



Municipal Returning Officer's Election Handbook

Please Note: This Handbook is intended as a guide for Returning Officers administering municipal and CSAP elections. The Municipal Elections Act and other legislation or policies should be consulted for reference on the provisions for conducting municipal elections.

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Part One: Municipal Returning Officer's General Information and Procedures

Please Note: Reference to sections of legislation in various parts of this Handbook are to the *Municipal Elections Act*, unless otherwise stated.

Chapter One - General Information

Section 1.1.1 – Legislation

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards.

In April 2018, the *Education Reform Act* dissolved the previously elected school boards. The *Conseil scolaire acadien provincial* (CSAP) is currently the only elected school board.

Section 1.1.2 – Election Officers

1.1.2.1 - Municipal Elections Officer

Appointment

The *Municipal Elections Act* [s. 3] provides for the Governor in Council to appoint a person as the Municipal Elections Officer.

Duties of Municipal Elections Officer

The duties of the Municipal Election Officer are to:

- Issue returning officers any instructions that may be deemed necessary to ensure effective execution of the provisions of the Act, and
- Perform any other duties prescribed under the Act.

Contact information is provided in Appendix “A”.

1.1.2.2 - Municipal Returning Officer

Appointment

The returning officer (who may be the municipal clerk/Chief Administration Officer or another municipal employee or a person who is not a municipal employee) is appointed by council to conduct regular and special elections [s. 4].

If the returning officer is being appointed for the first time, the appointment must be completed before March 15th in a regular election year [s. 4(1B)].

When Reappointment is Not Required

Once appointed, the returning officer does not have to be reappointed for subsequent regular or special elections unless the original appointment was for a fixed term.

Duties of Returning Officer

The Act [s. 6] provides that the returning officer is responsible for:

- overseeing and directing the administrative conduct of the election
- appointing and instructing other elections officers (enumerators, revising officers, deputy returning officers, poll clerks)
- appointing and instructing substitute election officers where needed
- setting up polling stations
- requiring election officers to be fair and impartial in their duties
- performing any other duties required by legislation

1.1.2.3 - Assistant Returning Officer (Optional)

Council may appoint one or more assistant returning officer(s) to assist the returning officer [s. 4(1A)]. Council may delegate its powers of appointment to the clerk or CAO [s. 4(1C)].

The assistant returning officer(s) assist(s) the returning officer in carrying out the returning officer's duties and acts as returning officer in the absence or at the request of the returning officer.

1.1.2.4 - Registrar of Voters (Optional)

The council may appoint a registrar of voters on the recommendation of the returning officer [s. 22].

The appointment must be made by May 1st in a regular election year.

The duties of the registrar of voters are to oversee the conduct of enumeration and to assist the returning officer in the preparation of the preliminary list of electors.

If council does not appoint a registrar of voters, the returning officer must carry out these duties.

See Chapter 4 of this Part for more information about preparation of a preliminary list of electors.

1.1.2.5 - Enumerators (Optional)

Where council has directed that the preliminary lists of electors for the municipality be prepared wholly or partly by enumeration, the returning officer appoints sufficient enumerators to register the electors [s. 23].

See Part 3 of this Handbook, Guide for Enumerators, for more information.

1.1.2.6 - Revising Officer (Optional)

The returning officer appoints a revising officer to conduct a revision of the preliminary list of electors for one or more polling districts in the municipality [s. 33].

The registrar of voters may be appointed as revising officer.

The returning officer may act where no revising officer has been appointed.

The revision process and the responsibilities of the revising officer are presented in Chapter 4 of this Part.

1.1.2.7 - Deputy Returning Officers (DROs) and Poll Clerks

DROs and poll clerks are responsible for the polling stations on the voting days.

DROs and poll clerks are appointed by the returning officer. They may also be dismissed and replaced by the returning officer for cause [s. 58].

See Part 4 of this Handbook, Guide for Deputy Returning Officers and Poll Clerks, for more information.

Section 1.1.3 – Oath or Affirmation of Office

On appointment, all election officials must take an oath or affirmation of office.

The returning officer, assistant returning officer(s) (if appointed) and revising officer (if appointed), must take the oath or affirmation in Form 1 of the *Municipal Elections Act*, to act faithfully and impartially in the performance of their duties.

The registrar of voters (if appointed) must take an oath or affirmation in **Form 4** of the *Municipal Elections Act*.

The oath or affirmation for deputy returning officers and poll clerks is explained in Part 4 of this Handbook (Guide for Deputy Returning Officers and Poll Clerks).

If the municipality is using e-voting technology an Auditor appointed under the local by-law is required to take the appropriate Oath before commencing duties **[s. 146 (3A)]**

The oath or affirmation for enumerators is explained in Part 3 of this Handbook (Guide for Enumerators).

It is the practice in many municipalities for the RO to take the oath prior to each electoral event that they administer.

Section 1.1.4 – Persons Disqualified for Appointment as Election Officer

The returning officer is prohibited from appointing anyone as an election officer convicted of corrupt practice or bribery in the 10 years before election day. [s. 8].

Section 1.1.5 – CSAP Returning Officers

Municipal returning officers are responsible for school board elections [Education

(CSAP) Act, s. 48(2)]. As per recent changes to the *Education Reform Act* and the *Municipal Elections Act*, the only school board elected in the province is CSAP.

Because CSAP school board electoral district boundaries can include more than one municipality, not all municipal returning officers are required to act as CSAP school board returning officers.

Even if a municipal returning officer is not the returning officer for a school board election in their municipality, the municipal returning officer is responsible for CSAP school board voting in the municipality.

The returning officers of those municipalities shall designate one of themselves to be the returning officer for the CSAP school board election.

One municipal returning officer in a school board electoral district containing more than one municipality is designated to act as the school board returning officer, and the returning officers of the other municipalities work closely with the designated school board returning officer [s. 5(1)].

Refer to Part 2 of this Handbook for

- the responsibilities of the CSAP school board returning officer,
- the responsibilities of municipal returning officers administering a CSAP school board vote, and
- an explanation of voting in a CSAP school board election.

Section 1.1.6 – General Information for a Regular Election Year

1.1.6.1 - Term of Office

Mayors, councillors, and CSAP school board members are elected on the same day for four-year terms [s. 2(1) (ac), s. 10].

1.1.6.2 - Election Day

General elections are held every four years on the third Saturday in October, starting in the year 2000 [s. 10].

The hours of voting for election day are 8:00 a.m. to 7:00 p.m.

Please note: Beginning in 2020, a returning officer has the authority under the *Municipal Elections Act* to extend voting hours on ordinary polling day if interrupted by an emergency, if it is determined that a substantial number of voters will be unable to vote. The latest the voting hours can be extended is until midnight on ordinary polling day.

This provision should be used sparingly. The Municipal Elections Officer should be able to assist with advice if a situation arises on ordinary polling day.

