

resealed during any adjournment and at the end of the review of the contents.

Declaration of official election results

146 (1) Before 4 p.m. on the 4th day following the close of general voting, the chief election officer must declare the results of the election as determined under section 145.

(2) The results must be declared as follows:

(a) in the case of an election for an office to which one person is to be elected, the chief election officer must declare elected the candidate who received the highest number of valid votes for the office;

(b) in the case of an election for an office to which more than one person is to be elected, the chief election officer must declare elected the candidates who received the highest number of valid votes for the office, up to the number of candidates to be elected.

(3) As an exception, if a candidate cannot be declared elected because there is an equality of valid votes for 2 or more candidates, the chief election officer must declare that the election is to be referred to a judicial recount.

When elected candidates may take office

147 (1) A candidate declared elected under section 146 is not entitled to make the oath of office until the time period for making an application for a judicial recount has ended.

(2) If an application for a judicial recount of an election is made, a candidate declared elected in the election is not entitled to make the oath of office until the recount has been completed and the candidate's election has been confirmed unless permitted by the court under subsection (3).

(3) The Provincial Court may, on application, authorize a candidate who has been declared elected to make the oath of office if the court is satisfied that the candidate's election will not be affected by the results of the judicial recount.

Division 15 — Judicial Recount