

# The Initiative Process in British Columbia

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## Overview

The *Recall and Initiative Act* allows voters in British Columbia to propose new laws or changes to existing laws.

## The Application Process

Any registered voter can apply to have a petition issued to gather support for a legislative proposal. A legislative proposal (or draft Bill) can be on any matter within the constitutional jurisdiction of the provincial Legislature.

A registered voter who wants to start an initiative petition must obtain an application from the Chief Electoral Officer. A completed application consists of a fully completed and signed application form, a copy of the draft Bill, and a non-refundable \$50 processing fee. The draft Bill must be written in a clear and unambiguous manner.

## Approval in Principle

If the application and draft Bill meet the requirements of the *Recall and Initiative Act*, the Chief Electoral Officer notifies the applicant (the "proponent") that approval in principle will be granted and that a petition will be issued. Approval in principle of an application is officially granted at the time a Notice of Petition is published in the British Columbia Gazette. Notice is also published in daily newspapers throughout the Province.

## Initiative Petition Period

Sixty days after notice is published in the Gazette, the Chief Electoral Officer issues an original petition signature sheet and cover sheet for each electoral district to the proponent. An initiative petition must be signed within 90 days from the date on which it is issued.

## Opponent Registration

An individual or organization who wishes to oppose an initiative may apply to the Chief Electoral Officer within 30 days after the day on which notice is published in the Gazette.

The Chief Electoral Officer appoints the financial agent for opponents and opponent groups from the names they propose. An opponent or opponent group must not act as such until given notice by the Chief

Electoral Officer that they are registered and that an individual has been appointed as financial agent.

## **Canvasser Registration**

A proponent may be helped by volunteers to gather signatures. The volunteers are called “canvassers”. Canvassers must be registered voters and must have been a resident of British Columbia for at least six months before the date on which they intend to begin canvassing. Registered voters may apply to be canvassers any time after the petition application has been submitted to the Chief Electoral Officer.

## **Collecting Signatures on the Petition**

The *Recall and Initiative Act* requires that an initiative petition be signed by 10 percent of the registered voters in each of the electoral districts of the Province.

An initiative petition can only be signed by a registered voter who was registered to vote on the date the petition was issued. A person may only sign the petition signature sheet for the electoral district in which they are a registered voter at the time of signing. A signature on the petition must be accompanied by the residential address of the individual who signed and must be witnessed by the individual who canvassed the signature (a registered canvasser).

## **Submitting Petitions**

The proponent must submit, at one time, all of the petition pages containing signatures to the Chief Electoral Officer. The petition period ends when the proponent submits the petition to the Chief Electoral Officer, regardless of whether the full 90 days have elapsed.

## **Petition Verification**

When a petition is submitted, the Chief Electoral Officer has 42 days to complete the verification process. Petition signatures are verified to ensure that the people who signed the petition were entitled to do so and that the signatures on a petition match the signatures on file for those voters. Signatures that do not include the residential address of the voter who signed the petition will not be counted. The registration status of canvassers is also verified to ensure that signatures were gathered by authorized individuals.

## **Referral of Initiative to a Select Standing Committee**

If the verification process shows that sufficient signatures have been collected in every electoral district, and the financing requirements have been met by the proponent, the Chief Electoral Officer sends a copy of the petition and draft Bill to a Select Standing Committee on Legislative Initiatives.

The Select Standing Committee must meet within 30 days of receipt of the petition and draft Bill. From

their first meeting, the Committee has 90 days to consider the legislative proposal and either table a report recommending introduction of the draft Bill, or refer the initiative to the Chief Electoral Officer for an initiative vote.

After a Bill is introduced in the Legislature, the requirements of the *Recall and Initiative Act* have been satisfied, and any subsequent readings, amendments and passage of the Bill will proceed as with any other Bill.

## **Initiative Vote**

If an initiative vote is required, a vote will be held on September 28, 1996, and on the last Saturday of September in every third year after that date. If more than 50 percent of the total number of registered voters in the Province vote in favour of the initiative, and more than 50 percent of the total number of registered voters in each of at least two-thirds of the electoral districts in the Province vote in favour of the initiative, the Chief Electoral Officer must declare the initiative vote to be successful and government must introduce the Bill at the earliest practical opportunity.

## **Financing and Advertising**

There are detailed provisions in the *Recall and Initiative Act* regarding the disclosure and limits of expenditures and financial contributions permitted during the initiative petition process and during an initiative vote.

Contributions to initiative proponents and opponents are not eligible for income tax receipts.

Initiative advertising can only be conducted by a proponent, registered opponent or a registered advertising sponsor.

It is very important that participants follow these regulations. Non-compliance can result in significant penalties.

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05/08/97