1.1.6.3 - Advance Poll Days

The legislation provides for two advance poll days [s. 2(1)(a)]:

- The first advance poll must be held on a day fixed by council resolution, which must be either Thursday, 9 days before ordinary polling day, or Saturday, 7 days before ordinary polling day. Council may delegate its authority to the RO to set the date of the first advance poll day.
- The second advance poll must be held on Tuesday, 4 days before ordinary polling day.
- The hours of the advance poll are 12:00 noon to 8:00 p.m. on each day [s. 114(5)].

1.1.6.4 – Other Voting Methods

Alternative Voting

Municipal councils may by by-law authorize voters to vote by mail, electronically or by another voting method. When the by-law provides for voting via the internet through the unsupervised use of a personal computing device, the by-law must permit voting by some other means on each advance poll and on ordinary polling day. It is not necessary to provide for paper ballots as the second means of voting.

The by-law must provide for:

- notification of electors
- form of the ballots where applicable
- swearing in and voting on election day
- the method of counting the ballots or votes, and
- the rejection of ballots or votes.

Sixty days prior to ordinary polling day, the returning officer must establish procedures and forms for the conduct of voting in accordance with the by-law and provide a copy of the procedures and forms to each candidate for election. Those forms could form part of the by-law.

The by-law may provide for additional hours and dates at advance poll, including permitting voting twenty-four hours per day over a period of days.

Internet Voting – CSAP School Boards

When voting via the internet for a CSAP election(s), the electors must be provided with the qualifications to vote before requesting the ballot. There must be a mechanism in place where they then request the ballot of their choice upon confirming qualification, before they proceed to vote.

An earlier court decision has made it very clear that the elector has to request the particular ballot. Information stating qualifications to vote for this office must also be made visibly available in polling stations where traditional voting takes place on both advance poll days and on ordinary polling day.

Telephone Voting - School Boards

When voting by telephone for CSAP, the electors must hear the qualifications to vote before requesting the ballot. There must be a mechanism in place where they request the ballot upon confirming qualification, before they proceed to vote.

An earlier court decision has made it very clear that the elector has to request the particular ballot.

Section 1.1.7 – Cost of Elections

1.1.7.1 - General

Council may ask the returning officer to estimate the cost of the election for budgetary purposes.

Included in the costs would be such items as supplies, personnel, the cost of the list of electors (preparation and revisions), training costs and the rental of premises for polling stations and other purposes.

Some costs of holding a CSAP school board election can be recovered from the CSAP school board. See Section 1.1.7.3.

1.1.7.2 - Tariff of Fees and Election Expenses

Council is required to set a tariff of fees and expenses for the costs of the election in the municipality [s. 139]. Council may delegate its authority to the clerk or CAO [s. 139 (1A)].

In addition, council may revise and amend the tariff and provide for a method of verifying payments and may authorize additional payments where compensation appears to be low or where the services or expenses incurred are not covered in the tariff.

The items usually included in the tariff are stipends payable to enumerators, DROs, poll clerks, or other election workers assisting the returning officer.

A model tariff is included in Appendix “E.”

1.1.7.3 - Recovery of Costs of the CSAP School Board Elections

Municipalities are entitled to claim from the CSAP school board the additional costs of the CSAP school board election [*Education (CSAP) Act*, S.48(4)]. Municipalities have claimed the following, where applicable:

- portion of the stipend paid to the returning officer
- administrative costs for things like photocopying, communications charges, courier/delivery charges
- costs of supplies, such as ballots and poll materials

- polling station costs, including costs of poll officials
- training costs
- advertising costs

Detailed claims should be submitted to the superintendent of the CSAP school board, following the election.

Section 1.1.8 – Municipal Council Elections

1.1.8.1 - Municipal Council Members

Electors voting for council members cast ballots for:

Mayor

- in towns and regional municipalities, and in any county or district municipality that adopts a mayoralty system.
- the elector is entitled to vote for only one of the candidates for mayor.

Councillors

- in all municipalities.
- Councillors are elected in one of three ways:
 1. At large in towns that are not divided into polling districts (wards). The elector votes for the candidates of choice, up to the maximum number of councillors authorized for the town.
 2. Two councillors per polling district (ward) in a few towns. The elector is entitled to vote for not more than two of the candidates.
 3. One councillor per polling district in all other municipalities. The elector is entitled to vote for only one of the candidates.

1.1.8.2 - Municipal Plebiscite

A council can decide that the municipality should seek the opinion or approval of the electorate on a particular issue [s. 53(2)] of the *Municipal Government Act (MGA)*.

Where council has directed a question to be asked, the returning officer must arrange to hold a plebiscite. The plebiscite can be held with a general or special election, or be held separately. If it is held separately, it is conducted in the same manner as a special election.

A local Returning Officer should direct any questions about a plebiscite called under the *Municipal Election Act Sec. 56 (2) or Sec. 53 of the MGA* to officials at the Department of Municipal Affairs and Housing. The Municipal Elections Officer in particular should be able to assist with advice. There likely will be a requirement to work with other

government agencies i.e. the NSUARB and ENS, however for clarity the primary contact should be with the Department of Municipal Affairs and Housing. **Sec. 30(2) and 30B of the MEA** are also relevant to Plebiscites held as "special elections".

Section 1.1.9 - Other Elections Held in Conjunction with Municipal Elections

1.1.9.1 – CSAP School Board Election

Each municipal polling district is within the jurisdiction of the *Conseil scolaire acadien provincial* (CSAP).

In each polling district, there could be an election for a board member for CSAP. To vote in a CSAP election, the elector needs to be an 'eligible person' under the *Education (CSAP) Act*. More information on CSAP elections is in Part 2 of this Handbook.

Chapter Two – Qualifications to Vote

Section 1.2.1 - Persons Qualified for Registration and Voting for Council Elections

Under the *Municipal Elections Act* [s. 14], a person entitled to be registered on the list of electors and to vote in a municipal election must:

- be 18 years or older and a Canadian citizen on the first advance polling day;
- is a Canadian citizen on the first advance polling day;
- have been ordinarily resident in the Province for a period of 6 (six) months immediately preceding the first advance polling day; and
- is ordinarily resident in the municipality or in an area annexed to the municipality and to have been so since immediately before the first advance polling day.

1.2.1.1 - Persons Not Qualified to Vote

The Act [s. 15] disqualifies the following persons from registration or voting:

- the returning officer
- an inmate in a correctional or reform centre
- a person convicted of bribery under the *Municipal Elections Act* in the 6 years preceding election day

Nova Scotia does not have non-resident voting. This means that municipal taxpayers who are not ordinarily resident in the municipality are not entitled to vote in that municipality, despite the fact that they own property there, or their children attend school there.

