



## **THE NATION MUNICIPALITY**

# **TELEPHONE/INTERNET VOTING ELECTION POLICIES and PROCEDURES for the 2022 ONTARIO MUNICIPAL ELECTIONS**

### ***VERSION 4***

**October 19, 2022**

These Policies and Procedures have been prepared for the purposes of convenience ONLY. For accurate reference, please refer to the *Municipal Elections Act, 1996, as amended* and the *Good Government Act, 2009*.

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# 1. AUTHORITY

On August 9<sup>th</sup>, 2021, the Council of The Corporation of The Nation Municipality adopted **By-law 103-2021**, authorizing the use of an alternative voting method that being the telephone/Internet voting method.

## Telephone

On October 22, 2021, an award letter was signed and completed with the successful tenderer of the PR Clerks RFP #2021-01 being Intelivote Systems Inc.

Subsection 42(3) of the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, Sched, as amended (the “Act”), states that the Clerk shall, in the case of a regular election, establish procedures and forms for the use of any alternative voting method authorized by by-law and provide a copy of the procedures and forms to each candidate.

Subsection 42(4) of the Act states that the Clerk shall provide the procedures and forms on or before June 1 in the year before the year of the election.

These procedures and forms are additional information for the electors and the candidates, and do not replace the Act.

Subsection 42(4) of the Act states that the procedures and forms established by the Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

In addition, pursuant to subsection 9(2) of the Act and **By-law 65-2022** of The Nation Municipality, all notices, forms and other information provided under this Act shall be made available in English and French. This shall also apply to the telephone/Internet voting system whereby an elector will have the option of selecting the official language of his or her choice.

Subsection 11(2) of the Act states that the Clerk of a local municipality is responsible for conducting elections within that municipality and for:

- (a) preparing for the election;
- (b) preparing for and conducting a recount in the election;
- (c) maintaining peace and order in connection with the election; and
- (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

With respect to the duties and authority of a Clerk, the Act further states as follows:

- 12(1) A clerk who is responsible for conducting an election may provide for any matter or
- (a) procedure that, is not otherwise provided for in an Act or regulation; and

(b) in the clerk's opinion, is necessary or desirable for conducting the election.

12(2) The power conferred by subsection (1) includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.

12(3) The power conferred by subsection (1) includes power to require a person, as a condition of doing anything or having an election official do anything under this Act, to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter.

13(1) Any notice or other information that this Act requires the clerk to give shall be given in a form and manner and at a time that the clerk considers adequate to give reasonable notice or to convey the information, as the case may be.

13(2) The clerk shall provide electors, candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.

Subsection 42(5) of the Act states that when a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance vote) and 44 (voting proxies) apply only if the by-law so specifies. **By-law 103-2021** of The Nation Municipality allows the holding of an advance vote and is silent on the voting proxies. Consequently, voting proxies are not applicable and no longer necessary. A person cannot give his or her Voter Information Letter to another elector for the purpose of voting. Acceptance of a Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the Act.

The Act, more specifically section 53, also provides that the Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act and provides the authority to the Clerk to make arrangements for the proper conduct of the election. Any arrangements made by the Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

Therefore, as Clerk of The Nation Municipality and Returning Officer for the Municipal Elections, I do hereby certify and approve the following procedures for conducting the Municipal Elections, and also establish that the attached forms are the forms permitted to be used during this election process.

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Date Approved

Josée Brizard  
Clerk / Returning Officer

## 2. DEFINITIONS

- (1) **Act** - means the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, Sched, as amended.
- (2) **Advance Voting** - means voting conducted between the hours of 9:00 a.m. beginning on Wednesday, October 19<sup>th</sup>, 2022, and ending on Sunday, October 23<sup>rd</sup>, 2022, at 11:59 p.m.
- (3) **Ballot** - means either an image on a computer screen, or any web enabled device, of a ballot card for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.
- (4) **Candidate** - means a person who has been nominated under section 33 of the Act and whose nomination has been certified by the clerk under section 35 of the Act.
- (5) **CAPTCHA** - means a series of numbers and letters and/or pictures that will have to be entered before accessing the Internet voting system to prove that the user is human.
- (6) **Clerk** - means the Clerk of The Nation Municipality who is responsible for conducting this Municipal Elections under the authority of the Act. (*This legislation provides that the Clerk of a municipality may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk of the municipality's opinion, necessary or desirable - section 12 of the Act.*)
- (7) **Compliance Audit Committee** - means, in relation to a municipality, the committee established under section 88.37 of the Act.
- (8) **Election Campaign Advertisement** - means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate.
- (9) **Election Official** - means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath.
- (10) **Elector** - means a person who is entitled to be an elector at an election held in the local municipality, if on Voting Day he or she meets the qualifications outlined in subsections 17(2) and 17(3) of the Act.

- (11) **Friend** - means a person who has been requested by an Elector to assist him or her in the voting process.
- (12) **Municipal Elections** - means the 2022 Municipal and School Board Elections.
- (13) **Password** - means an additional access control word assigned by the Service Provider to each authorized user to provide additional security for access to the Telephone/Internet voting system.
- (14) **Personal Identification Number (“PIN”)** - means a unique multiple digit number assigned by the Service Provider to each Elector to provide security for access to the Telephone/Internet voting system.
- (15) **Preliminary List of Electors** - means a list of Electors for The Nation Municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Municipality between July 31<sup>st</sup> and September 1<sup>st</sup> of an election year as agreed upon by MPAC and the Clerk.
- (16) **Satisfactory Identification** - means the identification required under the Act and/or Ontario Regulation 304/13, which would provide proof of identity and residence of an individual to the satisfaction of an Election Official. Please see the list in Schedule 1.
- (17) **Script** - means all information flow and system prompts from the Telephone/Internet voting system including instructions, informational messages, error messages, and exceptions.
- (18) **Scrutineer** - means an individual, appointed in writing by a Candidate, to represent him or her during the voting process.
- (19) **Service Provider** - means the company The Nation Municipality has contracted to supply a Telephone/Internet voting system for the Municipal Elections.
- (20) **Support Person** – means a support person can be a paid personal support worker, an intervenor, volunteer, family member or friend. A support person might help your customer with communication, mobility, personal care or with accessing your services.
- (21) **Third Party Advertisement** - means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,
  - (a) a Candidate, or
  - (b) a “yes” or “no” answer to a question referred to in subsection 8(1), (2) or (3) of the Act,

