting the ballots or votes;

(cc) additional hours and dates for voting at an advance poll, including permitting voting twenty-four hours per day over a period of days;

and

(b) adding “, including matters or things under Sections 41A, 75, 76, 77, 78, 79 and 86” immediately after “election” in the second line of clause (d).

(2) Section 146A of Chapter 300, as enacted by Chapter 9 of the Acts of 2003 and amended by Chapter 46 of the Acts of 2007, is further amended by adding immediately after subsection (6) the following subsections:

(7) A by-law made pursuant to this Section may provide for the creation of offences and may

(a) impose a fine not exceeding ten thousand dollars or imprisonment for a maximum term of two years less a day, or both;

(b) impose a minimum fine;

(c) provide for imprisonment, for not more than one year, for non-payment of a fine.

(8) The *Remission of Penalties Act* does not apply to a pecuniary penalty imposed under a by-law made pursuant to this Section.

(9) The limitation period for the prosecution of an offence under a by-law made pursuant to this Section is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed.

**3 Section 156 of Chapter 300 is amended by adding “or a by-law made pursuant to this Act” immediately after “Act” in the second line.**

**4 Section 164 of Chapter 300 is amended by adding “or a by-law made pursuant to this Act” immediately after “Act” in the second line of clause (d) and in the third last line.**

**5 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.**

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