Section 1.2.2 - Meaning of “Ordinarily Resident”

The Act [s. 16] provides that a place where a person is “ordinarily resident” is:

- where a person lives and where the person intends to return when away,
- where a person usually lives and sleeps, and to which, when away the person intends to return, regardless of where he or she takes meals or is employed,
- where a person is living temporarily at a place and if the person has no other place the person considers as that person’s place of residence,
- where a person is provided with food, lodging or other social services by a shelter, hostel or similar institution, the person would be ordinarily resident in that shelter, hostel or other institution.

In instances where the rules are not sufficient to determine the place where a person is ordinarily resident, then the appropriate election officer after considering all of the facts, determines ordinary residency.

A person is not ordinarily resident in a seasonal dwelling generally only occupied between May and October unless the person has no other dwelling place.

A person can be ordinarily resident only in one place at a time.

1.2.2.1 – Students

A student is ordinarily resident either where the person's family home is located or where the person is attending school, but not both. In establishing residency, election officials may require students to demonstrate where they live. Students must meet voting qualifications in order to vote. It is likely that most first year Nova Scotian students will meet the residency requirement in order to vote either where they attend school or where their family home is located, but not in both places.

An elector must be resident in the Province for six months immediately preceding the first advance polling day. The resident must also be ordinarily resident in the municipality or in an area annexed to the municipality and have been so since immediately before the first advance polling day.

Students, once the residency requirements have been met, may be required to work elsewhere for the summer and return in the fall to continue their studies. In such cases if they determine their home to be where they continue to attend school and are qualified to vote, they could choose to vote where they attend school.

If they feel they live where their family home is regardless of where they attend school, they have the option to vote where their family home is located. They can only vote once.

Section 1.2.3 - Qualifications to Vote in CSAP Election

There are additional qualifications that electors who are voting for a member of the *Conseil scolaire acadien provincial* (CSAP) must meet.

1.2.3.2 - Qualifications to Vote for the *Conseil scolaire acadien provincial* (CSAP)

Qualified electors who are "entitled persons" within the meaning of s.3 (h),(i) of the *Education (CSAP) Act* are entitled to vote for the member of CSAP in their polling district. An "entitled person" is a person:

- who is a Canadian citizen, and
- whose first language learned and still understood is French, or
- who received their primary school instruction in Canada in a French-first-language program, or
- of whom any child has received or is receiving primary or secondary school instruction in Canada in a French-first-language program.

If there is a CSAP election in your municipality, review Chapter 3 of Part 2 (Information for School Board Returning Officers), for further discussion of these qualifications. Even if you are not the returning officer for this election, you will need to instruct your DROs and poll clerks about these qualifications.

Section 1.2.4 - Elector Moving Before the Election

The legislation [s. 14(c)] limits voting to electors who have been ordinarily resident in the Province for a period of 6 months immediately preceding the first advance polling day and, in the municipality, or an area annexed thereto and have been so since immediately before the first advance polling day.

The Act also requires an elector to vote at the polling station for the polling division where the elector is residing on election day [s. 82(2)].

The time period between the preparation of the list of electors and election day can be long. You should note that some electors whose names are on the **revised** list of electors for a particular polling division may no longer be residing there by election day.

An elector who meets the residency requirement and moves within the municipality, the elector can vote in the polling division where they are residing on advance or ordinary polling day. An elector must take an oath or affirmation prior to voting.

For CSAP, the "school region" is the entire province.

The names of the municipalities in each school region are in Appendix "I".

Chapter Three – Preparing Polling Divisions and Polling Stations

Section 1.3.1 - Polling Divisions

For the convenience of taking the vote, polling districts may be divided into smaller parts known as polling divisions [s. 9]. The list of electors used at a polling station is made up from qualified electors in the polling division.

By March 31st in an election year, the returning officer must divide each polling district in the municipality into polling divisions [s. 9]. The recommended polling divisions must be reported to council.

1.3.1.1 - Establishing Polling Divisions

The Act [s. 9] outlines the main factors the returning officer must take into account when establishing polling divisions, namely:

- geography and related factors that may affect convenience in conducting the election
- the need to have polling divisions that are as close as possible to those established for the last federal, provincial or municipal election
- incorporation, where practical, of approximately 700 electors in a division
- desirability of incorporating a hospital, a sanatorium, a home for the aged, a licensed nursing home or an institution for the care and treatment of chronic diseases into a division (particularly if mobile polls are being considered for these facilities)

In addition to these factors, the Act [s. 9] provides that the returning officer:

- may designate a multiple-unit residential building of any size as a separate polling division.
- must establish a separate polling division for each home for the aged approved and each nursing home licensed under the *Homes for Special Care Act* and in which ten or more electors reside. **A current list of these facilities is in Appendix "D".**
- may establish an oversized polling division with over 700 electors, if this option makes it more convenient. In that case, voting would take place at a central location with a number of polling stations, and the list of electors would have to be divided to allow for a maximum of 1000 voters at each polling station.
- does not have to divide a polling district into divisions if they think it is not necessary or desirable. In that case the polling district becomes one polling division.

The Act [s. 9] also provides that:

- polling divisions for the last election be used for the current election, where the returning officer has not created new divisions or made changes in existing divisions.

Hints on Polling Divisions

Returning officers should be careful to avoid creating unnecessary polling divisions. More polling divisions translate into more polling stations with more complexity and additional expense.

If the council opts to use federal or provincial lists of electors, the polling divisions used for these lists may affect the returning officer's decision on the definition of the municipal polling divisions.

1.3.1.2 - Polling Division Descriptions

A copy of the description of each polling district and polling division in the municipality must be kept in the municipal office for public inspection during regular office hours [s. 9(8)]. If available, maps of polling divisions should also be used.

In required advertisements, polling division boundaries should be described in plain language, using references that people in the area are familiar with. The use of a metes and bounds description prepared by a lawyer or a surveyor is not necessary.

If available, maps of polling divisions should be provided for enumeration, and for the assistance of candidates.

1.3.1.3 - Consolidation of Polling Divisions in the Case of Council Acclamations

General

If, after nominations close, and the only election in the polling district is CSAP then the Returning Officer does not have authority to combine "electoral districts". The definition of an "electoral district" means a district for the election of a school board. Therefore, the returning officer for a school board electoral district has no authority to combine the polls between municipalities in order to have electors from one municipality on the same list of electors as voters in another municipality.

Section 1.3.2 – Polling Stations

The legislation [s. 60-63] provides that:

- A polling station must be in premises having level access and a well-lit voting compartment [s. 62(1)]. See Appendix "B" for a definition of "level

access".

- The returning officer must secure suitable premises for one or more polling stations for each polling division in the municipality [s. 60(1)].

The location of a polling station must be:

- in the polling division, or
- if unable to find one in the polling division, then within an adjacent polling division, or
- in a convenient central location where some or all of polling divisions can be combined.

Please note: As per recent amendments to the Act, returning officers can also provide for polling stations in a centralized polling place for advance polls only amongst the options listed in 114 (1A). If you are considering this arrangement, please contact the Municipal Elections Officer for guidance.

