

Retention of Election Records	City Clerk's Office – Toronto Elections
	Policy No.: POL-EEMO-001-WBE

1. Policy

The City Clerk shall retain and not alter the ballots and all other election documents and materials related to a Toronto election¹ for 120 days after declaring the results of the election.

2. Application

This policy sets out the retention requirements of election documents and materials, including ballots, identification documents, memory media, results tapes, and other materials that were produced during pre-election and post-election tests.

3. Authority/Legislative reference(s)

Section 88 of the Municipal Elections Act, 1996 sets out the requirements of the City Clerk to keep and maintain election records.

Toronto Municipal Code Chapter 217, Records, Schedule A sets out the retention period for specific election related records.

4. Administration

Elector Identification

- (1) All copies of identification received by the City Clerk's Office for the purpose of adding to, removing from, or amending the voters' list, applying provisionally to vote by mail, or obtaining a Voting Proxy Certificate, must be:
 - (a) returned to the elector and/or their agent, if submitted in person;
 - (b) returned to the elector and/or their agent, if an original document is received by mail; or
 - (c) destroyed upon verification of the elector's identity, if a copy is received by mail.

¹ All references to an "election" in this Policy include a "by-election".

Election Documents are Public Records

- (2) Documents and materials filed with or prepared by the City Clerk or any other election official under the Municipal Elections Act, 1996 are public records and, until their destruction, may be inspected at the City Clerk's Office, with prior notice, when the office is open:
 - (a) including, but not limited to:
 - (i) documents filed by a candidate and/or third party advertiser;
 - (ii) contribution rebate application forms that individual contributors submit;
 - (iii) voting proxy applications and ballot transfer; and
 - (b) with the exception of:
 - (i) contents of a ballot box or any voters' list amendment applications, unless authorized to do so by court order.

Retention of Ballots and Other Related Materials

- (3) The City Clerk will retain copies of ballots and all other election documents and materials in a secure manner that prevents unauthorized access for 120 days after declaring the results of the election.
- (4) Except for records listed in section 4(5) of this policy, the City Clerk will destroy ballots and all other election documents and materials after the 120 day period has elapsed unless a court orders otherwise, or in the case of a legal proceeding, or in the event of a recount in accordance with sections 88(2) and 88(3) of the Municipal Elections Act, 1996.

Retention of Other Election Related Materials

- (5) All other election related records, including campaign finance, election results and election personnel for example will be retained in accordance with Toronto Municipal Code Chapter 217, Records.

Date Approved: September 2024