- (c) but does not include an advertisement by or under the direction of a Candidate or an advertisement described in subsection 1(2) or 1(2.1) of the Act.
- (22) **Time** - means, when required to determine a prescribed deadline, the time shown on the website Time and Date at [www.timeanddate.com](http://www.timeanddate.com) for the Ottawa region.
- (23) **City Hall** - means the municipal building located at 958 Route 500 West, Casselman, Ontario.
- (24) **Municipality** - means The Corporation of The Nation Municipality.
- (25) **Voter Help Centre** - means a location designated by the Clerk to assist Electors with the voting process or other general election inquiries, and to make additions, deletions and corrections to the Voters' List. The Voter Help Centre is at the Town Hall located at 958 route 500 West, Casselman, (telephone number is 613-764-5444). The **Alternative Voter Help Centre** is located at the Satellite Office, at 3248 County Road 9, Fournier (telephone number 613-524-2932).
- (26) **Voter Information Letter** - means a sealed envelope containing a Personal Identification Number (PIN) and voting procedures to be sent to each person on the Voters' List.
- (27) **Voters' List** - means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of sections 22 and 23 of the Act.
- (28) **Voting Day** - means the final day on which the vote is to be taken in an election and shall be until 8:00 p.m. on that day. Voting day for the Municipal Elections is on October 24th, 2022.
- (29) **Voting Period** - means the period including Advance Voting and Voting Day, being the period beginning at 9:00 a.m. on Wednesday, October 19th, 2022, and ending on Monday, October 24th, 2022, at 8:00 p.m.

### 3. APPLICATION

- (1) This procedure has been developed under the authority of subsection 42(4) pursuant to subsection 42(3)(a)(ii) of the Municipal Elections Act, and applies to the Telephone and Internet voting for the Municipal Elections, being conducted by The Nation Municipality between Wednesday, October 19<sup>th</sup>, 2022, and Monday, October 24<sup>th</sup>, 2022.
- (2) The procedures and forms, being consistent with the principles of the Municipal Elections Act, prevail over anything in said Act and the regulations made under it, as per subsection 42(4) of the Act.

- (3) Where these procedures do not provide for any matter, the Municipal Elections shall be conducted as far as is consistent and practical within the principles of the Municipal Elections Act with the same being determined and established by the Clerk.
- (4) At the discretion of the Clerk of The Nation Municipality, these procedures may be modified at any time. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all Candidates for office for the Municipal Elections.

#### **4. SECRECY**

- (1) The Clerk shall require all Election Officials and/or other persons working in connection with the Municipal Elections to swear or affirm an oath of secrecy in accordance with section 49 of the Act.
- (2) No person shall interfere or attempt to interfere with an Elector while in the process of accessing the Telephone/Internet voting service or interfere or attempt to interfere in the voting process while using the Telephone/Internet voting service unless expressly requested and authorized by an Elector asking for assistance.
- (3) No person shall obtain or attempt to obtain information about how an Elector intends to vote or has voted. Any individual requested by an Elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the Elector and shall vote according to the instructions and wishes of the Elector.
- (4) No persons shall communicate any information that might have been inadvertently obtained about how an Elector intends to vote or has voted.
- (5) No Electors shall reveal how he or she intends to vote except when obtaining assistance in voting from either a Friend person or an Election Official.
- (6) All Electors voting at the Voter Help Centre may vote with the assistance of a Friend or support person (Form NA4). However, the Friend or support person shall be required to take the appropriate oath prior to providing assistance (Form NA5).
- (7) All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to the provisions of "Offences, Penalties and Enforcement" under sections 89 and 90 of the Act.



## **5. ELECTION OFFICIALS**

- (1) The Secretary shall appoint a Representative for the Voter Help Center.
- (2) The Clerk may appoint other Election Officials other than the Deputy Returning Officer (DRO) to fulfill specific tasks.
- (3) The Clerk may delegate to election officials in writing, any of the Clerk's powers and duties, however, the Clerk may continue to exercise the delegated powers and duties, despite delegation.

## **6. PRELIMINARY LIST OF ELECTORS / VOTERS' LIST**

- (1) The Preliminary List of Electors is produced by the Municipal Property Assessment Corporation (MPAC) in an electronic format. The list shall be reviewed by the Clerk of The Nation Municipality and obvious errors shall be corrected as permitted under section 22 of the Act. This list, as corrected, will constitute the Voters' List.
- (2) By September 1st, 2022, the Voters' Lists shall be reproduced in paper and/or in electronic format, and distributed to those who are entitled to a copy under subsections 23(3), (4) and (5) of the Act.
  - (a) All Candidates shall be entitled to one (1) paper copy and/or an electronic format of the Voters' List, and shall sign a statement acknowledging that the Voters' List shall not be used for any commercial purposes contrary to subsection 88(11) of the Act (Form NA11).
  - (b) All Candidates may receive login, upon request, a login ID and Password allowing them to view the Voters' List that contains the names of the Electors who are entitled to vote for their office. They can use the module to identify and track individual Electors during the course of the Municipal Elections and Voting Period to observe participation.
- (3) The Voters' List shall be accessible by authorized Election Officials and may be reproduced in paper and/or in electronic format by the Clerk to accommodate the administration in the voting process at the Voter Help Centre.
- (4) Additions, corrections and deletions may be made to the Voters' List in accordance with sections 22, 24 and 25 the Act.
- (5) The Voters' List shall be updated and reproduced with a computer program called VoterView (Datafix).

- (6) The Clerk shall produce a list of additions, corrections and deletions, and shall distribute a paper and/or electronic format of these additions, corrections and deletions to those who are entitled to copies of the Voters' List under the Act and the same shall be the final Voters' List. A list of these additions, corrections and deletions in a paper and/or electronic format shall be provided for use by the Voter Help Centre. This list, as required under section 27 of the Act, shall be available between September 15<sup>th</sup> and September 26<sup>th</sup>, 2022, at the Town Hall.
- (7) The final Voters' List, as corrected by the Clerk pursuant to section 22 of the Act, shall be provided to the Service Provider in computer format in order for the Service Provider to manage and print the Voter Information Letters.

## 7. REVISION OF THE VOTERS' LIST

- (1) The Voter Help Centre shall be established at the Town Hall and the alternative office located in Fournier, and shall be open to the public on the following dates and times, and at such additional dates and times as determined by the Clerk:

<b>Date</b>	<b>Town hall</b> 958 Route 500 W, Casselman	<b>Satellite Office</b> 3248 County Road 9, Fournier	<b>St-Isidore</b> <b>Library</b> <b>Branch</b> (4531 Ste- Catherine Street, St- Isidore)	<b>Limoges</b> <b>Library</b> <b>Branch</b> (205 Limoges Road, Limoges)
Wednesday, October 19, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.	x	x
Thursday, October 20, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.	10 a.m. to 12 p.m. (noon)	3 p.m. to 5 p.m.
Friday, October 21, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.	x	x
Saturday October 22, 2022	10 am to 3 pm	10 am to 3 p.m.	x	x
Sunday October 23 2022	10 am to 3 pm	10 am to 3 p.m.	x	x
Monday, October 24, 2022	9:00 a.m. to 8:00 p.m.	9:00 a.m. to 7 p.m.	x	x

- (2) The final Voters' List shall be continually updated by the Voter Help Centre until the closing of the vote on October 24<sup>th</sup>, 2022, at 8:00 p.m.