If there are practical reasons to change a polling place, a new one must be set up as close as possible to the originally intended place, and the returning officer must post notices on polling day at or near that place to let electors know the location of the new polling station [s. 60(2)].

A polling station must be identified by the number of the polling division, and when there is more than one polling station for a polling division, the number must be followed by the initial letter of the surnames of the first and last electors on the list of electors for the polling station, such as Polling Station No. _____.

1.3.2.1 - General Guidelines

All necessary polling stations should be tentatively booked as soon as reasonably possible.

Visit each polling place to check:

- the size and location of the room to be used, and
- its level access.

Confirm locations tentatively in writing, pending nominations.

If there are districts where the council and CSAP members are acclaimed, then cancel the booking after the close of nominations.

Where council is acclaimed and you have a CSAP school board election, you may wish to consult with CSAP school board officials for their input on the location and number of polling stations.

If you are expecting a large number of electors at a polling station, you may wish to divide the list of electors and add an additional polling station(s) to prevent long line-ups and delays.

Where a polling division has substantially more than 700 electors, the Returning Officer must have at least two or more polling stations, with the list of electors divided into as equal a number of electors as possible, up to a maximum of 700 electors for each divided list [s. 9(5)].

For accessibility, schools could be an ideal location to have a polling station as the locations should be accessible for all electors.

If the polling place is in a school, be sure that the school principal is aware of the arrangements and understands that the location cannot be changed at the last minute.

When selecting polling places, remember that:

- there must be space to set up a table large enough for the DRO and poll clerk and the ballot box
- there must be space for a table for the voting compartment
- electors must be able to mark their ballots in privacy
- there must be washroom facilities for poll staff. In some cases, portable toilets can be rented if you must use a facility without a washroom.
- candidate's agents may be present to observe the election and must be accommodated. However, depending on the number of candidates involved, it may not be practical to seat agents at the table with the DRO and poll clerk. Some other ways of accommodating agents in the polling station may be considered.
- consideration should be given to internet access availability at the facility, which is essential for e-voting.

Proper accessibility means more than the minimum requirement set under the Act for level access. Electors should be able to enter the station without assistance.

Be sure that you have adequate furniture for each polling station, namely:

- tables and chairs for the DRO and poll clerk
- a table for a voting compartment
- chairs for the agents
- possibly a table and chair for an official who may be directing electors

1.3.2.2 - Mobile Polling Stations

The returning officer may establish mobile polling stations to serve polling divisions for residents in hospitals, sanatoria, homes for the aged, licensed nursing homes and homes for the care and treatment of chronic diseases [s. 57A].

A mobile polling station can be set up in a facility for as long as is necessary to take the votes of qualified residents.

A mobile polling station can serve more than one facility. When voting is

concluded at one facility, the poll can be moved to another.

A mobile poll can serve polling divisions in more than one polling district.

Mobile polls can only be open during hours between 8:00 a.m. and 7:00 p.m.

For a mobile poll for e-voting, ensure internet access is available as this would be essential to the functioning of the poll (both for voting and the list of electors).

Before setting up mobile polls, the returning officer should consult with administrators of the facilities to find out the best time to take the votes.

The decision on how many facilities are to be served by each mobile poll should consider:

- the number of residents eligible to vote at each facility
- the ease of having them vote, and the distances between the facilities to be served.

For instance, it could take a long time to complete voting at a facility, depending on the number of residents who need poll officials to go from room to room to get their votes.

Consider providing a poster or notice that the administrator can post in the facility to advise the residents of the voting times.

The returning officer must provide the mobile poll schedule to the candidates.

A candidate can appoint an agent to the mobile polls. Agents are responsible for their own transportation if the mobile poll is moving between facilities.

Chapter Four – Preparing the List of Electors

Section 1.4.1 - Preparation of the Preliminary List of Electors

1.4.1.1 - Deadline to Prepare the Preliminary List

By April 15th in a regular election year, council may by resolution authorize the returning officer to choose one of the options in the *Municipal Elections Act* to produce the preliminary list of electors [s. 30]. These options are outlined in Section 1.4.1.4 of this Chapter.

If a registrar of voters is to be appointed, council must make the appointment by May 1st.

If council authorizes an enumeration, it must be complete by June 10th, or the date set by the returning officer and approved by council, whichever is later. [s. 27].

The returning officer must prepare a preliminary list of electors for each polling division before July 31st in a regular election year [s. 21].

1.4.1.2 - Appointment of a Registrar of Voters

Council has the option to appoint a registrar of voters to prepare the preliminary list of electors, on the recommendation of the returning officer [s. 22].

The registrar of voters

- oversees the enumeration (if one is being conducted)
- otherwise assists the returning officer in the preparation of the preliminary list of electors
- may act as revising officer [s. 33(2)]

A returning officer might recommend the appointment of a registrar of voters if other duties precluded the returning officer's ability to devote the time necessary to prepare the list of electors.

1.4.1.3 - Content of the Preliminary List of Electors

Preparation of the preliminary list of electors is one of the first major tasks that the returning officer must undertake to get ready for the election.

A list of electors is prepared for each polling division [s. 25(2)].

The following information is included in the preliminary list of electors [s. 25(1)]:

- given names and surname of the elector
- address of the elector
- the date of birth of the elector

Unless the municipality wishes to mail elector information, only the civic address of the elector needs be included on the list. However, if the municipality is sharing the list of electors with Elections Nova Scotia or Elections Canada, both the civic and mailing address information of the electors should be obtained.

Mailing address is essential for the preparation of electors list (specifically for the distribution of Personal Identification Numbers (PINs).

The list of electors for a polling division can be arranged alphabetically (by surname) or geographically (by civic address).

At the returning officer's option, each elector on the preliminary list may be assigned a consecutive number.

Section 38 of the MEA provides provisions for the date of birth information gathered by the revising officers to be removed and for the amendments and corrections to be made to the list before it is completed and given to candidates. This is the "amended list". Further 38 (3) permits the Returning Officer to make further revisions to the list up to the day on which the "revised list" is completed and certified. The Certificates of Eligibility have been repealed and replaced by this new extended revision process.

1.4.1.4 - Options for Preparation of the Preliminary List of Electors

The returning officer must make a recommendation to council about the method best suited to the municipality to produce a preliminary list of electors. The recommendation must be approved by council, and must be one of the options listed below:

- enumeration of the electors, to be completed by June 10th , or the date set by the returning officer and approved by council, whichever is later.
- list of electors from a recent municipal election
- provincial or federal list of electors, from a recent election or from a register of electors maintained by the Province or by Elections Canada

Section 1.4.2 – Using the List of Electors from Elections Nova Scotia or Elections Canada

In evaluating whether to use either the federal or provincial lists of electors, the returning officer should consider the following:

- Confirm with the Chief Electoral Officer of Nova Scotia that there is an existing list of electors that is appropriate to use in your municipality.
- Ask to review the list of electors. Check that there is a high percentage of voter names and civic addresses.
- Confirm that your municipality has staff expertise and time to do the necessary conversion to municipal polling divisions for the preparation of a list of electors for each polling division in your municipality. Staff who could do this work would include planning technicians, technical students, or contractors. The municipality could also contract with an outside source for this work.
- Confirm that the provincial or federal list is in an electronic format that is compatible with the municipality's internal software systems for mail merging, if your municipality is mailing voter notifications.

