

Town of Hanover Municipal Election Procedures



April 29, 2022

As Clerk of the Town of Hanover for the municipal elections, I do hereby certify the following procedures for conducting the 2022 municipal elections and also certify the forms attached (or similar versions, either paper or electronic) as being those permitted to be used during the election process.

A handwritten signature in blue ink, appearing to read "Vicki McDonald".

Vicki McDonald
Clerk and Returning Officer

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This Guide is provided for information purposes and is subject to change, with updates noted and posted on the website. Please refer to the legislation for specific reference.

All references to the “Clerk”, for the purposes of this manual, shall mean the Returning Officer (R.O.) for the 2022 Municipal Elections. All reference to “Clerk’s Designate” shall mean the delegated duties of the R.O.

Definitions

- a) **"Act"** means the Municipal Elections Act 1996, SO 1996 c.32 as amended.
- b) **"Ballot"** means either an image on a computer screen 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 touchtone telephone, an audio set of instructions describing all choices available to the electors and how to mark their selection by pressing the numbered touchtone keypad.
- c) **"Candidate"** means a person nominated under s.33 of the Act.
- d) **"Certified Candidate"** means a candidate whose nomination was certified by the Clerk under s.35 of the Act.
- e) **"Clerk"** means the Clerk of the Town of Hanover who is responsible for conducting this election under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.). All references to Clerk's designate shall mean the delegated duties of the R.O.
- f) **"Election"** means the 2022 School Board and Municipal elections conducted by the Returning Officer (R.O).
- g) **"Election Calendar"** means the period between the first day of nominations to nomination day. The first day that nominations can be filed for a regular election will be May 2nd. Nomination day (the deadline to file a nomination) for a regular election will move to the third Friday in August (August 19, for the 2022 election).
- h) **"Election Official"** means the Clerk or other person 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 under s.15 of the Act.
- i) **"Friend"** means any person who is requested by an elector to assist him or her in the voting process.
- j) **"Help Centre"** means a location designated by the Clerk where individuals may be added to the Voters' List and to provide assistance and clarification on the election process, including the access to a telephone and/or internet. The ability to vote at the Help Centre will be limited to hours designated by the Clerk.
- k) **"Municipal Office"** means the Town of Hanover administration building located at 341 10th Street, Hanover, Ontario.

- l) **"Nomination Day"** means the deadline to file a nomination for a regular election, which is the August 19, 2022.
- m) **"Password"** means an additional access control word assigned by Scytl Canada Inc. to each authorized user to provide additional security for access to the voting system.
- n) **"Preliminary List of Electors"** or **"PLE"** means a list of electors for the Municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Municipality by July 31 of an election year under s.19 of the Act.
- o) **"Proof of Identification"** means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.
- p) **"Regular Office Hours"** means Monday to Friday, 10:00 am to 4:30 pm.
- q) **"Scrutineer"** means an individual, appointed in writing by a certified candidate, to represent him or her during the election.
- r) **"Time/Clock"** means the time as indicated on the National Research Council Canada Web Clock showing official times for the Eastern Time Zone.
- s) **"Voter Credentials"** means unique multiple digit number or numbers assigned to each voter to provide security for access to the voting system.
- t) **"Voter Information Letter"** means a letter mailed individually to every elector containing voting instructions, including a Personal Identification Number (PIN) and other relevant information.
- u) **"Voters' List"** means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of s.19 and s.22 of the Act.
- v) **"Voting Day"** means the final day on which the vote is to be taken in an election and shall be Monday, October 24, 2022 with the close of voting to be at 8:00 pm.
- w) **"Voting Period"** means the period in which an eligible voter may cast their vote, either via internet or telephone and shall span from Friday, October 14, 2022 at 10:00 am to Monday October 24, 2022 at 8:00 pm.
- x) **"Website"** means the designated municipal website for election information (www.hanover.ca/municipal-election-2022).

Authority

Duties and Powers of Clerk (s.11 and 12)

The Clerk is responsible for conducting the election, including responsibility 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 accessibility report.

The Clerk may provide for any matter or procedure that:

- (a) 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.

Procedures and Forms

Section 42 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.

Unforeseen Cases

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and posted on the website.

Notices / Advertisements

1. The Clerk shall notify voters of the following via the local newspaper, the Municipal website and Facebook page:
 - a) that a municipal election is being held for the Town of Hanover and that the Municipality has adopted an alternative voting method, being Telephone/Internet Voting;
 - b) dates and times of the Voting Period and Voting Day including the method of voting;
 - c) who is eligible to vote in the Municipal Election;
 - d) locations, dates and times that the Help and Revision Centre and Voting Place (situated at the Municipal Office) are open;
 - e) how electors can determine if their name is on the Voters List; and
 - f) procedure for being added, deleted or making corrections to the Voters List.
2. Each person on the Voters List shall be mailed a sealed Voter Information Letter (VIL) containing:
 - a) the elector's voter credentials, the telephone number to call to cast their vote and the designated internet address (URL) to access to cast their vote using the internet;
 - b) instructions on how and when to vote;
 - c) dates and hours of voting;
 - d) location, dates and hours of operation and telephone number of the Help and Revision Centre;
 - e) a voter eligibility explanation;
 - f) information on voting assistance available at the Municipal Office;
 - g) election email address and designated internet address;
 - h) summary of nominated certified candidates and offices; and
 - i) information on illegal and corrupt practices under the Act.

The Clerk shall determine the date(s) of all advertisements including the newspaper advertising and website notices that are to appear in order to comply with the requirements and principles of the Municipal Elections Act, 1996.

Where possible, cooperative advertising may take place; costs to be approved and shared by the participating municipalities.

Nominations

Nomination Papers (s.33)

A person may be nominated for an office by filing a nomination in the Clerk's Office, in person or by an Agent. The nomination must be endorsed by at least twenty five (25) persons and those persons may endorse more than one nomination. Notice is also provided on the website. The person endorsing a nomination must 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 (Nomination Paper - Form 1).

"Nomination Paper" Form 1 for the following offices will be available at the Clerk's Office from Monday, May 2, 2022 to Thursday, August 18, 2022 during regular office hours (10:00 am to 4:30 pm), and between 9:00 am and 2:00 pm on Friday, August 19, 2022 (Nomination Day) and on the website for the following offices:

- (1) Mayor**
- (1) Deputy Mayor**
- (5) Councillor**

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

- (1) School Board Trustee – English Public
- (1) School Board Trustee – English Separate
- (1) School Board Trustee – French Public
- (1) School Board Trustee – French Separate

Nominations must be filed with the Clerk in the following manner:

- in person or through an agent, using the prescribed forms (Nomination Paper - Form 1);
- during regular office hours (10:00 am to 4:30 pm) at the Municipal Office from Monday, May 2, 2022 to Thursday, August 18, 2022 and between 9:00 am and 2:00 pm on Friday, August 19, 2022 (Nomination Day);
- with the prescribed statement of qualifications, signed by the person being nominated;
- with the prescribed nomination filing fee of \$200 for Head of Council and \$100 for all other offices – the filing fee shall be paid by cash, debit card, certified cheque or money order payable to the municipality;
- with proof of identity and residence as prescribed in O. Reg. 304/13; and
- no faxed or other electronically transmitted nomination paper will be accepted as original signatures are required.

The Clerk will administer the necessary oaths.

Estimated Maximum Campaign Expenses (s.33.0.1)

The Clerk shall calculate the estimated maximum campaign expenses for each office on a preliminary “Certificate of Maximum Campaign Expenses” Form EL37A or Form EL37B, and provide a copy to the candidate or their agent the day that the Nomination Paper is filed in accordance with s.33. The Clerk’s calculation is final.

Notice of Filing Requirements and Notice of Penalties (s.88.25)

The Clerk shall, at least 30 days prior to voting day, provide a notice of filing requirements, including notice of penalties. on the “Notice to Candidates of Filing Requirements” Form EL42A to the candidate or their agent.

Municipal Freedom of Information & Protection of Privacy Act (MFIPPA)

The candidate may sign the “Consent to Release Personal Information” Form EL52 authorizing the Clerk to release personal information to the public and media.

Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website an “Unofficial List of Candidates”, which is to be updated as each Nomination Paper is filed. The list should be clearly marked "Unofficial". The Clerk must obtain authorization from the candidate to post their personal information, such as their addresses. The list is indicated as “unofficial” until the nominations have been certified.

Nomination Day – August 19, 2022 (s.31)

Nomination Papers will be received at the Municipal Office between 9:00 am and 2:00 pm on Nomination Day.

The procedure for the handling of Nomination Papers on Nomination Day will be the same as above.

Certification of Nomination Papers (s.35 (1))

On or before Monday, August 22, 2022, at 4:00 pm, the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the Act. Once satisfied the candidate is qualified, the Clerk shall certify the nomination.

Rejection of Nomination Paper (s.35 (3))

If the Candidate is not qualified to be nominated, or the nomination does not comply with the Act, the Clerk will reject the Nomination. A telephone call shall be made to the candidate informing him/her of the rejection, and a “Notice of Rejection of Nominations” shall be sent, by Registered Mail, as soon as possible, to:

- the person who sought to be nominated; and
- all candidates for the office.

Withdrawal of Nominations (s.36)

Candidates may withdraw their Nomination by filing in person a written withdrawal on

“Withdrawal of Nomination” Form EL19 with the Clerk before 2:00 pm on Nomination Day, Friday August 19, 2022, if the person was nominated on or before Nomination Day. Any withdrawals sent by email, mail or fax are not permitted as it must be filed in the Clerks Office.

The withdrawal shall be noted on the “Unofficial List of Candidates”.

Official List of Candidates

The final list of certified candidates will be posted at the Municipal Office and on the website on or before Wednesday, August 24, 2022 using the “List of Certified Candidates” Form EL07.

Declaration of Election (s.40)

If after 4:00 pm on Monday, August 22, 2022 the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted.

