

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

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 advance vote. The City Clerk will determine 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 advance vote 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 advance vote, as required by the Municipal Elections Act, 1996.

2. Application

This policy applies to candidates and scrutineers in Toronto 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 outlines the rights and requirements of candidates and scrutineers during both advance vote and on election day.

4. Administration

- (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: October 2023

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.