Use of a federal or provincial list of electors is subject to an agreement with the Chief Electoral Officer of Nova Scotia with the following conditions:

- The security of the information on the lists must be protected.
- The agreement may include a municipal commitment to return the revised lists to the Chief Electoral Officer.
- The Chief Electoral Officer may in turn forward the revised lists to the Chief Electoral Officer for Canada.
- The list can only be used for electoral purposes.

Contact information for Elections Nova Scotia is in Appendix "A".

Section 1.4.3 - Enumeration Guidelines

These guidelines are intended for returning officers who will be conducting an enumeration in their municipalities.

Detailed information about the enumeration itself is found in the **Guide for Enumerators**, which is found in Part 3 of this Handbook.

1.4.3.1 - General

Enumeration must be commenced by May 31st, or the date set by the returning officer and approved by council, whichever is later, and completed by June 10th, or

the date set by the returning officer and approved by council, whichever is later. [s. 24, 27].

The responsibility of the returning officer is to appoint and train the enumerators, and to ensure that they have adequate supplies to do their work. The returning officer must supervise their work, and make sure that they are covering their respective polling divisions [s.23]. If the municipality has civic address information for the polling divisions, reference to this information will assist the returning officer in judging the adequacy of the work of the enumerators.

The returning officer also has to arrange for the transcription of the information from the enumerators' index sheets to the production of a preliminary list of electors. This task could be handled by staff of the municipality, or by casual staff hired by the municipality or returning officer for that purpose. A private firm could also be contracted to transcribe the information.

1.4.3.2 - Appointment of Enumerators

Either one or two enumerators must be appointed for each polling division.

All enumerators must take an oath or affirmation in **Form 5** prior to beginning their work. Include a copy of the oath or affirmation in their supplies and have them take it when you instruct them [s. 23(3)].

Enumerators can be dismissed and replaced for cause, including a resignation, death or incapacity of the enumerator who was first appointed. [s. 23(4)].

1.4.3.3 - Enumeration Supplies

Index Sheets

The "index sheet" is the name given to the forms that the enumerators will return when they are finished their work. The information about each elector is entered into the index sheet.

Forms 6 and 6A are prescribed as examples of index sheets. The returning officer will have to decide on the forms to be completed by the enumerators, and the format of the list of electors itself [s. 25(1)].

Each form will have to be arranged and printed so that the enumerators can collect the following information about each qualified elector:

- given names(s), surname
- date of birth
- civic address
- mailing address, if used

It is important that you give your enumerators forms that are designed with the computer system that you use to actually produce the list of electors in mind. Remember that the electors' birth dates cannot appear on the lists of electors to be used at the polls on election days or lists distributed to candidates. The voter data are going to have to be entered into a computer program that is designed to allow only certain data entries to be printed.

Enough forms will need to be printed to allow for the enumeration of the estimated number of electors in the municipality, along with enough to provide extra forms for each polling division.

You will need to decide if you want the enumerators to actually produce an index sheet with the names sorted alphabetically or geographically. Many computer programs will sort data into various formats, so it may not be necessary for the enumerators to do this.

If your enumerators are preparing index sheets, instruct them as to whether the electors are to be consecutively numbered. If they are not numbered, be sure that they inform you of the total number of electors that were enumerated in that polling division.

Tell the enumerators how you want the poll to be identified on the index sheet - they can be identified by number, by name or by another method suitable to the municipality.

Call-back Cards

Call-back cards are notices that can be left by enumerators in cases where there is no one at home at the dwelling when they visit. The cards provide contact information for the elector to call.

A suggested version of a call back card:

Notice of Enumeration

Enumerators for your polling division received no answer when they visited to obtain the particulars of qualified electors in your household for the list of electors for the upcoming elections for Municipal Council and CSAP School Board, to be held on __ (date) _____. They will return on __ (date) _____, between the hours of ___ and _____. For further information, contact the returning officer (or registrar of voters):
John Doe, 266 Water Street, Any town 247-4444

Other Supplies

Consider providing a **map of the polling division**, to assist the enumerator(s) in covering the whole polling division. A written description could also be provided, or both can be used.

A list of civic addresses in the polling division, if your municipality has one, is another useful tool.

Printed instructions for each enumerator(s). The Guide in Part 3 of this Handbook can be adapted for this use.

Identification badges should be provided to all enumerators. Sometimes people are reluctant to open their doors to strangers, and the identification badge will show that the enumerators are there in an official capacity.

Sufficient **stationery and pens** to complete the enumeration.

A copy of **Form 7**, which is the enumerator's certificate that they have adequately completed their work.

1.4.3.4 - Refusal to Be Enumerated

An elector can refuse to be enumerated [s. 29A].

Be sure that information about such elector is not included in the preliminary list of electors, is not made public, and is not included in the final list of electors.

The information must be provided to the revising officer so that the elector's name is not included on the final list of electors as a result of revision.

If an elector refuses to give their date of birth, the elector can still be registered on the list of electors. See the Guide for Enumerators for hints on encouraging electors to provide date of birth information.

1.4.3.5 - Review of Enumerators' Index Sheets

When the enumerators return their forms to you, be sure to review them for completeness.

If the enumerators have left off a substantial number of persons from the preliminary list of electors, additional enumerators may be appointed to register the names omitted, and the cost of the additional enumerators may be deducted from the fees to be paid to the enumerators who omitted the names [s. 29].

Chapter Five – Lists of Electors, from Revisions through to End of Elections

Section 1.5.1 – Definitions for Various Lists of Electors

The creation of the list of voters goes through different steps and the list is known by a specific name at various stages of its development.

- **“Preliminary List”** is the list which is either the product of an enumeration or the list received from Elections Nova Scotia or Elections Canada.
- **“Amended List”** is the list returned to the RO after the revision period and is the list that will be used during Nomination Day and given to the candidates (without dates of birth).
- **“Revised list”** is the one which will be certified and used at the polls.
- **“Final list”** is returned to Elections Nova Scotia or Elections Canada within 60 days of polling day. The names added to the list and any other changes that occur at the polling stations shall be updated prior to returning the list.

Section 1.5.2 - Revision of the Preliminary List of Electors

Before a list of electors is used by candidates or at a polling station, the preliminary list of electors (enumerated list or list received from Elections Canada or Elections Nova Scotia) must be revised.

- **“Preliminary List”** is the list which is either the product of an enumeration or the list received from Elections Nova Scotia or Elections Canada.
- **“Amended List”** is the list returned to the RO after the revision period and is the list that will be used during Nomination Day.

