

election official may either sign on behalf of the person or have the person make the person's mark and witness that mark.

- (3) If a person is required by this Part to make a solemn declaration or to provide information to an election official and requires the assistance of a translator to do this, the presiding election official must permit another person to act as translator so long as that person first makes a solemn declaration that the person is able to make the translation and will do so to the best of that person's abilities.
- (4) The obligation to provide a translator rests with the person who is required to make the solemn declaration or provide the information and, if that person does not provide a translator, that person must be considered to have refused to make the solemn declaration or provide the information.

Division 4 — Electors and Registration of Electors

Who may vote at an election

- 64** (1) In order to vote at an election for a municipality or electoral area, a person
- (a) must meet the requirements of section 65 (1) (a) to (e) [*resident electors*] or 66 (1) (a) to (g) [*non-resident property electors*] at the time of voting,
 - (b) must not be disqualified by this Act or any other enactment from voting in the election or be otherwise disqualified by law, and
 - (c) must be registered as an elector of the municipality or electoral area.
- (2) The following persons are disqualified from voting at an election:
- (a) a person who has not completed the sentence for an indictable offence, unless the person is released on probation or parole and is not in custody;
 - (b) a person who is involuntarily confined to a psychiatric or other institution as a result of being acquitted of or found not criminally responsible for an offence under the *Criminal Code* on account of mental disorder;
 - (c) a person who has contravened section 161 (3) [*accepting inducements to vote*] in relation to the election.
- (3) For clarification, no corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.
- (4) A person must not vote at an election unless entitled to do so.

Resident electors

- 65** (1) In order to be registered as a resident elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:
- (a) the person must be

- (i) an individual who is 18 years of age or older on the day of registration, or
 - (ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;
 - (b) the person must be a Canadian citizen;
 - (c) the person must have been a resident of British Columbia, as determined in accordance with section 67 [*rules for determining residence*], for at least 6 months immediately before the day of registration;
 - (d) the person must be a resident of the municipality or electoral area, as determined in accordance with section 67;
 - (e) the person must not be disqualified under this or any other enactment from voting in an election or be otherwise disqualified by law.
- (2) [Repealed 2021-5-71.]

Non-resident property electors

- 66** (1) In order to be registered as a non-resident property elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:
- (a) the person must not be entitled to register as a resident elector of the municipality or electoral area;
 - (b) the person must be
 - (i) an individual who is 18 years of age or older on the day of registration, or
 - (ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;
 - (c) the person must be a Canadian citizen;
 - (d) the person must have been a resident of British Columbia, as determined in accordance with section 67, for at least 6 months immediately before the day of registration;
 - (e) the person must have been a registered owner of real property in the municipality or electoral area for at least 30 days immediately before the day of registration;
 - (f) the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust;
 - (g) the person must not be disqualified under this Act or any other enactment from voting in an election or be otherwise disqualified by

law.

- (2) A person may register as a non-resident property elector only in relation to one parcel of real property in a municipality or electoral area.
- (3) If the boundaries of a municipality or electoral area are extended or if a new municipality is incorporated, a person is deemed to have satisfied the requirement of subsection (1) (e) if, for at least 30 days before the person applies for registration as a non-resident property elector, the person has been a registered owner of property within the area that is included in the municipality or electoral area or that becomes the new municipality.
- (4) For the purposes of this section, the registered owner of real property means whichever of the following is applicable:
 - (a) the owner of a registered estate in fee simple of the property, unless another person holds an interest in the property referred to in paragraph (b), (c) or (d);
 - (b) the holder of the last registered agreement for sale, unless another person holds an interest in the property referred to in paragraph (c) or (d);
 - (c) the tenant for life under a registered life interest in the property, unless another person holds an interest in the property referred to in paragraph (d);
 - (d) the holder of a registered lease of the property for a term of at least 99 years.
- (5) If there is more than one individual who is the registered owner of real property, either as joint tenants or tenants in common, only one of those individuals may register as a non-resident property elector under this section in relation to the real property.
- (6) If the land title registration of the real property in relation to which a person is registering under this section indicates that there is more than one individual who is the registered owner of the real property, the person registering must do so with the written consent of the number of those individuals who, together with the person registering, are a majority of those individuals.
- (7) A registered owner who has consented to the registration of another registered owner of the property may withdraw the consent by delivering a written withdrawal to the municipality or regional district.
- (8) Once a withdrawal of consent has been delivered in accordance with subsection (7), the person registered as the non-resident property elector in relation to the property ceases to be entitled to be registered and vote as such if the number of individuals referred to in subsection (6) falls below a majority of the registered owners, with this effective

- (a) for the next election, in the case of a withdrawal delivered at least 52 days before general voting day for the election, and
- (b) following the next election, in the case of a withdrawal delivered less than 52 days before general voting day for the election.

Rules for determining residence

67 (1) The following rules apply to determine the area in which a person is a resident:

- (a) a person is a resident of the area where the person lives and to which, whenever absent, the person intends to return;
- (b) a person may be the resident of only one area at a time for the purposes of this Part;
- (c) a person does not change the area in which the person is a resident until the person has a new area in which the person is a resident;
- (d) a person does not cease being a resident of an area by leaving the area for temporary purposes only.

(2) As an exception to subsection (1), if

- (a) a person establishes for the purposes of attending an educational institution a new area in which the person is a resident, and
- (b) the new area is away from the usual area in which the person is a resident,

the person may choose for the purposes of this Part either the usual area or the new area as the area in which the person is a resident.

When a person may register as an elector

68 (1) A person may register as an elector

- (a) at the time of voting in accordance with section 72 [*resident elector registration*] or 73 [*non-resident property elector registration*], or
- (b) by advance registration in accordance with section 71, if this is available.

(2) If a bylaw under section 76 [*Provincial list of voters as register of resident electors*] is in effect for a municipality or electoral area, a person entitled to register as a resident elector of the municipality or electoral area may effectively register as such by registering as a voter under the [Election Act](#) in sufficient time to have the person's name appear on the Provincial list of voters that becomes, under the bylaw, the register of resident electors for the municipality or electoral area.

Voting day registration only

69 A local government may, by bylaw, limit registration of electors to registration at the time of voting.

Application for registration