- (3) The Voter Help Centre shall be responsible for the following:
- (a) Adding Electors to the Voters' List
    - (i) Electors who attend the Voter Help Centre and are not on the Voters' List may be added to the list by filling out a declaration form and providing Satisfactory Identification (Form NA1).
    - (ii) When a spouse or occupant does not have any piece of identification confirming their name and address, this person shall be identified by a person who shall take an oath confirming the eligibility of that person to vote, and shall also show his or her own identification document (Form NA12). Failure to prove his or her identity and eligibility may result in being refused to be added on the Voters' List.
    - (iii) Their names will be added to the Voters' List and they will be assigned and receive (or mailed) a Voter Information Letter containing a PIN.
    - (iv) They will be able to vote at the Voter Help Centre if they so wish during the Voting Period.
  - (b) Deleting Electors from the Voters' List
    - (i) Electors may have their name deleted from the Voters' List if they are no longer an Elector in The Nation Municipality by filling out a declaration form and providing Satisfactory Identification (Form NA1).
  - (c) Correcting Electors' information on the Voters' List
    - (i) Electors may correct their information by filling out a declaration form and providing Satisfactory Identification (Form NA1).
  - (d) Verifying and re-issuing a Voter Information Letter to Electors
    - (i) Where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, he or she can attend the Voter Help Centre in order to receive a new one. The authorized Election Official will disable the Elector's lost PIN and electronically mark it in the system with the appropriate details. Upon providing Satisfactory Identification to an Election Official, an oath shall be taken by the Elector and a new Voter Information Letter containing a new PIN shall be issued (Form NA2).
  - (e) Verifying and re-issuing a PIN to Electors
    - (i) Where a person on the Voters' List has lost his or her PIN, did not receive it in the mail, or does not have access to it, he or she can attend a Voter Help Centre in order to receive a new one. The authorized Election Official will disable the Elector's previous PIN and electronically mark it in the system with the appropriate details.

Upon providing Satisfactory Identification to the Election Official, as may be defined, a new PIN shall be issued.

- (ii) If it is during the Voting Period the authorized Election Official shall verify in the system whether that Elector's record shows that the Elector has already voted.
  
- (f) Removing another's name from Voters' List
  - (i) Applications for the removal of another Elector from the list shall be made on Form NA10 and deposited from Tuesday, September 1st, 2022, to Monday, October 24th, 2022, at 8:00 p.m. The removal will be at the discretion of the Election Official.
  
- (g) Electors are permitted to submit their duly completed and signed Form NA1 along with a picture of Satisfactory Identification electronically by email to [election2022@nationmun.ca](mailto:election2022@nationmun.ca). If approved by the Clerk or a delegate, a Voter Information Letter will be sent to the requester electronically by email. At the Clerk's discretion, a virtual meeting may be held to further verify the identity of the potential elector.

## 8. NOTICES

- (1) The Clerk of The Nation Municipality shall notify Electors of the following election information through the use of newspaper advertisements, the municipal website or any other method the Clerk deems appropriate:
  - (a) Notice of Election information
    - (i) The Nation Municipality has adopted alternative voting methods, being vote by telephone and by Internet.
    - (ii) The location, dates, and hours of operation of the Voter Help Centre.
    - (iii) The location of the voting place(s).
    - (iv) The dates and times on which the voting places will be open for voting.
    - (v) The time and date for the holding of the vote, including Advance Voting.
    - (vi) The manner in which Electors may use the alternative voting methods.
    - (vii) The procedure by which name can be added or deleted, and information corrected in the Voters' List.
  
  - (b) Notice of Nomination day
    - (i) The offices for which a person may be nominated, along with the nomination period.
  
  - (c) Notice of Penalties

- (i) Before Voting Day, the Clerk will send each person nominated for an office a notice of penalties related to the election campaign finances and the refund of the nomination filing fees.
- (d) Certified Election Results
  - (i) Certified election results will be presented by the Clerk as soon as possible after Voting Day.
- (2) The Clerk shall determine the date(s) of all advertisements including in which newspaper(s) the notices are to appear in order to comply with the requirements and principles of the Act.
- (3) Joint advertisements may be done with neighbouring municipalities.
- (4) The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.
- (5) Each person on the Voters' List shall be mailed, by "first-class" mail a sealed Voter Information Letter containing:
  - (a) his or her PIN, the telephone number to call to cast a vote, and the designated Internet address (URL) to access to cast a vote using the Internet;
  - (b) instructions on how to vote;
  - (c) dates and hours of voting; and
  - (d) the location and telephone number of the Voter Help Centre.

## 9. NOMINATIONS

- (1) A person may be nominated for an office by filing a nomination, in the prescribed form, at the Town Hall, in person or by an agent during the nomination period, which commences on May 2<sup>nd</sup>, 2022 and ends on Nomination Day on August 19<sup>th</sup>, 2022.
- (2) The nomination of a person for an office on council must be endorsed by at least 25 persons. The person endorsing a nomination shall be eligible to vote in an election for an office within the Municipality, if a regular election was held on the day that the person endorses the nomination.
- (3) When the Candidate submits the nomination paper, the papers must be signed in the presence of a commissioner. The onus is on the person nominated to file a bona fide nomination paper.
  - (a) If a nomination is filed by an agent, the Candidate's declaration must be completed and commissioned prior to filing. If the form is not commissioned upon filing, the Clerk shall not accept the nomination.

- (4) The filing fee must accompany the nomination. The prescribed nomination fee is \$200 for the head of council and \$100 for all other offices. The filing fee is payable by cash, certified cheque, debit or money order.
- (5) Upon accepting the nomination, the Candidate shall receive a Candidate's Information Package and be advised in writing that his/her nomination shall be examined by the Clerk prior to 4:00 p.m. on the Monday following Nomination Day of August 19th, 2022.
  - (a) If satisfied that the person is qualified to be nominated and that the nomination complies with the Act, the Clerk shall certify the nomination filed.
  - (b) If not satisfied, the Clerk shall reject the nomination and, as soon as possible, give notice to the person who sought to be nominated and all other candidates for that office.

