
Declarations in the voting place	City Clerk's Office – Toronto Elections
	Procedure No.: PRO-ELER-002

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1. Purpose

This document outlines the purpose and procedure for administering declarations in the voting place during advance voting and on election day.

2. Application

This procedure applies to election officials designated by the City Clerk and persons requesting a ballot during Toronto municipal elections, by-elections, and/or referendums conducted by the City Clerk.

3. Authority/Legislative reference(s)

Section 12(1) of the Municipal Elections Act, 1996 states that the City Clerk may provide for any matter or procedure that is not otherwise provided for in an Act or regulation and that, in their opinion, is necessary or desirable for conducting the election.

Section 52(1)2 of the Municipal Elections Act, 1996 states if the deputy returning officer, a scrutineer or a certified candidate objects to the person voting, the deputy returning officer shall have the fact of the objection and by whom it was made recorded on the voters' list next to the person's name.

Section 52(1)3 of the Municipal Elections Act, 1996 states that when an objection has been made as described in paragraph 2, the deputy returning officer shall give the person a ballot if the person takes an oath or affirmation stating that he or she is entitled to be an elector for the voting place and has not already voted in the election.

4. Voting Place Declarations

The City Clerk is responsible for deciding whether declarations are to be made orally or in a written format. Where oral declarations are required, they shall be recorded on the voters' list.

The City Clerk requires a declaration (see Appendix "A") to be taken at the voting place in the following scenarios:

(1) Declaration of Identity (written):

- A declaration of identity is completed when a voter is on the voters' list, is not marked on the voters' list as a Provisional Elector and does not have identification.
- The voter confirms that the information is correct and signs the written declaration.

(2) Declaration #1 – Personation (oral):

- When a voter appears on the voters' list as already having been marked voted, Declaration #1 is administered and the voter declares that they are a qualified voter and have not already voted in the election, or
- When an election official, candidate or scrutineer objects to a person voting, as outlined in the MEA s. 52(1)2.

(3) Declaration #2 – Interpreter (oral):

- An interpreter for an elector is required when the elector needs assistance to communicate with an election official due to a language barrier to interpret communications between the elector and election official.
- An interpreter may be anyone who the elector asks to assist them in translating communications in order to vote but cannot accompany the elector behind the voting screen to assist with marking the ballot.
- A child may act as an interpreter if they are 6 years of age or older and the designated election official is satisfied that they are competent to act as an interpreter on behalf of an elector.
- An interpreter may assist more than one voter, but a declaration must be made each time.
- An election official who acts as an interpreter is not required to take a declaration.
- An interpreter cannot be a candidate or scrutineer.

(4) Declaration #3 - Friend of a Voter (oral):

- When an elector requires assistance to mark their ballot, a friend of the elector may assist the voter behind the voting screen.
- A friend of an elector may be anyone who the elector asks to assist them in order to vote, including accompanying the elector behind the voting screen area to mark the ballot as directed by the elector.
- A friend of an elector may assist only one voter. This does not apply to persons who are election officials, working in an institution or family members.
- An election official who acts as a friend of an elector is not required to take a declaration.
- A friend of an elector cannot be a candidate or scrutineer.

5. Related Policies and Procedures

Voting during advance vote and on election day.

Date Approved: June 2026

Appendix "A" – Voting Place Declarations

Declaration of Identity (written)

Use:

- When a voter is on the voters' list;
- Is not marked as a Provisional Elector; and
- Has no identification

Restrictions:

- Cannot be used if the voter is a Provisional Elector

Declaration #1 – Personation (oral)

Use:

- When a voter appears on the voters' list as being marked voted, or
- When an election official, candidate, or scrutineer objects to the voter requesting a ballot

Restrictions:

- N/A

Declaration:**STEP 1: The voter must review these requirements.**

A person is entitled to vote in a Toronto municipal election or by-election if they are:

- a Canadian citizen;
- at least 18 years old;
- a resident in the city of Toronto; or
- a non-resident in the city of Toronto, but own or rent property in Toronto or are the spouse of a person who owns or rents property in Toronto; and
- not prohibited from voting under any law.

A person may only vote once regardless of how many properties they own or rent within the city of Toronto. A resident of Toronto must vote in the ward where they live, not the ward(s) where they own or rent additional property.

STEP 2: The voter must read out loud:

I, (state your name), declare I am a qualified voter, and I have not already voted in this election.

Declaration #2 – Interpreter (oral)

Use:

- When a voter requires the assistance of another person to communicate with the election official

Restrictions:

- A person may act as an interpreter more than once but must take the declaration each time
- Interpreters cannot go behind the voting screen with the voter
- A candidate or scrutineer cannot be an interpreter

Declaration:

I, _____, declare I will, in my role as interpreter, truthfully translate any declaration, document or question put to the elector and the answer.

Declaration #3 – Friend of a Voter (oral)

Use:

- When a voter requires the assistance of another person to mark their ballot

Restrictions:

- A friend may go to the voting screen area with the voter to mark the ballot
- A person may act as a friend only once, except in nursing homes or for family members
- A candidate or scrutineer cannot act as a friend of a voter

Declaration:

I, _____, declare I will:

- *Mark the ballot as directed by the voter*
- *Not try to influence the voter in making their choice*
- *Keep secret how the voter has voted*