The Clerk shall give the electors notice of the following using a variety of methods:

- a) The dates and times of the voting period;
- b) The location and hours of operation of Help Centre; and
- c) The manner in which electors may use the Internet/Telephone voting method.

Acclamations (s.37(1))

If after 4:00 pm on Monday, August 22, 2022, the number of certified candidates for an office is the same as or fewer than the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation. The Clerk shall post a “Declaration of Acclamation to Office” on Form EL20. In this situation there shall be no election conducted for the position(s).

Fewer Number of Nomination Papers than Offices (s.33(5))

If at 4:00 pm on Monday, August 22, 2022, the number of certified nominations filed for an office is fewer than the number of persons to be elected to the office, additional nominations may be filed between 9:00 am and 2:00 pm on Wednesday, August 24, 2022. The Clerk shall post a “Notice of Additional Nominations” Form EL17B advising that additional Nomination Papers may be filed for that office during the specified time.

If at 2:00 pm on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

Additional Nominations More than Number of Offices Remaining (s.33(5))

If between 9:00 am and 2:00 pm on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

Withdrawal of Additional Nominations

Withdrawal of additional nominations must take place prior to 2:00 pm on Wednesday, August 24, 2022, following the procedure in the Withdrawal of Nomination Paper section

above.

Additional Nominations Equivalent to Number of Offices (s.37(2))

If at 4:00 pm on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall post a “Declaration of Acclamation to Office” on Form EL20.

Insufficient Number of Nomination Papers Filed to Form a Quorum – Municipal Council (s.37(4)1)

If the number of Nomination Papers filed is insufficient to form a quorum of the Municipal Council, a by-election shall be held.

Sufficient Number of Nomination Papers Filed to Form a Quorum– Municipal Council (s.37(4))

If the number of Nomination Papers filed is less than the number of positions for an office of the Municipal Council, but does form a quorum, s.263(1) (a) of the Municipal Act, 2001, as amended, shall apply.

Death or Ineligibility of a Candidate (s.39)

If a certified candidate dies or becomes ineligible before the close of voting and;

- the result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held; and
- the result would be one fewer candidate only and no acclamation, the candidate's name shall be omitted from the ballot.

No votes are to be counted for the candidate who has died or become ineligible.

Final Calculation of Campaign Expenses (88.20(13))

The Clerk shall, after determining from the number of eligible electors from the Voters' List for each office, calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a “Certificate of Maximum Campaign Expenses” Form EL37A. The certificate shall be delivered to each candidate on or before September 26, 2022. The Clerk's calculation is final and shall be made in accordance with the prescribed formula in O. Reg. 101/97.

Candidate Name Pronunciation

All certified candidates may be required to provide to the Clerk the proper pronunciation of their name prior to finalization of the voice prompts for the telephone component of the voting system.

Voters' List

Voter Qualifications (s.17(2))

A person is entitled to be an elector if, on Voting Day (October 24, 2022) the person:

- (i) is a Canadian citizen;
- (ii) is at least 18 years old;
- (iii) resides in the local municipality, or is the owner or tenant of land in the local municipality, or the spouse, of such a person; and
- (iv) is not prohibited from voting under s.17(3) of the Act, or otherwise, by law.

Certification of Voters' List

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation shall be delivered to the Clerk by July 31, 2022.

The PLE shall contain the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support. The name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land.

It is possible for an elector's name to appear on the Voters' List of more than one municipality and may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. An elector may only vote once for School Board Trustee in the jurisdiction of the Board.

The Clerk shall correct any obvious errors in the PLE prior to Friday August 31, 2022 and notify the Municipal Property Assessment Corporation. The corrected PLE becomes the Voters' List.

The Clerk may use any information that is in the Municipality's custody or control when correcting the PLE for obvious errors (s.22(2)).

The Voters' List shall be reproduced on or before September 1, 2022.

The Clerk shall inform electors using various methods how revisions are to be made to the Voters' List. An online voter look-up tool will be made available on the Municipality's website for this purpose.

Requests for Copies and Proper Use of the Voters' List

Upon request, the Clerk shall provide every candidate the part of the Voters' List that contains the names of the electors who are entitled to vote for that office in hard copy.

Each candidate will be required to sign the "Candidate's Declaration - Proper Use of the

Voters' List" Form EL14. Candidate copies must be returned to the Clerk following the election for destruction.

Access to the Voters' List (s.88(10) and (11))

Legislation states that the Voters' List cannot be posted in a public place and can be used only for election purposes.

Amendments to the Voters' List

The Voters' List may be amended using the prescribed form "Application to Amend Voters' List" Form EL15 and providing proof of identity and residence as prescribed in O. Reg. 304/13, between September 1, 2022 and 8:00pm on October 24, 2022.

Other names can be removed from the Voters' List by using "Application for Removal of Another's Name from the Voters List" Form EL16, between September 1, 2022 and 8:00 pm on October 24, 2022. The Clerk may, on his or her own initiative, remove a person's name from the voters' list until the close of voting on voting day if the Clerk is satisfied that the person has died. (s.25(1)).

On or before September 15, 2022, the Clerk will determine the total number of electors on the Voters' List. This number will be necessary to calculate the "Certificate of Maximum Campaign Expenses" Form EL37A for the 2022 Municipal Election.

Interim List of Changes (s.27(1))

The Clerk shall prepare an interim list of changes to the Voters' List on or before September 15, 2022 and circulate as required.

Final List of Changes (s.27(2))

The Clerk shall prepare the final list of changes to the Voters' List by November 23, 2022 and send to MPAC.

Campaigning

Campaigning is permitted no earlier than the filing of Nomination Papers by the candidate. Information contained in/on all campaign material is the responsibility of the candidate and any questions or concerns should be directed to the candidate.

Municipal Employee Communication with Candidates

The following provides direction to candidates on the handling of questions directed to and meetings with Municipal staff. Every effort will be made to provide information to all candidates to ensure fairness and transparency.

Election-related Questions

Questions pertaining to all matters related to the election process, including the voting method, shall be directed to the Returning Officer:

Vicki McDonald, Clerk
341 10th Street, Hanover, ON N4N 1P5
Tel: 519.364.2780 x 1231
Email: vmcdonald@hanover.ca

Questions pertaining to the Municipality's Administration

All other questions should be directed to the Chief Administrative Officer (CAO), who will follow up with the necessary Department Head or appropriate staff.

Answers to questions posed by candidates will be shared with all registered candidates without identifying the questioner and posted on the Municipal website generally within one week.

Access to Staff

Candidates are invited to set up meeting requests through the CAO's office. An appointment shall be arranged in advance.

To ensure fairness, access to senior staff shall be the same for all candidates, including existing members of Council.

Answers to questions asked of staff in person will be recorded and shared with all candidates and posted on the Municipal website for transparency.

Use of Municipal Logo or Other Insignia

The use of the municipal logo or other insignia for campaign purposes is strictly prohibited.

Municipally Owned/Leased Facilities

Election campaigning or the distribution/posting of election campaign material at municipally-owned or leased facilities is not permitted, with the exception of road allowances.

Use of Corporate Resources During an Election Year

The Town of Hanover's Use of Corporate Resources for Election Campaign Purposes, Policy # ADM-015, specifies the rules and procedures on the use of municipal resources during an election. The requirements include but are not limited to the following;

- a) No person shall use the facilities, equipment, supplies, services, staff or other resources of the Municipality for any election campaign or campaign related activities.
- b) No person shall display any campaign-related material on Town owned or operated facilities.
- c) No person shall undertake campaigning at any Town operated events whether on municipal property or not.
- d) No member shall use the services of persons during hours in which those persons receive any compensation from the Municipality.

Election Signs

The following provides a summary of election sign requirements and limitations.

Candidates should refer to By-law 2916-15, a by-law to regulate Signs in the Town of Hanover and Grey County Corporate Procedure MS-TS-005-001, Advertising Sign Permit for specific details.

Do I need a permit to put up my election sign?

A sign permit or a permit application is not required for election signs.

Are there any places that are restricted to place a sign?

- Election signs shall not be placed on Municipal property, except in road allowance areas;
- Election signs shall not be placed on private property without the owner's consent.

Can I put a logo on the election sign next to my name?

No person shall display a logo, trademark or official mark on any election sign.

What date can I start to display my election signs?

Signs can be displayed no sooner than **September 12, 2022**.

How many days do I have after the election to remove my election signs?

All election signs must be removed by the candidate or the candidate's representative by **11:59 pm on October 28, 2022**.

What are the height restrictions for election signs?

Posts used should not be higher than the top of the sign area and should not cause any safety hazard such as wood or metal stakes or posts with sharp edges.

Are there any areas that are not allowed to display my signs?

- on or overhanging on any Municipal property;
- on a utility pole;
- on the walls of buildings, sheds, trees, poles, posts, fences or other structures visible from a street;

- within medians, centre boulevards or traffic islands;
- on any official sign or official sign structure;
- within a sight triangle;
- within 3 metres (10 ft) of a fire hydrant, curb, driveway or the travelled portion of a street;
- on the property of a Help Centre or the front façade of the building which contains the centre (including but not limited to, Municipal Office and Library);
- on a sound barrier wall or fence;
- on or near public sidewalk causing interference or obstruction to pedestrian traffic;
- in a location obstructing any fire escape, fire exit, door, window, etc. to impede access of firefighters to any part of a building; or
- in a location where the sign constitutes a danger or hazard.

Election signs can be displayed in or on a vehicle subject to the following restrictions:

- Signs can be displayed no sooner than **September 12, 2022**;
- Signs shall not be displayed within 100 metres (328 ft) of a Help Centre at any time while the centre is open to the public; and
- Signs shall not be displayed upon the property where the office for the administration of the election is located, i.e., Civic Centre.

Can the Municipality remove an election sign without notifying the candidate?

The Municipality reserves the right to remove, without notice to any person, including the candidate, any election sign which it deems to be a hazard.

