

Candidates and scrutineers at a voting place	City Clerk's Office – Toronto Elections
	Policy No.: POL-LCEF-003-BE

This policy has been revised from the general election policy approved June 2022.

1. Policy

Candidates and scrutineers are permitted to be present at the voting place to observe the voting process in addition to their rights outlined in various sections of the Municipal Elections Act, 1996.

The City Clerk requires that a declaration be taken when a candidate or scrutineer enters the voting place. A candidate and/or scrutineer entering the same voting place is required to take only one declaration each day during the advance vote if there are multiple days of voting. The City Clerk will decide whether declarations are to be made orally or in a written format. Where oral declarations are required, they shall be recorded.

Candidates and scrutineers shall not have access to the voters' list during the advance vote or on election day because an electronic voters' list is used. Upon request, the City Clerk shall provide to candidates or scrutineers a list showing the name of each person who voted following each day of the advance vote, as is required by the Municipal Elections Act, 1996.

Institutions (long term care) and retirement homes, as described in Section 45(7) of the Municipal Elections Act, 1996, will have reduced voting hours. Candidates are entitled to attend voting locations, including voting places in institutions and retirement homes, but will be required to adhere to facility health and safety measures. Candidates and scrutineers will be allowed to view the tabulation of these ballots at a time and location determined by the City Clerk.

2. Application

This policy applies to candidates and scrutineers in Toronto municipal elections and/or by-elections.

3. Authority/Legislative reference(s)

Section 12 of the Municipal Elections Act, 1996 outlines the powers of the City Clerk, including that they may provide for any matter or procedure that is not otherwise provided for in an Act or regulation and that, in the City Clerk's opinion, is necessary or desirable for conducting the election.

Section 16 of the Municipal Elections Act, 1996 provides candidates with the ability to appoint scrutineers to represent them during voting and at the counting of votes, and outlines what is required for their appointment.

Sections 43, 47-49, 52 and 54 of the Municipal Elections Act, 1996 outline the rights and requirements of candidates and scrutineers during both the advance vote period and on voting day.

Section 46(3) of the Municipal Elections Act, 1996 provides that the City Clerk may establish reduced voting hours in an institution.

4. Implementation

- (1) Candidates and scrutineers are not permitted to interfere with or to disrupt the voting process, and may not handle any documents in the possession of a designated election official, including, but not limited to the voters' list, Voter Information Cards and other election forms.
- (2) Candidates and scrutineers present at a voting place must take the declaration outlined in Appendix "A".

Date Approved: December 2022

Appendix "A" Scrutineer or Candidate Declaration

Declaration – Scrutineer or Candidate

I, _____, declare that I will not:

- Interfere or attempt to interfere with an elector who is marking the ballot.
- Obtain or attempt to obtain, at a voting place, information about how an elector intends to vote or has voted.
- Communicate any information obtained at a voting place about how an elector intends to vote or has voted.