

REVISED Surrey Police Vote Proposed Legislation

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Surrey Policing Binding Referendum 2021 Act

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Definitions

1 In this Act:

"**chief electoral officer**" has the same meaning as in the *Election Act*;

"**financial agent**" means a person who, on behalf of an opponent group or a proponent group, receives payments and contributions under this Act, incurs expenses and distributes any amount received;

"**referendum**" means the referendum required to be conducted under the *Referendum Act*;

"**Surrey**" means the Municipality of Surrey, British Columbia

Regional referendum on Surrey Policing required

2. (1) A binding regional referendum must be conducted in the municipality of Surrey, British Columbia under the *Referendum Act* Section 1 (2) c, on the question of whether the Royal Canadian Mounted Police shall continue providing policing services for the City of Surrey or whether a transition to the proposed new Surrey Police Service shall continue.

(2) For the referendum to be conducted, the Lieutenant Governor in Council must, by regulation,

- (a) state the question that will be put to the electorate at the referendum,
- (b) specify the date on which distribution of the voting packages must commence, and
- (c) specify the date on which voting in the referendum closes, which must be no later than November 30, 2021

Referendum Act applies

3. The *Referendum Act* shall apply.

Referendum to be conducted by mail-in ballot

4. The referendum must be conducted by distribution of a voting package in accordance with the regulations.

Elections BC responsible for administration of referendum

5. The chief electoral officer of Elections BC is responsible for conducting the referendum in accordance with the regulations.

Results of referendum count

6. The chief electoral officer must
- (a) report the result of the referendum to the Speaker of the Legislative Assembly, and
 - (b) announce the result of the referendum in a manner that the chief electoral officer considers will inform the electorate of that result.

Who may vote in referendum

- 7 (1) In order to vote in the referendum, an individual must
- (a) be a Canadian citizen,
 - (b) be 18 years of age or older on the date on which voting in the referendum closes,
 - (c) have been a resident of British Columbia for at least 6 months immediately before the date on which voting in the referendum closes,
 - (d) be a resident of Surrey, British Columbia,
 - (e) be registered as a voter as defined in the *Election Act* or be qualified to register as a voter in the referendum in accordance with the regulations, and
 - (f) not be disqualified by the *Election Act* or any other enactment from voting in the referendum or be otherwise disqualified by law.

(2) Without limiting subsection (1) (e), the following individuals are not entitled to vote in the referendum:

- (a) the chief electoral officer and the deputy chief electoral officer;
- (b) an individual who is prohibited from voting under Part 12 of the *Election Act*.

Duty if referendum is binding

8 (1) The result of the referendum is binding on the government only if more than 50% of the validly cast ballots

- (a) vote the same way on the question stated.

(2) If the result of the referendum is binding, the government must take steps that the government considers necessary or advisable to implement the result of the referendum.

Regulations

9 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations that the Lieutenant Governor in Council considers necessary or advisable respecting the referendum, including, without limitation, respecting

- (a) the manner by which the referendum is to be conducted,
- (b) voting in the referendum,
- (c) counting the referendum vote,
- (d) advertising in relation to the referendum, and
- (e) the availability of information respecting the matters to be voted on.

(3) Without limiting subsection (1) or (2), the Lieutenant Governor in Council may make regulations as follows:

- (a) prescribing offences and penalties for failure to comply with the regulations;
- (b) respecting any matter for which regulations are contemplated by this Act;
- (c) conferring a discretion on the chief electoral officer.

Commencement

14 This Act comes into force on the date of Royal Assent.