## **10. VOTING**

- (1) A Telephone/Internet voting method shall be used for the Municipal Elections:
  - (a) Telephone/Internet voting
    - i. Electors shall be required to telephone a designated number or access a designated Internet address and cast their vote.
    - ii. Upon accessing the internet voting site and before the credential page, the Elector shall be required to identify a CAPTCHA to ensure a secure voting process.
    - iii. Every Elector shall be limited to only one vote through the use of a PIN distributed by first-class mail in a sealed and personalized Voter Information Letter.
    - iv. Furthermore, every Elector shall be required to enter their date of birth to confirm eligibility.
    - v. The Service Provider will allow the Elector to vote using the telephone/Internet voting system.
    - vi. Following the Elector's selection, the telephone/Internet voting system response shall identify the Elector's choice and provide the Electors with the option of changing or confirming their vote.
    - vii. The telephone/Internet voting system shall enable the Elector to decline from voting for an office(s) if he/she wishes to do so.

- viii. Once the PIN has been used it cannot be used again, unless disconnected while voting and then only further access shall be granted to the telephone/Internet voting system.
- (b) Voting will commence on Wednesday, October 19th, 2022, at 9:00 a.m. and conclude on Monday, October 24th, 2022, at 8:00 p.m.
- (2) Prior to the activation of the Telephone/Internet voting system by the Service Provider on Wednesday, October 19th, 2022, the Service Provider shall forward to the Clerk by electronic mail or facsimile transmission, a list of all of the Candidates' names running for office, including the sum total of votes cast to ensure that all totals for all Candidates indicate zero (0). The Telephone/Internet voting system will not be activated until it is confirmed that all the counts associated with a Candidate's name have been deleted from the system and an electronic mail or facsimile transmission has been received indicating a zero (0) total for all Candidates.
- (3) Candidates or their Scrutineers may be present to verify and ensure that all totals of votes cast are at zero (0) and may be requested to sign a document that attests to this fact.
- (4) During the Voting Period, the Service Provider will make available online a list to the Clerk of all Electors by order of school districts who have voted. The names of Electors who have voted will be marked as voted. A list of Electors who have voted will be provided or made available to the Candidates or their respective Scrutineer by the Clerk. This list shall be provided by the Service Provider in real time or as closely as possible to real time, and shall be printed by the Clerk in accordance with the following:
  - (a) On October 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup>, 2022, this list shall be printed daily and be available at 11:00 a.m. at the Voter Help Centre.
  - (b) On Voting Day, October 24th, 2022, the list of Electors who have voted shall be available to Candidates or their Scrutineers on a more regular basis. The schedule will be determined subsequently.
- (5) The Service Provider will make available during the course of the Municipal Elections, IDs and Passwords for Candidates and their Scrutineers, who when using this authorization can connect to a candidate module to review Voter's List information previously identified by them to recognize participants in the Municipal Elections. This capability does not provide the Candidate or their designate information on how an Elector has voted, but only if they have voted in the Municipal Elections.
- (6) Where an Elector is associated with multiple properties within The Nation Municipality, the Elector may vote only once, and the qualifying address to determine eligibility for voting shall be the place of residence of the Elector. All

duplication of names on the Preliminary List of Electors shall be verified by the Clerk and/or Election Official(s), and all duplicate names of individuals shall be deleted prior to the final preparation of the Voters' List. Should an Elector receive more than one Voter Information Letter, the Elector may only vote once and must return the other Voter Information Letters to the Voter Help Centre. All Electors that vote more than once or who improperly use the Voter Information Letter shall be reported to the Ontario Provincial Police for further investigation as to possible corrupt practices under the Act.

- (7) Should a Voter Information Letter be returned to the Town Hall that has been unopened, the Voter Information Letter will remain unopened, marked as "unused" and be maintained in a secure fashion and will be destroyed at the same time as all other municipal election material as provided for under section 88 of the Act.
- (8) If a Voter Information Letter be returned to the Town Hall that has been opened but has not been used for voting purposes, the PIN status will be disabled by an Election Official in a manner that prevents the PIN from being successfully validated in the voting process. In this circumstance, the Voter Information Letter shall be marked as "deleted" and be retained and destroyed at the same time as all other municipal election material as provided for under section 88 of the Act.
- (9) The Clerk and the Election Official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:
  - (a) that were sent to Electors on the Voters' List;
  - (b) that were undeliverable and returned from the Post Office;
  - (c) that were returned by an Elector or other individual(s) either opened or unopened but unused for voting purposes;
  - (d) that were deleted from the system;
  - (e) that were re-issued to an Elector; and
  - (f) whose PIN on the Voter Information Letters were set to a status that prevented them from being validated in the voting process.
- (10) Re-issuance of a new Voter Information Letter:
  - (a) Where an Elector has attempted to validate his or her PIN and they have determined that the PIN has already been used, the Elector can attend the Voter Help Centre, bringing Satisfactory Identification and have an Election Official confirm that the PIN has been used by an impersonator.



- (b) Prior to considering or authorizing the re-issuance of a new Voter Information Letter which contains a new PIN, the Elector shall be required to respond and answer any and all questions from the Election Official. The Election Official shall document, to his or her satisfaction, questions and answers of the Elector and, if deemed appropriate, the Clerk shall submit same to the Ontario Provincial Police for further investigation and prosecution.
  - (c) If the Election Official believes that all questions have been answered truthfully and to his or her satisfaction, the Election Official may authorize the provision of a new Voter Information Letter which contains a new PIN or, at the discretion of the Election Official the Elector will be required to make a declaration as to his or her statement and to take an oath which shall be given by the Election Official. A copy of this declaration shall also be submitted to the Ontario Provincial Police should further questioning be required in order to ascertain if corrupt practices have occurred. The Elector will be required to assist and cooperate in the investigation in determining the individual(s) who has fraudulently used the Elector's assigned PIN.
  - (d) Once the Elector has properly answered all questions, and taken prescribed oath(s), the Elector shall be issued a new Voter Information Letter containing a new PIN (Form NA3). As a condition to re-issuance of a Voter Information Letter, the Elector will be required to vote at the Voter Help Centre. Should the Elector fail to vote at the Voter Help Centre or leave the Voter Help Centre without voting, the Election Official shall forthwith delete from the system the PIN and the Voter Information Letter shall be voided. The Elector shall forfeit his or her right to vote and shall not be entitled to a new Voter Information Letter. The Ontario Provincial Police shall be advised immediately to determine if a corrupt practice has occurred.
- (11) Where an Elector has attempted to validate his or her PIN and it is not valid, the Election Official will ensure that it has been activated.
- (12) Incorrect Voter Information Letter:
- (a) Where an Elector has received an incorrect Voter Information Letter in terms of school district, the Elector can attend the Voter Help Centre in order to receive a correct one provided that the Voter Information Letter has not been used to vote. If the Elector has used the Voter Information Letter to vote and the system indicates that the Elector has used the PIN, the Elector shall be deemed to have voted and shall be denied a new Voter Information Letter.
  - (b) The Elector shall return the original unused Voter Information Letter to the Election Official in order to qualify for a new Voter Information Letter. The

PIN shall be deleted immediately by the authorized Election Official. Upon receiving Satisfactory Identification and completing a statutory declaration, a new Voter Information Letter shall be issued to the Elector (Form NA1).