** After the formal revision period has ended, the Returning Officer under Sec. 38(3) is permitted to continue to add, delete or correct names on the “amended list” until 3 days before the first advance polling day. The **“revised list”** is the one which will be certified and used at the polls.

The candidates will require information on any changes the RO makes to the list after Nomination Day. Some returning officers (especially those using e-voting technology) may be able to offer daily updates or provide a list of changes on the last day.

Any elector not on the list by this date (which is 3 days before the first advance polling day) is still able to be added to the list at the polling station.

Section 1.5.3 - Appointment of Revising Officer

The returning officer has to appoint a revising officer for each polling district in the municipality [s. 33]. If a registrar of voters has been appointed, that person can be the revising officer.

If the returning officer does not make any appointment(s) of a revising officer, then the returning officer acts as revising officer.

There can be more than one revising officer for the municipality, or for a polling district.

1.5.3.1 - Duties of Revising Officer

The duties of the revising officer are to:

- add names of qualified electors to the list of electors
- remove names of unqualified persons from the list of elector remove names of electors who request to have their names removed from the list of electors
- correct errors in names and/or addresses on the list
- transfer names from the wrong polling division to the right one, and notify electors affected [s. 37(3),(4)]

Revising officers must follow required procedure when conducting revisions, and must be fair and reasonable in handling applications [s. 35(3)].

Section 1.5.4 - Revision Period

There is no specific time fixed by legislation to do revisions. The following dates will be helpful to the returning officer in setting the necessary dates:

- After the completion of the preliminary list by July 31st, [s. 21] the returning officer must advertise when and where the revising officer will receive applications to amend the list [s. 34].
- The revising officer must deliver the amended list to the returning officer or registrar of voters on or before a date set by council, on the advice of the returning officer [s. 38 (1)].
- The amended list of electors must be available to provide to candidates, who can start filing nomination papers by appointment during the 7 business days before nomination day [s. 44(2)]. **Most Returning Officers will need until actual Nomination Day to have the voters lists ready for candidates.**

In setting the time and resources to be applied to revision, the returning officer should consider the source of the preliminary list. The older the data, the more publicity and effort should be applied to revision, so that as many voters as possible appear on the list to be used at the polling stations on election day.

The cut-off day for receiving applications for amendments should be no later than 3 working days before the revised list is to be delivered to the returning officer, to

allow the revising officer enough time to finalize revisions.

With these considerations in mind, the returning officer recommends the dates of the revision to council, along with any recommended public notification plans [s. 34, 38].

Section 1.5.5 - Advertising the Revision Process

The preliminary list **shall not be posted** for revision purposes.

After preparing the preliminary list, at least two advertisements are placed in a newspaper circulating in the municipality [s. 34] stating:

- how a person can check if their name is on the preliminary list
- when and where the revising officer will receive applications to revise the list

In addition, if directed by council, the returning officer or the registrar of voters must give additional notification that the preliminary list of electors has been prepared by:

- distributing flyers to households;
- mailing cards to voters; or
- providing for additional advertisements.

Sample advertisements are in Appendix "C". It is up to each municipality to determine how best to reach its residents.

Section 1.5.6 - Amendment of the List of Electors

Applications to amend the list of electors may be received by telephone, in writing or in person [s. 36(1)].

The revising officer should be satisfied that the information received is correct by verifying it against sources available. For example, the information could be confirmed from other sources such as telephone books or previous lists of electors.

If the revising officer cannot verify the information, they must require that the applicant appear in person and take the oath or affirmation in **Form 8** [s. 36(2)].

Remember, an elector can only check that their own information is correct on the list of electors. Asking the elector for their date of birth is a good way to verify that the person is checking on their own information.

The revising officer should keep a record of revisions detailing changes that have been made to the preliminary list of electors.

1.5.6.1 - Additions to the List of Electors

Addition of names will probably be the most common request for amendment to the

list.

The revising officer must add the name of every person entitled to be registered to the list [s. 35].

Although an applicant requesting an addition is not required to appear in person, the Act [s. 36 (2)] states that the revising officer must be satisfied that the information given can be verified from other sources.

Some electors may have told enumerators that they do not wish to be on the voter's list. This information will have been transmitted by the enumerators to the returning officer, who must inform the revising officer not to add these electors to the list [s. 29A].

Some electors who have recently moved into the municipality may have no identification that bears the elector's current address. The elector can swear an oath in **Form 8** during the revision period.

1.5.6.2 - Striking Off Names of Electors from the List

The revising officer must strike off names from the list of electors, if

- the revising officer knows that a person shown on the list is not qualified to be registered on the list
- the revising officer is satisfied that a person shown on the list is deceased
- a person requests to have their name removed from the list
- a person provides sufficient evidence and follows required procedure to have someone else's name removed

Where a person applies to have a name removed, the required procedure is [s. 35(2)]:

Application to Have Own Name Removed

No form is required to be completed; the revising officer need only be satisfied as to the identity of the person making the request. The applicant must appear in person [s. 37(5)].

Application to Have Another Person's Name Removed

- The applicant must give the person notice of the application to strike off their name (except in the case of a death [s. 35(2)]). In some cases, where the registrar has personal knowledge that a person is not qualified, the registrar may act as applicant and give the notice.
- The notice must be by personal service or by registered mail addressed to the person's last known mailing address.
- Either the proof of service or proof of mailing must be given to the revising officer, unless the person is present at the revision.

- The applicant must take the oath or affirmation in **Form 9**.

Where a person applies to have the name of a deceased person removed from the list, the applicant must take the oath or affirmation in **Form 9**.

1.5.6.3 - Correction of Errors

An error in the name and address of an elector appearing on the list of electors may be corrected by a revising officer [s. 37(2)]:

- on the initiative of the revising officer, if satisfied with the information received, or
- at the request of the elector or the elector's agent.

If the revising officer has doubts concerning the validity of the information received, they should require the elector or the elector's agent to take the oath or affirmation in **Form 10**.

The revising officer must enter particulars of the correction in the record of revisions.

1.5.6.4 - Transfer of Names from One Polling Division to Another

Transfers are made where the revising officer is satisfied that there are electors on the preliminary list in one polling division who should be on the list for another polling division. [s. 37(3)]

This error can occur:

- if enumerators inadvertently cross into another polling division, or
- if there are data-entry errors or computer program errors which place voters in the wrong poll, or
- if there is difficulty in moving data from a federal or provincial polling division to the municipal polling division.

Section 37(4) requires that the voters affected be notified of the transfer. Some common sense can be used if the voters are still going to be voting in the same location after the transfer.

There is no particular form that the revising officer needs to use to transfer an elector from one polling division to another.

