

## BYLAW NO. 2020-2029

### A BYLAW OF THE CITY OF ESTEVAN TO ESTABLISH THE REQUIREMENT OF A CRIMINAL RECORDS CHECK IN ADDITION TO THE NOMINATION PAPERS TO BE SUBMITTED WITH THE NOMINATION FORM IN THE CITY OF ESTEVAN

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WHEREAS, Section 63.1 of *The Cities Act*, provides that Council may; by bylaw, require that every candidate submit a criminal record check in the form required by the Minister in addition to the nomination papers submitted pursuant to Section 67 *The Local Government Election Act, 2015*;

AND WHEREAS, Section 67 (6) of *The Local Government Election Act, 2015*, includes that “No” nomination is complete or shall be accepted by the returning officer unless the nominee’s acceptance of nomination statement is accompanied by any criminal record check required pursuant to the bylaw passed pursuant to the *Cities Act*;

AND WHEREAS, the Council of the City of Estevan desire to establish the requirement of a criminal record check to be attached to the Nomination Papers to be submitted;

NOW THEREFORE, the Council of the City of Estevan, in the Province of Saskatchewan, enacts as follows:

#### **Title and Purpose**

1. This Bylaw may be referred to as “Criminal Records Check”

The purpose of this Bylaw is to establish Criminal Records Check as a requirements for nomination papers


2. Every candidate seeking election for municipal office shall obtain a criminal record check in the required Form A.2 as attachment 1 hereto, and
  - a) Shall have attached a Form A.2, the criminal record check received for the candidates’ local police Service; and
  - b) The Criminal Record check must have been completed by the local police service not more than 30 days before the date of the Nomination papers are submitted to the Returning Officer.
3. Every candidate shall be responsible for all costs Associated with obtaining the criminal record check
4. The criminal record check shall be included with the nomination form submitted by the candidate for the municipal office and hug on display.

**Receiving of Criminal Records Check**

5. A designated Returning Officer can accept the documentation;

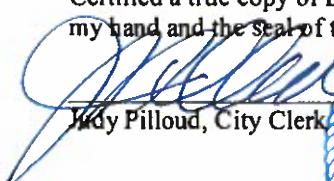

**Effective Date of Bylaw**

6. This bylaw shall come into force and take effect upon on the day of final passing thereof.

CITY OF ESTEVAN  
 Seal  
Ray Ludwig, Mayor  
Judy Pilloud, City Clerk

Read a first time this 13<sup>th</sup> day of July, 2020.  
Read a second time this 13<sup>th</sup> day of July, 2020.  
Read a third time this day 13<sup>th</sup> of July, 2020.

Certified a true copy of Bylaw #2020-2029 as it appears in the Minute Book of the City of Estevan given under my hand and the Seal of the City of Estevan this 14<sup>th</sup> day of July, 2020.

  
Judy Pilloud, City Clerk  
 Seal  
CITY OF ESTEVAN  
SASKATCHEWAN

FORM A.2  
[Clause 5.1(1)(a)]  
**RESULTS OF CRIMINAL RECORD CHECK FOR CANDIDATE FOR ELECTION**

**NAME OF CANDIDATE:**

\_\_\_\_\_

Last Name	Given Name	Middle Name
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**PREVIOUS NAME and/or ANY OTHER NAMES USED:** \_\_\_\_\_

**ADDRESS:**

\_\_\_\_\_

Apt.# - Street/Avenue	City/Town	Province	Postal Code	Telephone Number
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**DATE OF BIRTH:** \_\_\_\_\_ **PLACE OF BIRTH:** \_\_\_\_\_

**CITY:** \_\_\_\_\_  
Name of City

**NAME OF LOCAL POLICE SERVICE THAT CONDUCTED CHECK:** \_\_\_\_\_

**CRIMINAL RECORD CHECK ATTACHED:** Yes / No

*Note: The criminal record check from the local police service must be attached to this form to be acceptable for submission with the nomination paper and must have been completed not more than 30 days before the date of submission.*

**STATEMENT OF CONSENT:** *I consented to a search of all records available at the time the search was conducted, including charges before the courts (including active alternative measures, stays of proceedings entered within one year of this request and findings of unfit to stand trial), findings of guilt or convictions (including youth records accessible under subsection 119(2) of the Youth Criminal Justice Act) and court orders (including peace bonds, restraining orders and recognizances under sections 810.01, 810.1 or 810.2 of the Criminal Code) registered in my name in the National Repository and local records available to the police service. I understand that if a possible record existed, it would not be disclosed until identification was confirmed by either myself or by fingerprints. I also understand that apprehensions, orders or other records relating to The Mental Health Services Act or The Youth Drug Detoxification and Stabilization Act were not disclosed.*

*I understand criminal record checks submitted pursuant to section 63.1(1) of The Cities Act:*

- *are not considered to be for a volunteer position;*
- *are not considered to be for a position with the vulnerable sector;*
- *do not require fingerprint verification for the sake of submission with the nomination paper and it was my option to submit a fingerprint verification to confirm my identity and record or lack of a record;*
- *do not require a release of information to a third party because I received the results personally; and*
- *are not required to include copies of the records themselves.*

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2020. Signature: \_\_\_\_\_