



## **Elections Nova Scotia – Statement**

Chief Electoral Officer (CEO) Dorothy Rice issued an Order to the Nova Scotia Liberal Party on August 1, 2023. That Order required the Liberal Party and their candidate for the Preston electoral district by-election, Carlo Simmons, to, by 12 am August 3, 2023, remove all signs and cease distribution of any campaign materials which do not accurately reflect the facts involving a potential C&D processing facility in the Preston community.

Under Section 294 of the *Elections Act*, if the CEO finds there has been a breach of the *Act*, they may initiate a compliance agreement process. The Liberal Party and Carlo Simmons have refused to comply or to discontinue their distribution of these false statements, therefore, the CEO will not pursue that option.

A decision has been made to initiate a formal investigation under Section 287 of the *Elections Act* and Elections Nova Scotia has reached out to engage the services of the Provincial RCMP to assist in this process.

**287 (1)** *The Chief Electoral Officer may, on the Chief Electoral Officer's own initiative, or at the request of another person, conduct an investigation into any matter that might constitute an offence under this Act.*

**(2)** *The Chief Electoral Officer may engage the services of any person necessary to assist with the duties of the Chief Electoral Officer pursuant to this Part.*

This course of action may lead to a referral of the matter to the Director of Public Prosecutions.

As a non-partisan election management body, Elections Nova Scotia, under the direction of the CEO must take the legislative actions required to ensure that all election campaign messaging is accurate and truly reflective of the facts.

Elections Nova Scotia and the CEO will not comment on this matter further during the formal investigation. The findings will be released publicly when the investigation concludes.