Signs on County Road Allowances and Utility Installations

Posters or similar campaign material that will be installed or affixed to poles belonging to Westario Power, Bell Canada or other public utilities will require the permission of these respective authorities.

The following provides a summary of the County of Grey road signage procedure. This summary is provided for information purposes only.

Temporary signs must be self-supporting and not embedded into the ground more than 0.3 m. Permits or approvals are not required for election signs.

An election sign may be placed on the County right-of way provided they:

- Do not exceed 3.0 m² in size;
- Do not interfere with an official sign, traffic signal or safety device;
- Are not in place for longer than a 4 week period;
- Do not remain in place more than 3 days after the election;
- Are not placed within 10 m of a driveway; or
- Are within 8 m from the edge of pavement if the sign is less than 0.7 m²; or

- Are not affixed to a permanent or an official sign or to the guide rail or other County road structure or facility interfering with visibility.

Signs greater than 0.7 m² shall be placed at the outer edge of the County road right-of-way. Portable read-o-graph sign trailers are prohibited on the right-of-way of a County road.

Vandalism

The investigation or prosecution for any acts of vandalism to the posters or campaign material of the candidates should be referred to the local police force by the complainant. The Municipality or any of its municipal officers, employees or agents will not be responsible.

Help Centre

For the purpose of this election, a voting place is not required. A Help Centre will be located in the Hanover Municipal Office and Hanover Public Library, 341 10th Street, Hanover during regular hours throughout the Voting Period (October 14 to 24, 2022). Electors can be added to the Voters' List and receive assistance and clarification on the election process including access to a telephone and/or internet. The ability to vote at the Help Centre will be limited to hours designated by the Clerk.

Prior to the Voting Period which commences on Friday October 14, 2022, electors should visit the **Municipal Administration Office located at 341 10th Street, Hanover** during regular office hours, Monday to Friday 10:00 am to 4:30 pm for any questions or concerns.

Voting Process:

1. Eligible voters may vote by:
 - a) accessing the telephone number provided by using a cellular or land line, touch-tone telephone, but **not** a rotary dial telephone;
 - b) by accessing the internet address provided by using a dial modem access or a high-speed connection; or
 - c) attending the Help Centre during the hours listed during the Voting Period.

Voting Period – October 14 to 24, 2022

Help Centres will be provided during the Voting Period as follows:

Municipal Administration Office

341 10th Street, 2nd Floor, Hanover

Friday, October 14th to Monday, October 24, 2022

During Regular Office Hours (Monday to Friday 10:00 am to 4:30 pm)

Hanover Public Library

341 10th Street, Lower Level, Hanover

Friday, October 14 to Monday, October 24, 2022

During Regular Library Hours

Additional Help Centre Hours

Municipal Administration Office

341 10th Street, 2nd Floor, Hanover

Tuesday, October 18 – 4:30 pm to 8:00 pm

Saturday, October 22 – 10:00 am to 3:00 pm

Monday, October 24 – 10:00 am to close of voting at 8:00 pm

Internet/Telephone Voting

Authority (s.42)

A by-law authorizing internet/telephone voting must be passed on or before May 1st in the year of the election.

On September 20, 2021, By-law No. 3176-21 was passed authorizing the use of internet/telephone voting methods for municipal elections.

In keeping with s.42 (5) voting proxies will not be used or permitted with this method of voting. In addition, the Voting Period provides for voting in advance of Voting Day commencing Friday, October 14, 2022, at 10:00 am and concluding on Monday, October 24, 2022 at 8:00 pm

Service Provider

The service provider for internet/telephone voting is Scytl Canada Inc. and was authorized by By-law No. 3176-21.

System Integrity

The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:

- a) ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
- b) ensuring that no one except the Clerk, or designate, can access PINs maintained by Scytl Canada Inc. that match each voter's name and address; and
- c) providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day, October 24, 2022, at 8:00 pm

System Checks

Logic and accuracy testing of the voting system will take place in advance of the poll at a date to be determined by the Returning Officer and shall include, but not be limited to, the following:

- a) checking the wording of the script and text on the website;
- b) checking Voting Place internet and telephone voting stations;
- c) attempting to use a PIN more than once;
- d) balancing a predetermined number of test votes with those cast;
- e) matching PINs to names and addresses;
- f) deliberately keying in the wrong information; and
- g) attempting to under vote and over vote with a test account to ensure that the system has been programmed properly

Secrecy

All election officials shall take an oath of secrecy and be appointed by the Clerk as per the

“Appointment and Oath - Election Official” Form EL11.

All complaints regarding any and/or all breaches of secrecy shall be documented by the election official as well as questions and answers of the complainant and, if deemed appropriate, the Clerk shall submit same to the Police for further investigation and prosecution.

Preparation of Voter Information Letters

The Voter Information Letters will be prepared utilizing the Voters’ List as amended.

Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all eligible voters on or about October 5, 2022 to enable them to use the Telephone / Internet Voting service.

The Voter Information Letter will contain:

- a) the elector’s voter credentials and the telephone number to call to cast his or her vote and the designated internet address (URL) to access to cast his or her vote using the Internet;
- b) instructions on how to vote;
- c) dates and hours of voting;
- d) the location and telephone number of the Help Centres;
- e) voter eligibility criteria;
- f) office and candidate information; and
- g) information on illegal and corrupt practices under the Act.

A person cannot give their Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person’s 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, specifically s.89 and s.90.

Public Information Sessions

A public information session will be held for the purpose of explaining the method of voting and responding to questions from candidates and the electorate. The session will be advertised and noted on the website. The public information sessions may be conducted electronically should in-person meeting restrictions be in effect.

Help Centre

Eligible voters who attend at the Help Centre and are not on the Voters’ List will be able to be added to the list by filling out an “Application to Amend Voters’ List” Form EL15 and providing proof of identity and residence as prescribed in O. Reg. 304/13. Their names will be added to the Voters’ List and they will be assigned and delivered a Voter Information Letter containing voter credentials.

Eligible voters who attend at the Help Centre will be able to request a “replacement” Voter Information Letter under certain circumstances:

- i) Where a person on the Voters’ List has lost/not received his or her Voter Information

Letter and the PIN has not been used, he or she can attend the Help Centre and prove to the satisfaction of the authorized election official that they require a new PIN. The authorized election official will disable the elector's assigned PIN. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an election official, an oath on "Application for Re-Issue of a Voter Information Letter - Lost and Unused" Form EL53 shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued.

- ii) Where a person on the Voters' List has attempted to vote and their PIN has already been used, he or she can attend the Help Centre and prove to the satisfaction of the authorized election official that they did not vote the PIN and require a new PIN. Prior to issuing a new PIN, the election official shall advise the elector that once the new PIN has been assigned, the elector must vote immediately at the Help Centre. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an election official, an "Application for Re-Issue of a Voter Information Letter (Used by an Impostor)" Form 42 shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued. The elector will be directed immediately to the Help Centre where internet access is available to eliminate any further misuse of the PIN.

Candidates – Access to "Strike Off" List

Candidates that request it will receive an electronic list daily showing the names of those electors that have cast a ballot.

Voting

Voting will commence on Friday, October 14, 2022 at 10:00 am and continue through to October 24, 2022 at 8:00 pm.

During the Voting Period, two Help Centres will be provided with access to the internet.

Prior to the activation of the system by the Clerk, on Friday, October 14, 2022 (10:00 am), the Deputy Returning Officer and those candidates/scrutineers in attendance shall confirm that all candidates' names are listed and that no votes have been cast. The system will not be activated until confirmation that all the counts associated with each of the candidates' names indicate a "0" total.

Eligible electors may telephone a designated toll-free number to cast their vote by using a cellular or land line, touch-tone telephone but **not a rotary dial telephone**.

Alternatively, eligible electors will be able to access a designated internet address and cast their vote. Every eligible elector shall be limited to one ballot for all races and questions, for which they are entitled to vote, through the use of voter credentials distributed by first class mail in a sealed and personalized Voter Information Letter. The voting system will allow the eligible elector to vote using a telephone or the internet.

Prior to voting, electors will be required to confirm that they are an eligible voter, complete

a security prompt and key in their voter credentials.

Once a voter has made a selection for each race or question, the voting system shall indicate the voter's choice and shall allow the voter to either confirm their selection, and cast their vote, or return to the race to change their selection. If the selection of a particular race is not confirmed the vote is not cast.

Once the voter credentials are used to complete voting and a ballot is cast, it cannot be used again and further access shall not be granted to the voting system.

The names of electors who have voted during the voting period will be provided to the Clerk electronically through the Scytl Voting Management System. **It is not possible to determine how an elector has voted.**

Electors Requiring Assistance (s.52(1)4)

The election official may permit an elector who needs assistance in voting to have such assistance as the election official considers necessary and in accordance with the Election Accessibility Policy.

Oral Oath to Vote with Assistance

A voter who requires such assistance to vote at a Help Centre may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to vote with assistance on the "Oral Oath of Friend or Interpreter" Form EL27.

Oral Oath of Friend of Elector

In lieu of the Election official providing assistance, the voter may request that a friend accompany the voter at a Help Centre and assist the voter. Any friend assisting shall be required to take the Oral Oath of Friend of Elector on the "Oral Oath of Friend or Interpreter" Form EL27. No person shall be allowed to act as a friend of more than one voter at a Help Centre. **Candidates and Scrutineers may not act in the capacity of a friend of elector.**

Oral Oath of Interpreter

Where a voter requires an interpreter, such person provided by the voter, shall take the Oral Oath of Interpreter on the "Oral Oath of Friend or Interpreter" Form 2EL7, and shall translate the oaths as well as any lawful questions put to the voter.

Duplicate Voter Information Letters

Should an eligible voter receive more than one Voter Information Letter, the eligible voter may only vote **once** and must return the other Voter Information Letter to the Municipal Office and complete an "Application to Amend Voters' List" Form EL15 to remove the duplicate name. All electors who vote more than once or who improperly use the Voter Information Letter shall be reported to the Police for further investigation as to possible corrupt practices under the Act.