- (13) New PIN(s) shall not be given out over the telephone. A Voter Information Letter containing a PIN shall not be given to any person at the Voter Help Centre unless Satisfactory Identification is provided and the individual has taken the required oath(s) as administered by an Election Official.

## **11. ELECTOR QUALIFICATIONS**

- (1) As per subsection 17(2) of the Act, a person is entitled to be an Elector in the Municipal Elections if, on Voting Day, October 24th, 2022, he or she:
  - (a) is a Canadian citizen;
  - (b) is at least 18 years old; and
  - (c) resides in the local municipality or is the owner or tenant of land in the local municipality, or the spouse of such owner or tenant.
- (2) As per subsection 17(3) of the Act, the following are prohibited from voting:
  - (a) A person who is serving a sentence of imprisonment in a penal or correctional institution.
  - (b) A corporation.
  - (c) A person acting as executor or trustee or in any other representative capacity.
  - (d) A person who was convicted of the corrupt practice described in subsection 90(3), if Voting Day in the current election is less than five years after Voting Day in the election in respect of which he or she was convicted.
- (3) Is not disqualified to hold office as a member of Council from any other act.

## **12. VOTING PROCESS**

- (1) Voter Information Letters shall be mailed by the Service by first-class mail to all Electors to enable them to use the Telephone/Internet voting service.
- (2) Electors may vote by:
  - (a) Accessing the telephone number provided by using a touch-tone telephone or cellular telephone, but not a rotary dial telephone. “Digi-pulse” telephones will be able to access the system if the telephone over-

ride button is set to a “touch-tone” mode. Should the preceding be incorrectly completed, the interactive response system will provide an error message requesting that the Elector obtain assistance through the Voter Help Centre.

- (b) Accessing the Internet address provided on the Voter Information Letter by using a dial modem access or a high-speed connection;
- (c) Attending a Voter Help Centre in Casselman (The Nation Town Hall) or Fournier (The Nation Satellite Office) during the following dates and times. Telephones, computers and/or tablets will be available:

<b>Date</b>	<b>Town hall 958 Route 500 W, Casselman</b>	<b>Satellite Office 3248 County Road 9, Fournier</b>
Wednesday, October 19, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.
Thursday, October 20, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.
Friday, October 21, 2022	9:00 a.m. to 4:00 p.m.	9:00 a.m. to 4:00 p.m.
Saturday October 22, 2022	10 am to 3 pm	10 am to 3 p.m.
Sunday October 23 2022	10 am to 3 pm	10 am to 3 p.m.
Monday, October 24, 2022	9:00 a.m. to 8:00 p.m.	9:00 a.m. to 7 p.m.

<b>Date</b>	<b>St-Isidore Library Branch 4531 Ste-Catherine Street, St-Isidore</b>	<b>Limoges Library Branch 205 Limoges Road, Limoges</b>
Thursday, October 20, 2022	10:00 am to 12:00 pm	3:00 pm to 5:00 pm

- (d) Attending a Voter Help Centre during hours identified in paragraph (c) with a Friend, who will have to take the appropriate oath(s) and having the Friend vote using the telephones, computers and/or tablets provided (Forms NA4 and NA5);
- (e) Attending a Voter Help Centre during hours identified in paragraph (c) with an interpreter, who will have to take the appropriate oath(s) and having the interpreter vote using the telephones, computers and/or tablets provided (Forms NA4 and NA5); or

- (f) Attending a Voter Help Centre during hours identified in paragraph (c) and requesting the assistance of an Election Official, who may provide assistance only after the appropriate oath(s) has been taken (Form NA4).
- (3) An Election Official will be present at the following retirement homes on the following dates and times to allow the residents of the retirement homes to vote. Telephones, computers and/or tablets will be provided.

October 19, 2022	9:00am	Villa St-Albert
October 19, 2022	1:30pm	Residence Lajoie
October 21, 2022	9:00am	Manoir Caledonia
October 21, 2022	1:30pm	Residence l'Érablière
October 24, 2022	9:00am	Le Genesis & St-Viateur
October 24, 2022	1:30pm	Residence Limoges

- (a) Subject to subsections 45(7) and 46(3) of the Act, dates and times will be confirmed by the Clerk in consultation with the owner or manager of the respective retirement homes and institutions. The schedule will be given to the Candidates. The Candidates or their Scrutineers will be authorized to visit the satellite voting places, subject to the restrictions listed in section 12 of this document, fifteen (15) minutes prior to the beginning of the vote, but will be requested to leave when voting begins.
- (b) The Clerk do hereby designate the location identified above as a voting place under the Act during the date and time identified above. However, this voting place is for the exclusive use of the Electors who are residents of this retirement home.

### **13. SCRUTINEERS AND CANDIDATES**

- (1) Scrutineers may be appointed, in writing, by a Candidate, as stated under section 16 of the Act.
- (2) If appointed, Scrutineers will be entitled to the following:
- (a) Upon request and after producing the properly signed form (Form NA7) and prescribing to the oath(s) of secrecy (Form NA6), they will be provided access to a candidate module and/or a copy of the Voters' List.
- (i) Candidate module: Scrutineers may log in to the system any time after the Voting Period has started and Electors have cast ballots, and determine who has voted.
- (ii) Copy of the Voters' List: Scrutineers will be provided a copy of the Voters' List showing all Electors that have voted and upon request

shall provide proof of their appointment to the Election Official at the Voter Help Centre.