Section 1.5.7 - Amended List of Electors

1.5.7.1 - Completion of the Amended List of Electors

The amended list of electors must be completed on the date set by council on the advice of the RO [s. 38(1)], which must be no later than the day before candidates can start filing nomination papers (7 business days before the second Tuesday of

September).

The preliminary list, along with the revisions made during the revision period, constitute the amended list of electors.

The “**Final List of Electors**” shall be created within 60 days after election day. The names added to the list and any other changes that occur at the polling stations shall be updated. [s. 140A]

1.5.7.2 - Form of the Revised List of Electors

Remember that the birth dates of electors must not appear on the amended or revised list [s. 38].

Although not required by the Act, it is useful to consecutively number the electors on the amended lists of electors.

The facing sheet of each revised list of electors for each polling division should contain a certificate completed and signed by the returning officer or registrar of voters, which states:

The list of electors contained on the following sheets of paper is correct
Returning Officer (or Registrar of Voters)

The certificate may be typed, printed or stamped by rubber stamp.

The revised list of electors for each polling division shall include a description of the polling division.

1.5.7.3 - Dividing an “Oversize” Polling Division List

If there is an “oversize” polling division, with more than the maximum of 700 electors, the returning officer must divide the revised list of electors into as equal a number of electors as possible, up to a maximum of **1000** electors for each polling station [s. 50B].

Please note: A recent amendment to the Act allows polling stations to a maximum of 1000 electors, if appropriate.

For the purpose of providing a list of electors to the deputy returning officers on voting days, it is acceptable to provide only the portion of the list that is being used at their particular polling station.

Section 1.5.8 - Confidentiality of the Lists of Electors

Printed copies of the preliminary lists of electors shall not be posted, and are not

available for inspection.

The lists of electors are not open for inspection, and cannot be disposed of or sold.

They are to be used for electoral purposes only [s. 115A] and permissions include:

- providing the lists of electors to Elections Nova Scotia or Elections Canada to update registers of electors [s. 140A (2)], or
- providing the list(s) of electors to a village for use in the village election. [s. 140A (3)]

Depending on the circumstances, there may be other uses for a list of electors. Consult the solicitor before the list is released for any other purpose.

Lists of electors are not provided to candidates until they have filed their nomination papers. When the lists are given to the candidates, the restrictions under [s. 115A] must be made clear. Agreements signed for use of the federal or provincial lists of electors will also contain these restrictions. **A sample Confidentiality Notice is found in Appendix "F".**

All copies of the list of electors, whether in hard copy or electronic format, which are provided to candidates or for some other purpose, must have a confidentiality notice included.

Section 1.5.9 - Offences

Any person making a false statement in a declaration is guilty of an offence.

Any person inducing or coercing a person to make a false statement in any declaration is guilty of a corrupt practice and is liable to a fine of between \$1,000 and \$10,000, or to imprisonment for a term of between 90 days and twelve months, or to both.

Chapter Six – Candidates for Council Elections

Section 1.6.1 - Qualifications of Candidates

The *Municipal Elections Act* [s. 17] sets out the qualifications for a candidate for municipal council office. To be eligible, a candidate for council must

- be a Canadian citizen of the full age of 18 years at the time of nomination
- be ordinarily resident in the municipality or in an area annexed to the municipality for a period of 6 months preceding nomination day, and continue to so reside
- obtain a certificate respecting taxes in prescribed form from the clerk, treasurer, collector or other official with the information showing that, as of nomination day, the candidate has paid in full all charges that are liens on the candidate's property, and the taxes that are due to the municipality, and, if a municipality has provided for payment of taxes by instalment or interim payments, all instalments or interim payments due as of nomination day have been paid.
- not be disqualified under the *Municipal Elections Act*

1.6.1.1 - Meaning of "Ordinarily Resident"

The meaning of the term "ordinarily resident" as defined under Section 16 of the Act for electors also applies to the "ordinary residence" of candidates. **See Appendix "B"**.

1.6.1.2 - Municipal Employee on a Leave of Absence Qualified

Those disqualified from being nominated or serving as councillors include anyone who "holds office or employment in the service of the municipality" [s. 18(1) (d)]. This means that a person cannot be a municipal candidate for the municipality for which they are employed, unless the person is on a leave of absence.

A municipal employee may apply to the Chief Administrative Officer to take a leave of absence from employment in order to be a candidate for council. The leave of absence comes with certain conditions.

As returning officer, if you know that a person filing nomination papers is a municipal employee, it is appropriate to ask if the person has obtained the leave of absence and is aware of the conditions.

However, the section does not disqualify the municipal employee from seeking election to the council of another municipality. Of course, the employee's contract or terms and conditions of employment may prohibit this.

An employee can become a "candidate" within the meaning of the definition of the term "candidate" [s. 3(b)] before nomination papers are filed, so the leave of absence

may have to begin earlier than the date the papers are filed.

Particular care must be exercised during the formal nomination process as court cases have occurred over disputes relating to whether a municipal employee (wishing to seek office on the Council of their employer) was on a leave of absence or not, see Ss.17 A-C for details .

Most importantly the onus is on the “candidate” to swear to their eligibility and election officials should refrain from offering advice or an interpretation of the section. Candidates should seek their own private advice on this eligibility issue. Once an RO has signed off on the Nomination paper the candidate/ municipal employee is formally nominated and can only come off the ballot if they withdraw by 4pm on the day after Nomination Day, s. 53, or if unfortunately they pass away before actual election day. The details on the unusual process known as “revocation of the poll are in s. 54(2)(a).

It is re-emphasized here that ROs be very diligent to ensure that all parts of the nomination procedure are completed, (especially the oath of qualification) before signing off on Nomination papers.

1.6.1.3 - Persons Disqualified to Be Councillors

Certain persons are ineligible to be nominated or to serve as councillors because of incompatible offices or employment with the municipality [s.18]:

- a member of the House of Commons or Senate of Canada
- a member of the Legislative Assembly
- a member of a Village Commission
- a member of the council of another municipality
- a judge of the Nova Scotia Court of Appeal, the Supreme Court of Nova Scotia or the provincial court
- a person who holds office or employment in the service of the municipality, or any utility, board, commission, committee or official thereof, to which any salary, fee, wages, allowance, emolument, profit or other remuneration of any kind is attached, for so long as he holds or is engaged in the office or employment unless the person is on a leave of absence granted pursuant to S. 17C(2), but this disqualification does not apply in respect of an office or employment as a volunteer fireman with a municipal firefighting organization, as a volunteer member of a board or committee of a municipality, with a school board, with a joint body of two or more municipalities to which the municipality appoints at least one representative and to which the municipality provides funding,
- a person having been convicted of any corrupt practice or bribery contrary to this Act within 5 years preceding nomination day

Under Section 10 of the *Municipal Conflict of Interest Act*, a sitting member who has been found to have contravened the Act could be prohibited by the court from running to fill a vacancy created by the forfeiture of their seat, and the person could be banned from holding office for up to 10 years.