Voter Information Letters returned to the Help Centre shall have the voter credentials immediately disabled in the system so that voter credentials cannot be used in the voting process. The opened Voter Information Letters will then be maintained in a secure fashion and destroyed in the same manner as all other municipal election material as provided for under s.88 of the Act.

The Clerk and the Election official shall ensure a complete audit trail is maintained of all Voter Information Letters:

- a) that were sent to eligible voters;
- b) that were returned from the Post Office;
- c) that were returned by an elector or other individual either opened or unopened but unused for voting purposes;
- d) that were set to a status that prevented them from being used to vote;
- e) that were re-issued to an eligible elector; and
- f) that were assigned by an Election official to eligible electors that have completed "Application to Amend Voters' List" Form EL15.

PIN Procedures

Where an eligible voter has tried their PIN and has been unsuccessful in accessing the voting system, the Election official will determine its status, and once verified shall advise the voter that the PIN is valid and has not been used. The Election official may suggest the voter try the voter credentials again using an alternate method (telephone vs. internet) or attend at the Help Centre to obtain assistance in voting.

Where an eligible voter has tried their PIN and they have determined that it has already been used, the voter can present themselves at the Help Centre with proof of identity and residence as prescribed in O. Reg. 304/13 and have an Election Official confirm that the elector's PIN has been used.

Where an eligible voter has received an incorrect Voter PIN in terms of school support, and has not voted in that race, the voter can contact the Help Centre and have the proper category applied to the existing PIN. The elector will be required to provide appropriate confirmation of eligibility and to complete "Application to Amend Voters' List" Form EL15.

New voter credentials shall not be given out over the telephone. The voter must attend the Help Centre with proof of identify and residence as prescribed in O. Reg. 304/13 and complete the appropriate form.

Exceptions will be considered at the sole discretion of the Returning Officer when satisfied that extenuating circumstances require special accommodation. Such situations shall be documented by the Returning Officer with measures to ensure security and privacy of the elector, and integrity of the voting process.

Voting Procedure

Voting

- 1.0 A Telephone/Internet Voting Method shall be used for the 2022 Municipal Election.
 - 1.1 Telephone/Internet Voting:
 - 1.1.1 Eligible electors shall be required to telephone a designated number or access a designated internet address and cast their vote(s);
 - 1.1.2 Every eligible voter shall be **limited to only one vote** through their Voter Credentials distributed by first class mail in a sealed and personalized Voter Information Letter and entering a Secondary Voter Credential.
 - 1.1.3 The ScytI Voting Management System will allow the eligible voter to vote using a telephone or the internet;
 - 1.1.4 Following the voter's selection, the voting system shall identify the voter's choice and provide the voter with the option of changing or confirming their vote;
 - 1.1.5 The voting system shall enable the voter to confirm their vote for an office(s), decline to vote for an office(s) or spoil their ballot for a race if they wish to do so;
 - 1.1.6 Once the Voter Credentials have been used to complete "all" races associated with the election, it cannot be used again and further access shall not be granted to the Telephone/Internet Voting service;
 - 1.1.7 Voting will commence at 10:00 am on October 14, 2022.
- 2.0 Prior to the activation of the system by ScytI Canada Inc., being October 14, 2022 at 10:00 am, ScytI Canada Inc. shall allow access by the Clerk, the Auditor, or other authorized Election Official, to the voting system by Satisfactory Identification (ID) and password, for the purposes of providing, a list of all Candidates' names including the sum total of votes cast to ensure that all totals for all candidates indicate "0" zero. The system will not be activated until confirmation that all the counts associated with each of the Candidate(s) names indicate a zero total.

- 3.0** Candidates or their Scrutineer may be present to verify and ensure that all totals of votes cast are at “0” and shall be permitted to sign a document that attests to this fact.
- 4.0** ScytI Canada Inc. will make available a list to the Clerk, and any other appropriate individuals of the Town of Hanover, of all corresponding names of individuals by order of polling subdivisions, who have voted during the Voting Period, if such an event has taken place. The names of individuals who have voted will be indicated as voted. A list of electors who have voted during this period will be provided or made available to the Candidates or their respective scrutineer through the Clerk’s office by electronic means at the Clerk’s discretion. This list shall be provided by DataFix in “real time” or as closely as possible to real time.
- 5.0** If so allowed by the Clerk, ScytI Canada Inc. may make available during the course of the election, IDs and passwords for Candidates and/or their Scrutineers, who when using this authorization, can then connect into the voting system and review elector list information to discern which electors have participated in the election. This capability does not provide the Candidate, or their designate, information on how an elector has voted, only if the voter has participated in the election.
- 6.0** Candidates or their Scrutineer may view voter status any time after the start date of the election by use of their assigned password.
- 7.0** Where a voter qualifies at more than one location in the Town of Hanover, the voter may vote only once and the qualifying address to determine eligibility for voting shall be at 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. However, should an eligible voter receive more than one Voter Information Letter, the eligible elector may only vote once and must return the other Document(s) to the Help Centre. All voters that vote more than once or who improperly use the Voter Information Letter shall be reported to the Hanover Police Service for further investigation as to possible corrupt practices under the Municipal Elections Act, 1996, as amended.
- 8.0** 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 eligible voters;
 - b) that were 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 set to a status that prevented them from being voted;
 - e) that were re-issued to an eligible elector; and
 - f) that were assigned by Election Officials to eligible electors that have completed Form EL15.

- 9.0**
- a) Where an eligible voter has tried his or her Voter Credentials and they have determined that it has already been used, the voter can attend at the location determined by the Clerk with Satisfactory Identification and have an Election Official confirm that the elector's Voter Credentials has been used by an impersonator.
 - b) Prior to the issuance of a new Voter Information Letter, the elector shall be required to respond and answer all questions of the Election Official prior to considering or authorizing the re-issuance of a Voter Information Letter. The Election Official shall document, to their satisfaction, questions and answers of the elector and, if deemed appropriate, the Clerk shall submit the same to the Hanover Police Service 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 provide the elector with a new Voter Information Letter, 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 Hanover Police Service should further questioning of the elector 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 Voter Credentials.
 - d) Once the elector has properly answered all questions and, if required, taken the prescribed oath, the elector shall be issued a new Voter Information Letter.
- 10.0**
- a) Where an eligible voter has received an incorrect Voter Information Letter in terms of school support, the voter can contact the Help Centre and have the proper category applied and the voter shall re-access the system and vote on all races.
 - b) The eligible elector shall be able to re-enter the system at any time during the election using the original Voter Credentials until all races have been completed.
- 11.0** New Voter Information Letters shall not be given out over the telephone, by email or by mail without the expressed approval of the process by the Clerk or their designates. A Voter Information Letter shall not be given to any person at the Help Centre unless Satisfactory Identification is provided and the individual has completed the required form as required and administered by the Election Official.

Scrutineers

Rights and Prohibitions

Each scrutineer shall be responsible for their conduct, rights and prohibitions as set out on the applicable appointment form.

Appointment by Candidate and Qualification

A candidate may appoint scrutineers to represent him/her at the Municipal Office, the opening and testing of the voting system, and during the receipt of voting results, including during a recount.

The appointment shall be made using the “Appointment of Scrutineer by Candidate” Form EL12A. The forms to appoint scrutineers must be signed by the candidate in person at the Municipal Office. The candidate shall provide this signed form to their scrutineer.

Number per Candidate

Not more than one (1) scrutineer representing each candidate may be permitted at one time during the closing of the voting system. Only one candidate or their appointed scrutineer may be present at a Help Centre at one time. The scrutineer/candidate must take an “Oral Oath of Secrecy” Form EL12B at the Help Centre.

Evidence of Appointment

A person appointed as a scrutineer, before being admitted to the Help Centre, shall show their applicable appointment form and provide proof of identity and residence as prescribed in O. Reg. 304/13 to the Election official.

Count Procedures

The Clerk, at 8:00 pm on October 24, 2022, shall arrange for the close and deactivation of the voting system at the Municipal Office.

Notwithstanding the above, the Clerk shall keep the Help Centre access opened until confirmation is received that all eligible voters in the Help Centre at 8:00 pm have completed voting.

The Clerk shall then produce the results report. Those present, including the Clerk, Election official, candidates (or their scrutineers), shall sign the report indicating the results and votes cast. Candidates and scrutineers will be required to provide proof of identity prior to entry and electronic devices will be remitted to ensure results are not publicly available prior to 8:15 pm. Entry will not be permitted before 7:45 pm.

Anyone who is creating a disturbance will be removed as directed by the Clerk.

Notice of Results

The unofficial results of each candidate shall be made available by the Clerk no earlier than 8:15 pm on Monday, October 24, 2022 Voting Day, at the Municipal Office, 341 10th Street, Hanover, and the Clerk shall post the same **Unofficial Results** on the municipality's website.

As soon as possible after Voting Day, the Clerk shall declare the **Official Results** using "Declaration of Election Candidate(s)" Form EL32 and post the results at the Municipal Office and on the municipal website.

Notice shall be provided to the County of Grey with regard to the final number of electors and elected persons to the positions of Mayor and Deputy Mayor who will be serving as County Councillors.

Notice of election results for each school board race shall be provided to the responsible Municipal Office for each of the elections.

Recount

A recount under sections 56, 57, or 58 shall be conducted in the same manner as the original count as per s.60 (1) unless ordered otherwise by a judge under s.60 (3).

A recount is required when:

- there is a tie vote where both or all candidates cannot be declared elected (Automatic);
- by resolution of Council (for Council offices);
- by resolution of local board (for offices on a local board);
- by order of the Minister (for questions submitted by the Minister); or
- by order of the Superior Court of Justice.

Costs of Recount (s.7(3), 7(4))

The costs incurred by the Clerk to conduct a recount are to be paid by the Municipality. Any expenses incurred by a candidate will be the responsibility of the candidate, e.g., legal counsel in attendance on behalf of the candidate.