- (b) Upon request and after producing the properly signed form (Form NA7) and prescribing to the oath(s) of secrecy (Form NA6), they may attend the Voter Help Centre during hours of operation to observe the process.
- (3) Candidates and appointed Scrutineers, have the following rights:
- (a) To enter the Voter Help Centre location fifteen (15) minutes prior to the official opening in order to; verify that all votes cast are at zero (0) as described in subsection 10(3) of this document, and to sign the reports, however, the actions of the Scrutineer shall not in any way delay the opening of the Voter Help Centre.
  - (b) To be present at the time and place where results are received by the Clerk including signing the document that indicates the final results and votes cast. No copy of the final results will be provided until announced at the Town Hall located at 958 Route 500 West, Casselman, Ontario, and/or other designated areas as determined by the Clerk.
- (4) Restrictions apply to Scrutineers and to Candidates:
- (a) Attempting directly or indirectly to interfere, influence or to determine how an Elector is voting or intends to vote.
  - (b) Displaying a Candidate's Election Campaign Advertisement in the Voter Help Centre or on the property of the Voter Help Centre.
  - (c) Compromising the secrecy of the voting.
  - (d) Interfering or attempting to interfere with an Elector who is voting.
  - (e) Limiting discussion with Electors as to not intimidate other Electors on site.
  - (f) Obtaining or attempting to obtain, in the Voter Help Centre, any information about how an Elector intends to vote or has voted, and communicating any information about how an Elector intends to vote or has voted.
  - (g) Scrutineers and Candidates shall be required to wear an identification as issued to them by the Clerk. The identification will indicate that they are acting in the capacity of a Scrutineer. No other identification, badges, buttons or clothing with symbols or writing which may identify a particular Candidate will be permitted in the Voter Help Centre.
  - (h) Only one Scrutineer may be present at the Voter Help Centre. When a Candidate arrives at the Voter Help Centre, the Scrutineer connected to

that Candidate will be required to leave the location, as the Candidate is considered to be a Scrutineer.

- (i) Scrutineers and Candidates shall not be allowed outside or inside retirement homes and institutions during the dates and time listed in section 12(3) of this document.
- (5) Scrutineers who do not follow the instructions of the Clerk or Election Official, or who attempt to interfere, influence or determine how an Elector is voting, will be requested to leave the Voter Help Centre immediately. Their appointment will be revoked and they will not be permitted to re-attend the Voter Help Centre.
- (6) Use of a cellular telephone or any other electronic device shall not be permitted within the Voter Help Centre by any Candidate or Scrutineer.

## **14. SYSTEM**

- (1) The integrity of the voting process shall be the responsibility of the Clerk of The Nation Municipality and shall be preserved by:
  - (a) Ensuring that every Elector on the Voters' List is mailed, using first-class mail, a sealed Voter Information Letter which contains the Elector's unique PIN;
  - (b) Ensuring that no one except the Service Provider, the Clerk of The Nation Municipality, or designate, maintains a list of PINs that matches each Elector's name and address;
  - (c) Providing an opportunity for Electors who do not appear on the Voters' List to be added to the list, or to make amendments to the list, up to and including Voting Day on October 24th, 2022, at 8:00 p.m.; and
  - (d) Establishing and enforcing proper procedures to ensure that no person is added to the Voters' List unless an Election Official is completely satisfied of the person's identity and qualification as an Elector in The Nation Municipality.
- (2) The voting system shall be tested at least once prior to the commencement of the Voting Period. The test(s) shall include, but not be limited to, the following:
  - (a) checking the verbal content and the wording of the Script and text on the website;
  - (b) checking the Voter Help Centre telephone(s) and Internet access;
  - (c) attempting to use a PIN more than once;

- (d) balancing a predetermined number of votes with those cast;
  - (e) matching PINs to names and addresses;
  - (f) checking the system which is used for activating PINs; and
  - (g) deliberately entering the wrong information.
  - (h) Checking script and input timing.
- (3) All Candidates are to provide to the Clerk the proper pronunciation of their name, in English and in French upon being required to do so by the clerk.
  - (4) A virtual demonstration to the Candidates and/or their Scrutineer will be provided... The location, date and time for this demonstration shall be determined by the Clerk and shall be prior to the Voting Period.
  - (5) The Clerk may appoint an auditor who will assist the Clerk to help ensure the Municipal and Elections is conducted in accordance with the Act.
  - (6) If the Clerk appoints an auditor, then the Clerk will amend these procedures to provide for the responsibilities and actions to be undertaken by the auditor and shall immediately notify all certified candidates.

## **15. CAMPAIGN MATERIAL / SIGNS**

- (1) Section 12 of the Act prescribes that a Clerk who is responsible for conducting an election may provide for any matters or procedures that are necessary or desirable for conducting the election and that is not otherwise provided for in an Act, or regulation.
- (2) To this effect, the Municipality of The Nation will apply its by-law number 22-2018 on signs, as amended, in regard to election signs.
- (3) Pursuant to Section 11.9 of the Municipality's By-law number 22-2018, an election sign can be erected sixty (60) days before an election day; the election sign must be removed within seven (7) days after the election day.
- (4) To this effect, the Municipality will enforce the following in regard to Election Campaign Advertisements in addition to the applicable sections in the Act:
  - (a) Election Campaign Advertisements shall not be erected on a municipal property (both inside and outside), with the exception of municipal road allowances (right-of-ways). This includes, but are not limited to, the following:
    - (i) parks;
    - (ii) community centres ;
    - (iii) vacant municipal lots;

- (iv) municipal buildings; and
  - (v) municipal infrastructure.
- (b) Election Campaign Advertisements shall be permitted along municipal road allowances, subject to the following restrictions:
- (i) it shall not obstruct the view of motorists and pedestrians;
  - (ii) it shall not obstruct private entrances;
  - (iii) it shall not create safety issues or contain hateful language;
  - (iv) It shall be made of weather-resistant material; and
  - (v) it shall not conceal or be installed on road signs, traffic light posts, guard rails or any other road structure installation.
- (c) Election Campaign Advertisements on federal, provincial or county properties require the approval of the appropriate authority.
- (d) No permits are required for Election Campaign Advertisements.
- (e) Election Campaign Advertisements purchased by or under the direction of a Candidate shall identify the Candidate.
- (f) No Election Campaign Advertisements shall be erected prior to August 25, 2022.
- (g) All Election Campaign Advertisements shall be removed prior to 4:00 p.m. on October 31, 2022.
- (h) The Municipality is not responsible for investigating or prosecuting any acts of vandalism or theft with respect to Election Campaign Advertisements.
- (i) If Election Campaign Advertisements are found to be in contravention of this section and/or the Act, the Candidate will be notified by the Municipality and will be requested to remove the Election Campaign Advertisement. If it is not removed within a reasonable time, then the Municipality will proceed to remove them.

(5) Please refer to the [Municipality's By-law number 22-2018](#) for further details.

## **16. THIRD PARTY ADVERTISEMENTS**

- (1) Third Party Advertisements are regulated under sections 88.4 to 88.7 of the Act.



