



## SCRUTINEER GUIDELINES 2018

THE DEPUTY RETURNING OFFICER IS RESPONSIBLE FOR THE CONDUCT OF THE VOTING STATION AND NO CANDIDATE OR SCRUTINEER HAS THE RIGHT TO INTERFERE WITH THE DEPUTY RETURNING OFFICER IN THE DISCHARGE OF HIS/HER DUTIES. THE INTEGRITY OF THE ELECTION WILL BE UPHELD BY EACH DEPUTY RETURNING OFFICER.

CANDIDATES ARE ALSO SUBJECT TO ALL GUIDELINES FOR THE SCRUTINEERS WHILE ATTENDING THE VOTING STATIONS.

ACCLAIMED CANDIDATES ARE NOT ENTITLED TO BE AT A VOTING PLACE UNTIL APPOINTED AS A SCRUTINEER BY ANOTHER CANDIDATE

### **Appointment of Scrutineer**

1. A certified candidate may appoint scrutineers to represent him/her during voting and at the counting of the votes, including a recount.
2. The appointment shall be in writing on the prescribed form (Form EL12(A)).
3. There are no age restrictions to be a scrutineer, nor any provision that a scrutineer cannot be related to the candidate who makes the appointment.

### **Attendance at Voting Station**

1. Before being admitted to a Voting Station, a person appointed as a scrutineer shall produce and show his/her appointment on the prescribed form to the Deputy Returning Officer for the Voting Station and take the oral Oath of Secrecy (Form EL12(B)) from the Deputy Returning Officer before being permitted to remain in the Voting Station.
2. During the fifteen minutes before the opening of the Voting Station, the candidate or scrutineers who are entitled to be present in a Voting Station during voting hours, are entitled to visually inspect the ballots and all other papers, forms and documents, but not so as to delay the timely opening of the Voting Station.
3. The candidate or his/her scrutineer has the right to place their own seal on the ballot box immediately before the opening of the Voting Station so that ballots can be deposited in the box but cannot be withdrawn without breaking the seal; and immediately after the close of each of the Advance Vote days and Election Day so that ballots cannot be deposited or withdrawn without breaking the seal. The seal MUST NOT contain any writing that could be considered "election campaigning", therefore, the name of the candidate IS NOT permitted on the seal.

NOTE: If the Deputy Returning Officer's Statement of Election Results is NOT complete or contains an error, the ballot box will be opened in the presence of the Clerk and the Deputy Returning Officer in order to resolve the discrepancy. It is NOT a requirement that candidates and/or scrutineers be notified or be present when this takes place.

4. Scrutineers/candidates are permitted to listen to discussions between the DRO/Poll Clerk and the elector but they are NOT permitted to observe how an elector votes. Scrutineers/candidates are NOT allowed to speak to electors, touch the ballots or interfere with the voting process. THEY ARE SIMPLY THERE TO OBSERVE.
5. Only ONE scrutineer per candidate is allowed at any given time at each Voting Station or Ballot Box. The candidate and his/her scrutineer ARE NOT permitted to be present at the Voting Station at the same time. If a candidate or scrutineer wishes to have a discussion with another scrutineer or candidate, they must leave the Voting Subdivision and carry on their discussion outside of the Voting Station. Scrutineers may NOT wander about – they must remain where assigned.
6. Scrutineers/candidates may examine the Voters' List periodically to determine who has voted or to count how many electors have voted. However, this periodic examination should not slow down the voting process.
7. A scrutineer/candidate may object to a person voting and the Deputy Returning Officer shall record the fact of the objection on the Voters' List next to the person's name. If the person takes an oath or affirmation stating that he/she is entitled to be an elector for the Voting Station and has not already voted in the election, the Deputy Returning Officer shall give the person a ballot.
8. Upon request, the scrutineer/candidate is entitled to receive a summary of the information contained on the Deputy Returning Officer's statement.

### **Counting of Ballots**

1. Scrutineers/candidates wishing to observe the count MUST be at the Voting Station prior to 8:00 p.m. No one will be admitted to the Voting Station after 8:00 p.m.
2. After the close of the Voting Station and during the counting of the votes, scrutineers must adhere to the following guidelines:
  - Observe the counting of the ballots.
  - Allowed full opportunity to examine each ballot but NOT allowed to handle them.
  - May object to a ballot in whole or in part (several offices on one ballot)
  - The Deputy Returning Officer shall note any objection on the back of the ballot in the space provided.

- The final decision as to whether a vote should be counted is the sole responsibility of the Deputy Returning Officer.
- Scrutineers/candidates shall not, in any way, impede the process of the counting of the votes.
- No word, letter or mark placed on a ballot by a Deputy Returning Officer voids it or warrants its rejection; these notations are important especially if a recount is necessary. The total votes cast for each candidate as counted by the Deputy Returning Officer and Poll Clerk is final. They are not required to do a second recount.

### **Rejected Ballots**

It is important that the scrutineer/candidate understand what constitutes a “rejected” ballot. When counting the ballots, if the voter has shown “intent to vote” for any or all of the offices, the ballot for those offices should be counted.

However, the Deputy Returning Officer must reject a ballot if:

- It was not supplied by the Deputy Returning Officer.
- It contains votes for more candidates than are to be elected for any one office.
- There is any writing or marks made by an elector which could identify him/her (eg. initials).
- It has been so torn or defaced or otherwise dealt with by the elector that the elector could thereby be identified – the whole composite ballot must be rejected.
- The rejection of a vote for one office does not automatically mean the entire composite ballot should be rejected.

### **General Guidelines**

- Scrutineers/candidates will be required to wear a button/name tag identifying their status in the Voting Station.
- No campaign material or literature of any nature whatsoever shall be displayed within the Voting Station. The boundaries of the Voting Station are the boundaries of the property where the Voting Station is located and includes the parking lot. Candidates may not “linger” outside a Voting Station. If they are not participating in supervising the vote, they must leave the property immediately.
- Candidates, supporters and scrutineers are NOT permitted to wear campaign material, hand out campaign material or park a vehicle displaying campaign material in the parking lot of the Voting Station.
- Use of cell phones is NOT permitted inside the Voting Station.
- Scrutineers/candidates are reminded to provide a clipboard for their use as sitting at the table, which is provided for the Deputy Returning Officer and Poll Clerk, is NOT permitted.

ANYONE NOT ADHERING TO THE CONDUCT EXPECTED AT THE VOTING STATION WILL BE REQUESTED TO LEAVE IMMEDIATELY BY THE DEPUTY RETURNING OFFICER, THE CLERK OR THE DEPUTY CLERK.