The Clerk shall submit a signed certificate verifying the costs to the appropriate local board, upper tier municipality or Minister who shall in turn be responsible for paying the costs as soon as possible.

Who Conducts Recount (s.56)

The Clerk conducts all recounts for elections for which he or she is responsible except recounts conducted by the Superior Court of Justice upon appeal.

Tied Vote Recount (s.56)

Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, the Clerk must hold a recount **within 15 days after the declaration** required by s.55(4)a)b) of the results of the election.

If required, ScytI Canada Inc. shall provide any documentation to support the integrity, security and accuracy of the electronic voting system.

Council, Local/School Board or Minister Request for Recount (s.57)

Within 30 days after the Clerk's declaration of the results under s.55(4), a Council, local/school board may pass a resolution or, the Minister may make an order requiring a recount.

The Clerk shall conduct the recount within 15 days **after the resolution is passed or the order is made**. The incoming council or local board is no longer able to make a decision on a recount.

Application to Superior Court of Justice (s.58)

A person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order directing the Clerk to hold a recount.

The application must be commenced within 30 days after the Clerk's official declaration of the results under s.55(4). The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount. The recount is to be held within 15 days after the Clerk receives a copy of the order.

Votes for Candidates to be included in a Recount (s.56, 59)

The votes to be included in the recount are as follows:

- In a recount for a tied vote, the votes cast for candidates who are tied.
- In a recount being conducted under the authority of a council or local board resolution, the votes cast for candidates named in the resolution (all or specified candidates).
- In a recount being conducted under the authority of a court order, the votes cast for candidates named in the order (all or specified candidates).

The Clerk may include the votes for any other candidate for the same office. The practical application of this provision would be for the Clerk to include any candidate whose vote total was, in the Clerk's opinion, close enough to possibly be affected by the recount.

Persons entitled to be Present at a Recount (s.61)

- the Clerk and any other election official appointed for the recount;
- every certified candidate for the office involved;
- the applicant, if any, who applied for the recount under s.58;
- legal counsel for any of the above; and
- each certified candidate for the office involved or an applicant may appoint a scrutineer for the recount.

Notification of Recount (s.56, 57, 58 and [O. Reg. 101/97](#))

The Clerk shall give notice of the recount date, time and place on "Notice of Recount" Form 31 to the following:

- all certified candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local/school board which passed the resolution;
- the Minister when an order has been made;
- the applicant in the case of a court order; and
- notice of recount will be given by registered mail or personal service.

Process at Recount (s.61, 62)

Once the recount process has commenced, it must continue to completion. Upon completion of the recount, the Clerk will announce the results of the recount.

Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, will declare the successful candidate or candidates elected or will declare the result of the vote.

Continuing Tie Vote – After Recount Procedures

Pursuant to s.62(3) in a case of a tied vote following the recount, the Clerk shall determine the result by conducting a lot as follows:

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a container as determined by the Clerk. The Clerk shall announce prior to the draw that “the candidate to be elected shall be the candidate whose name is written on the first piece of paper I draw out of the container.” The paper is pulled from the container and the candidate elected is announced.

Declaration by Clerk and Notice of Final Certified Results – s.62(4)

Unless an application has been made for a judicial recount, the Clerk on the 16th day after the recount is completed will declare the successful candidate or candidates elected by posting the “Recount Results” Form EL40 at the Municipal Office and on the website. Such Declaration shall be sent to everyone previously given notice of the recount.

Candidates Financial Disclosure

At least 30 days before the filing date, but no later than March 1, 2023, the Clerk shall give to every candidate whose nomination was filed, by registered mail, notice of all the filing requirements and penalties set out in s.88 and s.92. The notice shall be given on “Notice to Candidate of Filing Requirements” Form EL42A.

A “Notice of Default - Candidate” Form EL43A shall be given to the candidate by registered mail and to the relevant council or local board in the event that a candidate has not submitted the “Financial Statement” Form 4 by 2:00 pm on March 31, 2023.

Candidates should seek their own advice and counsel regarding campaign finances. A campaign period may be extended in keeping with the procedure and timeframes outlined in the Act.

Refund of Nomination Filing Fee (s.34)

A candidate is entitled to receive a refund of the nomination filing fee if:

- the nomination is withdrawn;
- the candidate is elected to the office; and
- the documents required under subsection 88.25(1) are filed on or before 2:00 pm on the filing date in accordance with that subsection.

Third Party Advertising

Campaign Period (s. 88.28)

Contributions can only be made to a registered third party for third party advertisements, and can only be made during the campaign period under section 88.12. A third party advertiser that is registered can only incur expenses during the campaign period. The campaign period is determined by the application of the following rules.

For the 2022 municipal election - the election campaign period:

- begins on the day the third party registers for the election (registration must be certified by the Clerk); and
- ends on January 3, 2023.

If the third party advertiser becomes involved in a compliance audit after the campaign ends on January 3, 2023, the campaign may be recommenced. Once the third party advertiser notifies the Clerk in writing of the campaign period recommencement, the Clerk shall pay the third party advertiser any surplus being held in trust for the candidate, together with interest. Where the campaign period has recommenced, the third party advertiser may incur expenses and accept contributions until June 30, 2023 or where an alternate provision of the Municipal Elections Act has been met under section 88.2(4).

Filing Requirements (s. 88.29, s. 88.30)

All registered third parties are required to file a financial statement using the prescribed Form 8. Candidates, whose campaign contributions and total expenses are each equal to or less than \$10,000, are not required to file an auditor's report with the financial statement. A registered third party whose campaign contributions in the municipality are \$10,000 or whose total campaign expenses exceed \$10,000 are required to file an auditor's report with the financial statement.

The registered third party must file their financial statements and auditor's report in the prescribed forms by 2:00 pm on March 31, 2023 for the filing period ending January 3, 2023.

If a candidate filed their financial statement prior to the filing date, and then noticed an error, they can withdraw the statement and refile the financial statement and auditor's report by 2:00 pm on March 31, 2023.

Third party advertisers also have a maximum amount for parties etc. after Voting Day. For the 2022 election, the prescribed formula will use the number of electors on September 15, 2018 being the year of the previous election.

The Clerk is to calculate the maximum amount no later than September 26, 2022. When a third party originally registers, the Clerk is to provide a certificate setting out the maximum amount for parties etc. after Voting Day.

Application by Third Party for Extension of Filing Date (s. 88.27(3))

The registered third party may before the last day for filing a financial statement under section 88.30, apply to the Ontario Court of Justice to extend the time for filing the document. The court may grant an extension of up to 90 days. The third party shall notify the Clerk in writing before 2:00 pm on the last day for filing a financial statement under s.88.29 or 88.32 that an application has been made.

Clerk to Give Notice (s.88.29)

The Clerk shall give notice of all of the filing requirements and of the penalties under s.88.27(1) and s.92(4) to every third party at least 30 days before the filing date. Before Voting Day, the Clerk is also required under section 33.1 to give notice of the penalties related to election campaign finances.

Campaign Period (s.88.28)

If the third party advertiser has a deficit at the time the election campaign period would otherwise end and the third party advertiser has notified the Clerk in writing on or before January 3, 2023, the campaign period is extended until the earliest of:

- June 30, 2023;
- The day the third party notifies the Clerk in writing that it will not accept further contributions.; or
- The day A equals the total of B and C, where
 - A = any further contributions.
 - B = the expenses incurred during the extension of the campaign period.
 - C = the amount of the registered third party's deficit at the start of the election campaign period.

Supplementary Reporting Periods/Filing Dates (s. 88.30)

Supplementary filing dates apply where the election campaign period has been extended. The supplementary reporting period is the 6 month period following the year of the election or in the case of a by-election, the supplementary reporting period is the 6 month period following the 45th day after Voting Day.

Where a third party advertiser campaign period continues, he, she or it shall file a supplementary financial statement (including auditor's report if required) for the supplementary reporting period on or before 2:00 pm on the last Friday in September in the year following the election (September 29, 2023). It should be noted that even if a campaign has been extended, a third party advertiser is required to file the initial financial statement for the reporting period ending January 3, 2023.

Campaign Surplus (s. 88.31)

Where a third party advertiser's financial statement (or supplementary financial statement) indicates an election campaign surplus at the end of the campaign period, the entire surplus amount shall be paid to the Clerk at the time of filing and the Clerk shall hold the monies in trust. If the registered third party subsequently incurs expenses related to a compliance audit, the Clerk shall pay the amount held in trust, with interest, to the third party, MEA. s.88.32.

The surplus becomes the property of the municipality/local board when all of the following conditions are satisfied:

- The campaign period has ended under s.88.28;
- It is no longer possible to recommence the campaign period (s.88.28);
- No compliance audit proceeding has been commenced; and
- The period for commencing a compliance audit proceeding has expired.

Third Party Filing Default (s.88.27(1))

A registered third party cannot participate in the next regular election if;

- They did not file their financial statement;
- There was a surplus and this surplus was not paid to the Clerk;
- The financial statement shows that the third party advertiser exceeded their expense limit; or
- If a document filed under s.88.32 has a surplus and the third party registered has not paid the surplus to the Clerk by the relevant date.

Clerk to Give Notice of Default (s. 88.27(2))

The Clerk is required to notify the registered third party in writing that a default has occurred and the nature of the default. The Clerk also has to make this information public.

Election Records

Candidates

All Voter information obtained by the candidate during the 2022 Municipal Election shall be destroyed by the candidate after the election and confirmed in writing to the Clerk. The candidate may return documents to the Clerk for destruction with other election material.

Clerk – Disposition of Records (s.88)

Subject to a Judge's order or recount proceedings, after 120 days from declaring the results under s.55, the Clerk shall destroy the ballots in the presence of two witnesses who shall complete the "Witness Statements as to Destruction of Records" Form EL38. The Clerk may also destroy any other documents and materials related to the election. The Clerk shall retain candidates' financial statements and auditor's report until the members of the council or local board elected at the next regular election have taken office. The ballots and any other documents shall not be destroyed if a court orders that they be retained and a recount has been commenced and not finally disposed of.