## **17. CORRUPT ELECTION PRACTICES – PROVINCIAL OFFENCE AND PROSECUTION**

- (1) Sections 89 and 90 of the Act provides for penalties and enforcement of corrupt practices and other offences during an election process.
- (2) Although The Nation Municipality will be using an alternative voting method, being Telephone/Internet voting, the principles and the integrity of the election process will remain and is enforceable.
- (3) No person(s) shall solicit a Voter Information Letter from an Elector. All valid complaints or knowledge of solicitation shall be reported immediately to the Ontario Provincial Police for investigation of corrupt practices.
- (4) In addition, under the provisions of section 90 of the Act, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for a term of imprisonment not more than six (6) months.
- (5) Although many provisions of the Act also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with the “alternative form” of voting since the principle of the Act must be maintained and is therefore enforceable and subject to penalties.
- (6) All Candidates, Scrutineers or/and their election team are prohibited to help or assist an Elector to vote during the Voting Period including, but not limited to, their door-to-door campaign as this can be perceived as an illegal and corrupt election practice.
- (7) As such, the Clerk of The Nation Municipality in this alternative form of voting, has established to the following regulations:
  - (a) THAT all complaints about actions which may contravene the provisions of the Act, either verbally or written, will be investigated by the Clerk.
  - (b) THAT all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police.
  - (c) THAT the Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation.

- (d) THAT the Detachment Commander of the Ontario Provincial Police, once the investigation is completed, may communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
- (e) THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.
- (f) THAT a complaint may be made directly to the Detachment Commander of the Ontario Provincial Police if the complainant so desires.

## **18. MAIL TAMPERING – CRIMINAL OFFENCE AND PROSECUTION**

- (1) The *Criminal Code of Canada* states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.
- (2) Since The Nation Municipality will be using an alternative voting method, that being Telephone/Internet voting, and the notification of the voting process and how Electors can access the Telephone/Internet voting system in order to exercise their right to vote will be completed through the mail, mail tampering is a criminal offence under the *Criminal Code of Canada*.
- (3) As such and in order to ensure the integrity and confidence of the voting process for all Electors and the Candidates, the Clerk of The Nation Municipality in this alternative form of voting has agreed to the following regulations:
  - (a) THAT all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, either verbally or written, will be investigated by the Clerk.
  - (b) THAT all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police.
  - (c) THAT the Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation.
  - (d) THAT the Detachment Commander of the Ontario Provincial Police, once the investigation is completed, may communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
  - (e) THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

- (f) THAT a complaint may be made directly to the Detachment Commander of the Ontario Provincial Police if the complainant so desires.

## 19. RESULTS

- (1) The Service Provider shall keep its public Internet and Telephone voting open until 8:00 p.m. on Monday, October 24th, 2022, and the Municipality's Voter Help Centre shall stay open until the Clerk of The Nation Municipality confirms that all Electors in the Voter Help Centre at 8:00 p.m. on Monday, October 24th, 2022, have completed voting. It shall be noted that the Elector who has connected to the Telephone/Internet voting system, and entered their valid credentials just prior to 8:00 p.m., will be permitted fifteen (15) minutes (if required) to complete their vote. The voting activity could be completed earlier if no Electors are in the system actively voting prior to the fifteen (15) minutes shutdown.
- (2) The Clerk of The Nation Municipality, at 8:00 p.m. on Monday, October 24, 2022, shall not permit any person to enter the Voter Help Centre and after all Electors within the Voter Help Centre have voted, shall request the close and deactivation of the Telephone/Internet voting service and shall also request the tabulation of the results for each Candidate. The final results of each Candidate shall be available after 8:00 p.m. the Municipality's Town Hall, located at 958 Route 500 West in Casselman, Ontario.
- (3) The Clerk shall report the "unofficial results" when received from the Service Provider as soon as practicable after 8:00 p.m. on Monday, October 24th, 2022, at the Municipality's Town Hall located at 958 Route 500 West, Casselman, Ontario, K0A 1M0., including any other location as deemed appropriate by the Clerk.
- (4) Pursuant to subsection 55(4) and subject to the provisions of section 56 of the Act concerning "Recounts", the Clerk shall on Tuesday, October 25th, 2022, at 1:00 p.m. at the Town Hall:
  - (a) declare the Candidate or Candidates, as the case may be, who received the highest number of votes to be elected; and
  - (b) declare the result of any vote on a by-law or question.
- (5) The "official results" of each Candidate shall be available at the Town Hall located at 958 Route 500 West, Casselman, as soon as possible after Voting Day. Also, the Clerk shall post the "official results" results on the Municipality's website.

## 20. TIED VOTE – RECOUNT PROCEDURES

- (1) In the case of a tied vote, as provided under section 56 of the Act, the Clerk of The Nation Municipality shall request from the Service Provider a re-tabulation of the votes cast.
- (2) Pursuant to subsection 61(1) of the Act, the following persons will be authorized to attend the recount:
  - (a) the Clerk and any other Election Official appointed by the Clerk for the recount procedure including the Municipality's lawyer;
  - (b) every Candidate for the office;
  - (c) the lawyer for each of the Candidates; and
  - (d) only one (1) Scrutineer for each of the Candidate.
- (3) Pursuant to subsection 56(2) of the Act, the recount shall be held within fifteen (15) days after the Clerk's declaration of the results of the Municipal Elections, and therefore the recount shall occur on or before 10:00 p.m. on Wednesday, November 9<sup>th</sup>, 2022, at the Town Hall.
- (4) The Clerk shall request the Service Provider to re-tabulate the results for the office(s) that are subject to the recount. The Service Provider shall send the results of the recount by facsimile transmission and/or by electronic mail (E-mail) as soon as possible.
- (5) Upon receipt of the final results of the recount, the Clerk shall announce the results of the recount and in the event of a tied vote, subsection 62(3) of the Act shall apply, being as follows:

*“If the recount indicates that two or more Candidates who cannot both or all be declared elected to an office have received the same number of votes, the Clerk shall choose the successful Candidate or Candidates by lot”.*
- (6) In the event that a tied vote occurs after the statutory recount, the following procedure shall be used and applied:
  - (a) The Clerk shall determine the texture and quality of the paper used for this process and each Candidate or the Candidates' lawyer and/or Scrutineer will have an opportunity to examine the paper to be used to inscribe the names of the Candidates.
  - (b) The Clerk shall inscribe the name of each Candidate on a similar size paper and the Candidates, the Candidates' lawyer and/or Scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity to examine the box which will be used for conducting the lot.