Accessibility

Electors and Candidates with Disabilities

The Clerk shall have regard to the needs of electors and candidates with disabilities in accordance with Town of Hanover Election Accessibility Policy.

Location - Accessibility

The Clerk shall ensure that Help Centres are accessible to electors with disabilities and will assist electors who require accommodation.

Report

Prior to Voting Day, the Clerk must prepare a plan for the identification, removal and prevention of barriers that affect voters and candidates with disabilities and make the plan available to the public.

Within 90 days after Voting Day in a regular election but no later than Monday, January 23, 2023, the Clerk shall submit a report to council about the identification, removal and prevention of barriers that effect electors and candidates with disabilities.

Emergencies

The Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act. On declaring an emergency, the Clerk shall make such arrangements as deemed advisable for the conduct of the election. The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness.

The Clerk shall provide notice of such emergency to the best of their ability and in keeping with the circumstance. If required, the Clerk may consider alternate options for any part of the election process. ScytI Canada Inc. will take direction from the Clerk as to what actions will be taken.

Covid-19 Election Protocol

In the event that provincial public health restrictions prevent the conduct of the municipal election as detailed in the Clerk's Procedures, Town of Hanover shall adhere to health and safety measures implemented by Public Health.

Compliance Audit Committee

A council shall, before October 1st of an election year, establish a committee for the purposes of the MEA.

The Clerk shall review the contributions reported on the financial statements submitted by a candidate to determine whether any contributor appears to have exceeded any of the contribution limits under Section 88.9 of the MEA.

The Clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limited under Section 88.9 of the Act, and:

- a) if the contributor's total contributions to a candidate for office on a council appear to exceed the limit under Section 88.9, the report shall set out the contributions made by that contributor to the candidate
- b) if the contributor's total contributions to two or more candidates for office on the same council appears to exceed the limited under Section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council.

The Clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits under Section 88.9 and shall forward each report to the Compliance Audit Committee.

Within thirty (30) days after receiving a report regarding Contributions to Candidates, the Compliance Audit Committee shall consider and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate who is registered in relation to the election in the municipality has contravened a provision of the Act relating to election campaign finances may apply for a compliance audit of the Candidate's election campaign finances even if the Candidate has not filed a final statement using the "Compliance Audit Application" form.

Within ten (10) days after receiving the Compliance Audit Application, the Clerk shall forward the application to the Compliance Audit Committee.

Within ten (10) days after receiving the Auditor's Report, if applicable, the Clerk shall forward the application to the Compliance Audit Committee

Corrupt Practices

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 forms of voting since the principle of the Act must be maintained and is therefore enforceable and subject to penalties.

Offences, Penalties and Enforcement (s.89 and 90)

The principles and the integrity of the election process are enforceable. Section 89 of the Act provides for penalties and enforcement of corrupt practices and other offences during an election process. These include a person who:

- votes without being entitled to do so;
- votes more times than this Act allows;
- induces a person to vote when that person is not entitled to do so;
- before or during an election, publishes a false statement of a candidate's withdrawal;
- furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- without authority, supplies a voter credentials/ballot to anyone;
- takes, opens or otherwise deals with a ballot without having authority to do so; or
- deals with voter credentials/ballot, without having authority to do so.

No person shall solicit a Voter Information Letter containing voter credentials from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately for investigation of corrupt practices. If a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice.

Notice of Penalties

Section 88.19 of the Municipal Elections Act outlines the details of expenses a candidate may incur. Pursuant to Section 88.20(13), the Clerk will calculate the maximum permitted expenses for each office and will provide a Certificate of the applicable maximum to each candidate on or before September 25 in the year of the election.

Section 88.25(1) of the Municipal Elections Act states that “on or before 2 pm on the filing date, a candidate shall file with the Clerk with whom the nomination was filed a financial statement and auditor’s report, each in the prescribed form, reflecting the candidate’s election campaign finances,

- a) in the case of a regular election, as of March 31, 2023; and
- b) in the case of a by-election, as of the 75th day after voting day.”

Section 88.31 of the Municipal Elections Act outlines details of a candidate’s “surplus” if contributions exceed expenses and a candidate’s “deficit” if the reverse is true.

Section 88.23(1) of the Municipal Elections Act provides that a candidate is subject to the penalties listed in Subsection (2), in addition to any other penalty that may be imposed under this Act,

- a) if the candidate fails to file a document as required under section 88.25 or 88.32 by the relevant date;
- b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or
- d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by that section by the relevant date.

Section 88.23(2) of the Municipal Elections Act provides for the following penalties in the case of a default described in subsection (1):

- a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
- b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this Act applies.

Section 92(1) of the Municipal Elections Act provides that a candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 88.23 (2):

- a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or
- b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

Mail Tampering - Criminal Offence and Prosecution

Notification of the voting process and how electors can vote will be provided in the Voter Information Letter.

The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person found guilty is liable to a term of imprisonment not exceeding ten (10) years.

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Clerk in this alternative form of voting has agreed that all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering will be reported to the Police.

Timelines

2021	
Fall 2021	<p>Revisit the merits of the following bylaws and report to council for decision if necessary:</p> <ul style="list-style-type: none"> · Language of notices and forms, s.9; · Policy regarding circumstances in which a municipality requires a recount; · Contribution rebates, s.88.11. <p>Clerk to decide:</p> <ul style="list-style-type: none"> ○ E-filing of financial statements, ss.88.25(11) and 88.29(9); ○ Hours of voting at institutions; ○ Any voting places opening before 10:00 am
2022	
Beginning of Year	<ul style="list-style-type: none"> · Prepare package of information for candidates and list of information to be obtained from candidates at time of filing. · Calculate preliminary maximum campaign expense limit · Publish Notice of Nomination Period, s.32.
February 19	<p>Last day for notice of intent to pass a bylaw to submit question to electors, s.8.1(3).</p> <p>Note: At least one public meeting to be held prior to passage of by-law.</p>
March 1	<p>Last day to pass a by-law to submit a question to the electors. s.8.1(1)</p>
March 16	<p>Last day to give notice of passing a by-law to submit a question to electors. s.8.1(3)</p> <ul style="list-style-type: none"> · The last day to file an appeal of the by-law is within 20 days after it has been passed. · Within 15 days after passing the by-law, the Clerk shall give notice to the public and the Minister of the passing of a by-law to submit a question to the electors. s.8.1(4) · Within 60 days of receiving any notices of appeal, the Chief Electoral Officer shall hold a hearing regarding the appeal of the by-law s.8.1(9)
March 31	<p>Deadline for ward/poll data (defining voting subdivisions) to be submitted to MPAC, s.18(1-2).</p>
April 3	<p>Deadline for school boards to provide school board election Clerks with a copy of the report on determination and distribution of trustees; <i>Education Act</i>, Reg. 412/00 ss.9</p>

April 30	Last day for municipality and local boards to establish rules and procedures regarding the use of municipal resources during election campaign period. s.88.18
May 1	<ul style="list-style-type: none"> · Deadline to pass a by-law authorizing the use of voting and vote-counting equipment and/or alternate voting method. s.42(2) · Last day to pass a by-law with respect to the circumstances in which the Clerk shall hold a recount. s.56(5)
May 2	<p>Nomination period begins, s.33.</p> <ul style="list-style-type: none"> · On day candidate files, give candidate preliminary maximum campaign expense limit, s.33.01. · Provide candidate with interim maximum amount of contributions to candidates own election campaign. s.33.0.2 · Provide candidate notice of penalties related to campaign finances, s.33.1. · Provide candidates with a copy of procedures and forms established for vote-counting equipment or alternative voting method, s.42(3). · First day Notice of Registration as Third-Party Advertiser can be filed, s.88.6(7).
June 1	Final date to establish procedures and forms for use of voting or vote-counting equipment or alternative voting method. s.42(4)
July 31	Last day for MPAC to provide preliminary list of electors. s.19(1.1)
August 19	<p>Nomination Day (9am to 2pm) s.31</p> <ul style="list-style-type: none"> · Deadline for candidates to file or withdraw a nomination (2pm) s.33(4-4.1)
August 19	Last day to revoke a by-law to submit a question to the electors
August 22	<ul style="list-style-type: none"> · Certification of nomination papers by 4pm s.35(1) · Declare acclamation(s) after 4pm. s.37(2) · First day for an elector can appoint proxy (unless additional nominations required) s.44(4)
August 24	<ul style="list-style-type: none"> · If necessary, additional nominations will be received between 9am to 2pm s.33(5) · Withdrawal of additional nomination in writing by 2pm s.36
August 25	<ul style="list-style-type: none"> · Certification of additional nominations by 4pm. s.35(1) · Declare acclamation(s) after 4pm. s.37(2)
August & September	<ul style="list-style-type: none"> · Mail voter identification notice (optional). · Ad – Watch for voter identification notice (optional). · Ad – Is your name on the voters’ list? (optional). · Ad – Notice of Nomination Period (for additional nominations).
Sept 1	<ul style="list-style-type: none"> · Last day for reproducing the voters’ list and determining revision procedures s.23(2)

	<ul style="list-style-type: none"> ○ Upon written request – necessary before copy of voters’ list can be supplied to those referred to under ss.23(3) ○ Upon written request – necessary before copy of voters’ list of names of electors qualified to vote for the office can be provided s.23(4) <ul style="list-style-type: none"> · Revision Period for Voters List (Sept 1 to close of voting on voting day Oct 24th) · Determine head count for voting locations to be held at an institution with 20 beds occupied and 50 beds occupied at a retirement home as of this date. s.45(7) · Determine time and place for receipt of applications for revisions, s.23(2).
Sept 15 to 26	<ul style="list-style-type: none"> · Prepare and distribute interim list of changes to the voters’ list that were approved on or before Sept 15 s.27(1)
Sept 23	Last day to revoke by-law to submit a question to electors s.8.1(1)
Sept 24	Earliest date for mandatory advance voting day. s.43(3)
Sept 26	<ul style="list-style-type: none"> · Last day to provide copy of the interim list of electors to each person previously provided a copy s.27(1) · Issue Certificate of Maximum Campaign Spending Limits to candidates and third-party advertising registrants. <ul style="list-style-type: none"> ○ Provide candidate with: <ul style="list-style-type: none"> - Certificate of applicable maximum expenses s.88.20(6) - Certificate of applicable maximum contributions s.88.9.1(4) - Certificate of applicable maximum amount for third parties after voting day s.88.20(9) - Provide registered third parties with maximum expense amounts s.88.21(14)
Oct 1	<p>Deadline to establish compliance audit committee (CAC) for 2022-2026 term of office. s.88.37(1)</p> <ul style="list-style-type: none"> · CAC shall be composed of three to seven members and its term shall match that of council. · The Clerk shall establish administrative practices and procedures for the compliance audit committee, s.88.37(6). <p>Note: Clerk should alert the secretary(ies) of school board(s) of similar requirements to establish a CAC and administrative procedures.</p>
Oct 10	Deadline to request use of specific facilities for voting places without a charge.
Oct 21	Deadline for third party advertisers to file their notice of registration s.88.6(7)
Oct 21	Last day for third-party advertisers to register. S.88.6(7)

Oct 23	<ul style="list-style-type: none"> · Last day to provide candidates with notice of penalties related to campaign finances and the refund of the nomination filing fee. S.33.1 · Last day to prepare an accessibility plan (i.e., identifications, removal and prevention of barriers), s.12.1(2). Suggestion is to have this prepared ahead of advance voting for the public.
Oct 24	<p>Voting Day</p> <ul style="list-style-type: none"> · Voting locations (help centres) open at 10am and close at 8pm, s.46(1). (Note: Unless earlier opening established by the Clerk). · Deadline for applications to vote by proxy and for applications to amend the voters' list. <p>Unofficial election results traditionally released as soon as practicable, after 8:00 pm close of vote and all statements of counts have been returned and compiled by the Clerk.</p>
Oct 25	<p>Clerk to declare official election results as soon as possible after voting day (post on website) s.55(4.1)</p> <p>From date of declaration of official election results:</p> <ul style="list-style-type: none"> ○ Clerk has 15 days to conduct a recount in event of a tie or in accordance with any recount policy passed by municipality or school board s.56(2) ○ Council or school board has 30 days to pass motion requesting recount. ○ Minister has 30 days to order recount regarding question ○ Once all opportunity for a recount has expired, Clerk to certify results and advise upper tier, local board (and Minister in the case of a question on the ballot).
Nov 7	<p>First date on which council may consider a by-law to which the electors have given assent (14 days after declaration of results).</p>
Nov 15	<p>New Term of Office begins s.6(1)</p> <p>New council deemed organized when quorum of members have taken declaration of office <i>Municipal Act, 2001</i>, s.231</p>
Nov 23	<p>Final date to provide MPAC with the final list of changes to the voters' list, s.27(2)</p>
Dec 16	<p>Deadline for inaugural council meeting <i>Municipal Act, 2001</i>, s. 230</p>
Jan 3, 2023	<p>Campaign period ends s.88.24(1), s.88.28</p> <p>Deadline for candidate to provide Clerk with written notification of deficit and continuation of campaign period s.88.2.4(1-4) (This also applies to third-party advertisers)</p>

**This timeline is provided for information purposes only.
Candidates should refer to the Act and associated regulation(s).**

Discretionary Powers of the Clerk

Discretionary Authority (s.12)

A Clerk who is responsible for conducting an election may provide for any matter or procedure that;

- is not otherwise provided for in an Act or regulation; and
- in the Clerk's opinion, is necessary or desirable for conducting the election.

Other than the forms prescribed by the Minister, the Clerk has the authority to establish forms, including forms for oaths and declarations that are required to be used. The Clerk's authority also includes the power to require a person to furnish proof that is satisfactory to the election official as to the person's identity or qualifications including citizenship or residency.

The Clerk's authority does not include the power to require a person for the purposes of the procedure set out in s.52(1) – (Voting Procedure) to furnish proof of identity and residence in addition to what is prescribed. The discretionary authority provided to the Clerk in the MEA brings with it a degree of risk and inherent liability.

Under the revised MEA, Clerks have expanded powers/discretion, where no Council approval is required in the following areas:

- establishment of advance voting dates, locations and hours;
- establishment of reduced voting hours at long term care facilities;
- management of the Voters' List (additions/deletions/modifications);
- determination of whether filing of financial statements electronically will be permitted and any conditions or limits associated with electronic filing; and
- authority to develop a policy and present to Council for adoption of a by-law by May 1 of an election year to define circumstances under which a recount would be conducted.

The following chart outlines the Implied and Direct Discretionary Authority of the Clerk. It is not an exhaustive list, but captures a large amount of the legislation.

**The Municipal Elections Act, 1996, as amended, as amended
Implied and Direct Discretionary Authority of the Clerk**

Section	Short Description
	Summary of Broad Discretionary Authority
7;8(7);45	The Clerk has authority and control over the costs incurred for an election.
7(3)1	The Clerk shall bill a local board or upper tier municipality for the costs of a recount in a regular election for a local board or municipality, a by-law or question submitted by an upper tier or local board or Minister.
8(6)	The Clerk is responsible for giving notice to the public for any question on the ballot, regardless of whether it was initiated by a municipality, an upper tier or a Minister.
8(12)	The Clerk of a municipality can incur expenses in respect to a question which are required or authorized by this Act to be incurred.
11(1)	The Clerk is responsible for conducting elections. Unless otherwise provided, the Clerk has broad discretionary authority to determine the form and method of communication for notices, forms and other information provided by the Act.
12(1)	The Clerk may provide for any matter or procedure that is not specifically provided for in the Act or Regulations.
12(2)	The Clerk may establish forms such as oaths, statutory declarations and has the power to require their use.
12(3)	The Clerk may require a person to furnish proof of identity, qualification or any other matter.
12(4)	The power given the Clerk does not include the power to require a person for the purposes of s.52(1) – voting procedure – to furnish proof of identity and residence in addition to what is prescribed.
12.1	The Clerk shall have regard to the needs of electors and candidates with disabilities.
12.1(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.
12.1(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.
13(1)	The Clerk shall determine the form, manner and timing of any notice or other information required by the Act.
22(2)	For the purposes of subsection (1) – correction of errors in the preliminary list, the Clerk may use any information that is in the local municipality’s custody or control.
53(1)	The Clerk has discretion in determining what constitutes an emergency or circumstances that will undermine the integrity of the election.

53(2)	The Clerk has discretion in a declared emergency to make any arrangements deemed necessary for the conduct of the election.
53(4)	The Clerk determines when the emergency has passed.
55(4.1)	The Clerk shall, as soon as possible after Voting Day, make information available on the number of votes for each candidate, the number of declined and rejected ballots and the number of votes (yes or no) on a by-law or question and determine website or electronic format.
	Cost of Elections
7(2)(4); 8(7)	The Clerk has authority and control over the finances of an election.
	Notice of By-laws and Questions
8(6)	The Clerk shall determine the form and method of notice to the electors of by-laws and questions to be placed on the ballot.
	Certification of Vote Results
8(9)	The Clerk shall determine the form of certification when giving the result of the vote on a question or by-law.
	Information to Electors
12.1(1)	The Clerk shall identify strategies to provide for the needs of electors and candidates with disabilities.
12.1(2)	The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities before Voting Day in a regular election.
12.1(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.
13(2)	The Clerk may determine what information is necessary to inform electors how to exercise their rights under the Act.
45(8)	The Clerk may issue instructions to Deputy Returning Officers (DRO) regarding attending on an elector in an institution or retirement home.
	Appointment of Election Officials
15(1)	The Clerk shall appoint a Deputy Returning Officer (DRO) for each voting place.
15(1)	The Clerk may appoint other election officials in addition to DRO's. The Clerk determines what instruction and training is provided to election officials.
	Delegation of Authority
15(2)(3)(4)	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.
	Creation of Voting Subdivisions
18(1)	The Clerk may divide the municipality into voting subdivisions (on or before March 31 in the year of regular election).
18(2)	If the Clerk creates voting subdivisions, he or she shall inform MPAC (on or before March 31 in the year of a regular election).
	Correction of Preliminary List of Electors
19(1)(1.1)	The Clerk and MPAC may agree on a date for the delivery of the Preliminary List of Electors (which must be a date earlier than September 1). If no date agreed upon or prescribed – July 31.
22(1)	The Clerk may correct any obvious errors in the Preliminary List of Electors, and shall notify MPAC of the corrections.
22(2)	For the purposes of subsection (1), the Clerk may use any information that is in the local municipality's custody or control.