- (c) Upon acceptance by all Candidates, the Candidates' lawyer and/or Scrutineer, the process outlined in paragraphs a) and b) above have been adhered to, the Clerk shall fold the papers bearing each Candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present. In the event of a conflict or difference of opinion as to the selection of the box, the Clerk shall determine the box to be used for this process.
- (7) Upon completion of this process, the Clerk shall hold the box and, without looking into the box, ensure that the contents have been displaced sufficiently, and request the Municipality's lawyer to draw only one (1) or the required number for the purpose of determining the successful Candidate(s).
- (8) The Municipality's lawyer or a person appointed by the Clerk shall hand directly to the Clerk the selected and required number of papers and the Clerk shall read aloud the name of the Candidate or Candidates and proceed to declare this or these individuals elected.
- (9) Once completed, the Municipality's lawyer or a person appointed by the Clerk shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of papers including the box.

## **21. AFTER VOTING DAY**

- (1) At no time shall Electors' personal information and PINs come together to allow anyone to know how an Elector has voted.
- (2) All election materials shall be destroyed in accordance with the principles of section 88 of the Act.

## **22. FINANCIAL STATEMENT**

- (1) Candidates and registered third parties shall file a financial statement and auditor's report either electronically or in printed format with the Clerk, as per sections 88.25 and 88.29 of the Act.
- (2) In accordance with section 88.30 of the Act, the filing date for financial statements and auditor's reports is the last Friday in March following the elections, which is March 31<sup>st</sup>, 2023.

## **23. COMMUNICATING WITH CANDIDATES**

- (1) To facilitate the electoral procedures and communications with Candidates, the Clerk will ask each Candidate the method of communication he or she prefers (e-mail, fax, mail), and this method will be used for the whole electoral process unless the format of the document does not permit its uses. In such a situation, the Clerk will contact the Candidates by phone to determine how the document may be delivered. All communications and/or documents will be

considered having been delivered to each Candidate at the same moment an e-mail has been sent, upon successful transmission of a fax or the day after a document has been put in regular mail.

- (2) For transparency reasons, any relevant questions asked by Candidates regarding the Municipal Elections will be shared with other Candidates through the Municipality's Website, and an email will be sent to all candidates detailing the question received and its answer.

## **24. COMPLIANCE AUDIT COMMITTEE**

- (1) Establish Compliance Audit Committee
  - (a) The Act requires municipalities to establish a Compliance Audit Committee before October 1<sup>st</sup> of an election year for the purposes of this Act to deal with complaints regarding the election campaign financing.
  - (b) Council shall approve the appointment of members by by-law.

## **25. ACCESSIBILITY**

- (1) The accessibility is regulated under section 12.1 of the Act:

### **Electors and Candidates with disabilities**

12.1(1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.

### **Plan re barriers**

12(2) The clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

### **Report**

12(3) Within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

- (2) See policy [EL-2022-02, Accessibility Plan](#) for the 2022 Municipal Elections.

## **26. EMERGENCIES**

- (1) Pursuant to section 53 of the Act, the Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the Municipal Elections being conducted in accordance with the Act.
- (2) The Clerk may declare an emergency if the Clerk is of the opinion that circumstances have arisen that are likely to prevent the Municipal Elections

being conducted in accordance with the Act. This authority relates not only to the conduct of the vote but also to any aspect of the election process.

- (3) In the event of an emergency, the Clerk shall post notices to the extent possible that the Municipal Elections have been delayed, and shall make such arrangements as he/she considers advisable for the conduct of the Municipal Elections.
- (4) In the event of an emergency, the Service Provider under direction from the Clerk, shall stop the Telephone/Internet voting system from accepting calls via a telephone and connections from the Internet, thus preventing the Municipal Elections from continuing, or starting, as the case may be.
- (5) If required, the Clerk may consider alternate options for the following:
  - (a) reporting result;
  - (b) notification of Electors;
  - (c) Election Officials;
  - (d) Voting Period (delay of Voting Day, extension of voting hours or days(s)); and/or
  - (e) Alternate voting places or alternate facilities.
- (6) If any part of the voting for an office is not completed, do not release the results until the voting for that office is completed.
- (7) The arrangements made by the Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.
- (8) The emergency continues until the Clerk declares that it has ended.
- (9) In the event the Clerk is unable to be present to conduct procedures on Voting Day, there shall be a substitute qualified person appointed or available to attend to the election details.

## **27. AMENDMENTS TO PROCEDURES**

- (1) The Clerk has the right, at any time, up to and including Voting Day, to amend the procedures contained herein. A copy of any amendment will be forwarded to each Candidate and published on the website.

## **28. ATTACHMENTS – FORMS**

- (1) The following forms and notices have been approved for use by The Nation Municipality in the election process:

<b>PRESCRIBED FORMS</b>	
<b>FORM NUMBER</b>	<b>DESCRIPTION</b>
Form 1	Nomination Paper
Form 2	Endorsement of nomination
Form 3	Appointment for voting proxy – does not apply to the Municipality
Form 4	Financial Statement Auditor’s Report Candidate
Form 5	Financial Statement – Subsequent Expenses
Form 6	Notice of Extension of Campaign Period
Form 7	Notice of Registration Third Party
Form 8	Financial Statement – Auditor’s Report Third Party
Form 9	Declaration of Identity
<p><i>* The Ministry of Municipal Affairs website states that updated Guides and Forms will be posted at the beginning of April, 2022.</i></p>	

<b>NON-PRESCRIBED FORMS</b>	
<b>FORM NUMBER</b>	<b>DESCRIPTION</b>
Form NA1	Application to Amend Voters’ List
Form NA2	Application to Re-Issue Voter’s Information Letter Voter (Lost and Unused)
Form NA3	Application to Re-Issue Voter’s Information Letter Voter (Impersonator)
Form NA4	Oral Oath of Incapacity to Vote without Assistance
Form NA5	Oral Oath of Friend or Interpreter / Assistance
Form NA6	Oral Oath of Secrecy
Form NA7	Appointment of Scrutineer by Candidate
Form NA8	Oath of Qualification
Form NA9	Appointment and Oath - Election Official
Form NA10	Application for Removal of deceased Name from the Voters’ List
Form NA11	Candidate’s Declaration - Proper Use of Voters’ List
Form NA12	Declaration of the owner or tenant for his/her spouse or occupant who does not have any piece of identification (Amendment to the Voters’ List)
Form NA13	Consent to Release Personal Information

(2) Additional forms to those identified above may be approved by the Clerk of The Nation Municipality for the Municipal Elections.



## **Schedule 1**

### List of Satisfactory Identification pursuant to [ONTARIO REGULATION 304/13](#)

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).
16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.

26. A document showing residence at a long-term care home under the *Fixing Long-Term Care Act, 2021*, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school.