25(4)	The Clerk shall determine the format and manner of the written application to remove a deceased person's name.
Reproduction / Revision of Voters' List	
23(2)(a)(b)	The Clerk shall have the Voters' List reproduced on or before September 1 st and determine where and at what time applications for revisions to the Voters' List may be made under s.24 and s.25.
24(1)(2)	From September 1 st to the close of voting on Voting Day, a person may make an application to be added or removed from the Voters' List or have the information on the Voters' List relating to that person amended.
24(3)	The Clerk may approve or deny applications for revision to the Voters' List.
27(1)(a)(b)	During the period beginning September 15 and ending September 25, the Clerk shall prepare an interim list of changes to the Voters' List approved on or before September 15, and give a copy to each certified candidate and to each person who received a copy of the Voters' List under s.23.
27(2)(a)(b)	The Clerk shall within 30 days after Voting Day prepare a final list of the changes to the Voters' List and give a copy to MPAC.
28(1)	The Clerk shall prepare and certify the Voters' List for use in each voting place.
Nominations	
11.1(4)	The upper-tier Clerk responsible for accepting nominations can determine the format in which to send the names of candidates to lower-tier Clerk.
32	The Clerk shall give notice of the offices for which persons may be nominated and the nomination procedure under this act.
33(1.3)	The Clerk is entitled to rely upon the information filed by the candidates (endorsements).
35(2)(3)	The Clerk shall certify the nomination of qualified persons, and reject the nomination if not satisfied the person is qualified.
35(4)	The Clerk can determine the form and method of giving notice when a nomination is rejected and shall give notice to the person who sought to be nominated and to all candidates for the office, as soon as possible.
Acclamations	
37(1)(2)	The Clerk can determine the method of declaring acclamations.
Notice of Election	
40(a)(b)(c)(d)	The Clerk shall give notice to the electors and determine the form and method of giving such notice about the location of voting places, dates and times open, the manner in which electors may use voting proxies if applicable and if alternative voting methods, the manner in which electors may use the alternative voting methods.
Ballot Form	
41(2)3	The Clerk can agree to permit another name that a candidate uses to appear on the ballot.

41(2)5	If the surnames of two or more candidates for an office are identical or in the Clerks opinion so similar as to cause possible confusion, the Clerk shall differentiate the candidates on the ballots as the Clerk considers appropriate.
41(3)	The Clerk shall change some or all of the ballots to facilitate voting by the visually impaired without assistance.
41(4)	The Clerk can decide to use separate or composite ballots.
	Voting or Vote Counting Equipment or Alternative Voting Method
42(3)(a)(i)(ii)	Where there is a by-law providing for voting or vote counting equipment or an alternative voting method, the Clerk has discretion in establishing forms and procedures for carrying out the intent of the by-law.
42(3)(b)	The Clerk can determine the method for providing a copy of the procedures and forms to candidates and shall provide a copy of the procedures and forms to each candidate when his or her nomination is filed.
	Advance Vote
43(2)	The Clerk shall establish the date or dates, number, location and hours of Advance Voting.
43(5)(b)(ii)	The Clerk determines how to keep safe any Advance Vote ballot boxes and all other material and documents relating to the Advance Vote.
43(7)	The Clerk determines the method of updating Voters' Lists to reflect Advance Voting and ensures that the Voters' Lists for all voting places are updated to reflect voting that took place at an advance vote.
	Proxies
44(7)	The Clerk may determine what is required to verify that persons are qualified to appoint and be appointed as a voting proxy and if satisfied that the person who appointed the voting proxy is entitled to do so, and that the person appointed is entitled to act as the voting proxy, shall apply a certificate in the prescribed form to the appointing document.
	Voting Places and Procedures
45(1)(3)(5)	The Clerk has discretion in identifying the number and location of voting places and designating the area.
45(2)	In establishing the locations of voting places, the Clerk shall identify strategies that ensure that each voting place is accessible to electors with disabilities.
45(7)1,2,3	A voting place shall be located in an institution for the reception, treatment or vocational training of members or former members of Canadian Forces; an institution which on September 1 st 20 beds or more are occupied by persons who are disabled; chronically ill or infirm; and in a retirement home which on September 1 st , 50 beds or more are occupied.
45(8)	The Clerk may issue instructions to DRO's regarding attending on an elector in an institution or retirement home to allow him or her to vote.
45(9)	The Clerk shall issue instructions to DRO's regarding attending on electors with a disability, including mobility impaired, anywhere within the defined voting place.
46(2)	The Clerk may establish specific voting places to open on Voting Day before 10:00 am.

46(3)	The Clerk may establish reduced voting hours for a voting place that is only for the use of residents of the institution or retirement home.
47(1)(a)	The Clerk has the discretion to go to or remain in voting places during voting or when votes are being counted.
	Emergency
53(1)	The Clerk has discretion in determining what constitutes an emergency or circumstances that will undermine the integrity of the election.
53(2)	The Clerk has discretion in a declared emergency to make any arrangements deemed necessary for the conduct of the election.
53(4)	The Clerk determines when the emergency has passed.
	Opening Ballot Box
55(3)	The Clerk shall determine the results of the election by compiling the statements of results received from the DRO.
55(4)	The Clerk shall, as soon as possible after Voting Day, declare the elected candidate(s) and the result of the vote on any by-law or question.
55(4.1)	As soon as possible after Voting Day, the Clerk shall make information available on number of votes for each candidate, number of declined and rejected ballots, number of votes (yes or no) on a by-law or question.
55(5)	The Clerk, in the presence of the DRO, can decide to open a ballot box to assist with interpreting the statement of results.
	Recounts
56(1)(1.1)(2)	The Clerk shall hold a recount in accordance with policy within 15 days after declaration of results.
59	The Clerk may decide to include other candidates for an office in a recount.
61(1)1	The Clerk may be present at a recount in the case of a tie vote, or any policy passed, when the Council, Board or Minister requires a recount and when the Ontario Superior Court of Justice orders a recount – s.56,57,58,63
61(2)1	The Clerk may be present at a recount for a by-law or question.
61(6)	The Clerk determines disputes concerning the validity of a ballot or the counting of votes in a ballot.
61(7)	The Clerk may permit others to be present at a recount.
62(3)63(10)	If the recount leaves two candidates tied, the Clerk shall choose the successful candidate by lot.
	By-Elections
65(4)1	The Clerk sets the date of Nomination Day, in the case of a by-election.
65(5)1	The Clerk sets the date of voting if the by-election relates to a question or by-law.
	Financial Reporting
33.0.1(1)	The Clerk determines the form of the preliminary certificate of maximum campaign expenses, upon the filing of a person's nomination and shall give the person, or their agent filing the nomination for the person, a certificate of the applicable maximum amount as of the filing date.

33.1	The Clerk shall, before Voting Day, give notice of the penalties under s.88.23(2) and s.92(1) related to election campaign finance to each person nominated for an office.
88.20(13)(a)(b)	The Clerk determines the form and method of delivery of the certificate of maximum campaign expenses. The Clerk shall calculate the maximum amounts permitted by subsections 6(candidate expenses) and subsection 9(expenses, parties etc.) for each office for which nominations have been filed and shall give a certificate of the applicable amounts to each candidate on or before September 25 in a regular election, and within 10 days after the Clerk makes the required corrections in the case of a by-election.
88.22(3)	The Clerk determines the form and process of the notice of default.
88.25(9)	The Clerk determines the form and method of delivery of notice to candidates of the campaign expense filing requirements and shall give notice at least 30 days before the filing date.
Election Records	
88(2)(a)(b)	When the 120-day period has elapsed, the Clerk shall destroy the ballots and may destroy other documents and materials related to the election.
88(4)	The Clerk shall retain the financial statements until the next election.
88(9.1)	The Clerk shall make the documents filed under s.88.25, 88.29 and 88.32 available at no charge for viewing by the public on a website or in another electronic format as soon as possible after the documents are filed.

Index of Forms

Form # Description

Ministry Forms

Form 1	Nomination Paper
Form 2	Endorsement of Nomination
Form 3	Appointment for Voting Proxy
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

Municipal Forms

EL07	List of Certified Candidates
EL08	Certificate of Election Results
EL09	Final Summary of Election Results
EL10	Appointment and Oath – Deputy Returning Officer
EL11	Appointment and Oath – Election Official
EL12A	Appointment of Scrutineer by Candidate
EL12B	Oral Oath of Secrecy
EL13	Appointment of Scrutineer – By-Laws or Questions
EL14	Candidates Declaration – Proper Use of Voters List
EL15	Application to Amend Voters List
EL16	Application for Removal of Another’s Name from Voters List
EL17A	Notice of Nomination of Office
EL17B	Notice of Additional Nominations
EL19	Withdrawal of Nomination
EL20	Delegation of Acclaimed to Office
EL21	Notice of Death or Ineligibility of Candidate
EL22	Certificate of the Voters’ List
EL23	Voting Place Agreement
EL24	Notice of Election Information
EL25	Certificate of Receipt for Ballots
EL26	Oath of Qualification
EL27	Oral Oath of Friend or Interpreter
EL28	List of Person Who Voted at an Advance Vote
EL29A	Voting Instructions – Manual Count Ballot
EL29B	Voting Instructions – Optical Scan
EL30	List of Objectives to Vote count – Manual County
EL31AB	Statement of Election Results – Manual Count and Optical Scan
EL32	Declaration of Election Candidate(s)
EL33	Declaration of Results – By-Laws or Questions
EL34	Statutory Provisions Regulating Voting Provisions

- EL35 Notice of Offence and Corrupt Practice
- EL36 Disclaimer to Right of Office
- EL37A Certificate of Maximum Campaign Expenses
- EL37B Certificate of Maximum Amount of Contributions Own Campaign
- EL37C Certificate of Maximum Amount of Expenses for Parties, Etc.- Candidate
- EL38 Witness Statements as to Destruction of Ballots
- EL39 Notice of Recount
- EL40 Recount Results
- EL41 Declaration of Recount Results
- EL42A Notice to Candidate of Filing Requirements (including Notice of Penalties)
- EL42B Notice to Third Party of Filing Requirements (including Notice of Penalties)
- EL43A Notice of Default – Candidate
- EL43B Notice of Default – Third Party
- EL44 Notice of By-Election
- EL45A Voter Identification Card
- EL45B Canada Post Specifications – Voter Notification Card
- EL46 Ballots Account
- EL47 Election Official Application
- EL48 Sample Election Official Exam
- EL49A Sample Composite Ballot
- EL50 Appointment of Voting Proxy
- EL51A Certificate of Maximum Amount of Campaign Expenses – Registered Third Party
- EL51B Certificate of Maximum Amount of Expenses for Parties, Etc.– Registered Third Party
- EL52 Consent to Release Personal Information
- EL53 Application for Re-Issue of a Voter Information Letter (Lost and Unused)
- EL53A Application for Re-Issue of a Voter Information Letter (Used by an Impersonator)