Please note: Section 18 (1) of the Act was recently updated to provide an exemption from disqualification for volunteer members a board or committee of a municipality.

Section 1.6.2 - Nomination Procedures

No one can be nominated for more than one office of council or CSAP [s. 47].

1.6.2.1 - Time of Nominations

Nomination day in a regular election year is the second Tuesday in September, and papers are filed at the returning office between 9:00 a.m. and 5:00 p.m. [s. 44(2)].

Alternatively, candidates can file their nomination papers by appointment with the returning officer during office hours in the 7 business days preceding nomination day [s. 44(9)].

Please note: A recent amendment to the Act increased the numbers of days that returning officers can accept nominations by appointment from 5 to 7 business days. With this amendment, returning officers are encouraged to appropriately plan for their nomination notices in advance of these days.

To avoid congestion on nomination day, the returning officer may want to encourage candidates to file their nominations early. The provision of the “amended list” of electors for people booking early appointments to be nominated the 7 business days prior to Nomination Day, may not be possible.

1.6.2.2 - Nomination Notice

The first step in the nomination process is to advertise for nominations for all offices that are to be voted for in the municipality [s. 42].

A sample notice is in Appendix “C”.

The notice is inserted twice in a newspaper circulating in the municipality, not less than seven nor more than fourteen days apart, with the second notice preceding nomination day by at least seven days.

Note: If you are not the returning officer for the election of CSAP, then the advertisement must indicate the name and contact information of the returning officer(s) for this office.

1.6.2.3 - Nomination Information

Many municipalities have **information kits** which they give to prospective candidates requesting nomination forms. The kits detail requirements for nomination, obligations of candidates, and information about campaigning. **See Appendix “F” for a sample list of items all or part of which could be included in a kit.**

Nomination kits for CSAP school board should be available from all municipalities in the CSAP electoral district, even though only the school board returning officer can accept nominations.

To be nominated, a candidate must complete and file a **nomination form** with the returning officer. There is a separate nomination form for mayor and council (**Form 11**) and for CSAP (**Form 11B**). Some municipalities print the nomination forms on different colours of paper to easily distinguish them. Form 11B also requires the nominators to not only nominate a candidate for CSAP but also swear that they (the nominators) are "entitled persons"

The nomination form must be signed by at least 5 **nominators**, whose names appear on the amended list of electors and who are eligible to vote for the candidate.

It is a good idea to caution candidates to get more than the minimum of 5 nominators required, in case some of the nominators are not on the amended list of electors (See Section 1.6.2.6 of this Chapter). Encourage candidates to have their potential nominators check with the returning officer to see if the nominator's information is correct on the list of electors.

The nomination form must be accompanied by a **certificate**, which indicates that the candidate has paid taxes and other charges that are liens on the candidate's property (See Section 1.6.2.4 of this Chapter). This applies even if the candidate does not own property or owe taxes.

Note: CSAP candidates are not required to obtain the certificate noted above.

If the municipality has set a **deposit** to run for council, then the deposit must accompany the nomination paper (See Section 1.6.2.5 of this Chapter). When candidates are picking up nomination papers, be sure to include information on how the deposit is to be paid.

All candidates for council and CSAP must file **Campaign Contribution Disclosure Statements** in **Forms 40 and 41**, with the municipal clerk. See Chapter 13 of this Part for more information about disclosure.

1.6.2.4 - Certificates Respecting Taxes, Charges That Are Liens

To be nominated, a candidate must obtain a certificate in prescribed form from the clerk, treasurer, collector or other official with the information showing that, as of nomination day, the candidate has paid in full all charges that are liens on the candidate's property and the taxes due to the municipality, and, if a municipality has provided for payment of taxes by instalment or interim payments, all instalments or interim payments due as of nomination day have been paid. [s. 44(4)].

The certificate is signed by the clerk, treasurer, collector, or other responsible

official.

The certificate relates only to the candidate's personal obligations and not the obligations of a company of which they may be a shareholder.

If a treasurer is aware that a person is carrying on a business under a business name, and taxes are owing under that business name, then the treasurer can refuse a certificate as the taxes are owed by the business owner. Business names can be checked using the Registry of Joint Stocks Companies web page. It will indicate whether a business is registered under the *Partnerships and Business Names Registration Act* as a sole proprietorship or under the *Companies Act* as a body corporate. The municipal solicitor should be contacted if there is anything unusual about a situation or if there are legal arguments raised by a potential candidate.

1.6.2.5 - Nomination Deposit

Municipal council may by by-law set the amount of the deposit to be filed by candidates. The deposit can be \$200 or a lesser amount, or there may be no deposit required [s. 51].

The deposit can be paid

- in cash, or
- by certified cheque or bank draft payable to the municipality, or
- by postal money order payable to the municipality [s. 44(7)].

If your municipality accepts debit, that transaction is treated as cash.

A model by-law is in Appendix "H".

1.6.2.6 - Nominators

The nominators must appear on the amended list of electors and must be eligible to vote for the candidate.

For mayor, the nominators can be on the list anywhere in the town, regional municipality, or municipality of a county or district that opts for a mayor elected at large [s. 43(2)].

For councillor, the nominators must be on the list in the polling district in which the candidate is running [s. 43(1)].

A nomination paper is not invalid because:

- a person who signed it also signed another candidate's nomination paper
- a person who is not qualified signed it, provided at least five qualified persons signed it

- the name and address of the person differs from the information on the list of electors, as long as the returning officer is satisfied with the person's identity and residence. [s. 46]

A person can sign more than one nomination paper. A candidate is supposed to be nominated by at least five other people and should avoid signing their own nomination paper; however, a candidate could sign another person's nomination paper.

1.6.2.7 - Candidate's Official Agent

All candidates must appoint an official agent, or file a declaration (as part of the nomination paper) that the candidate intends to act as their own official agent [s. 70(1)].

Form 17 can be used for the appointment, and it can be filed prior to nomination day.

All official agents should be appointed by Form 17, so that they have identification to enter the polling stations.

If a candidate fails to file a notice of official agent, the candidate is deemed to be acting as their own official agent [s. 70(3)].

A candidate, at any time before ordinary polling day, may dismiss their official agent and appoint another, by stating those facts in writing to the returning officer.

A candidate who indicates that they will be acting as their own official agent can subsequently appoint an official agent, as long as the appointment is made before the close of nominations on nomination day [s. 70(2)].

The legislation does not specify qualifications for official agents. Therefore, an official agent does not need to reside in the municipality.

The candidate's official agent has the responsibility of taking the candidate's campaign contributions and filing the Disclosure Statement after the election [s. 49A].

The candidate's official agent can be present in the polling station [s. 69(1)(e)].

The candidate's official agent can file nomination papers on the candidate's behalf [s. 45], and can authorize a candidate's withdrawal as a candidate [s. 53].

The candidate's official agent can appoint poll agents on the candidate's behalf [s. 71(1)].

1.6.2.8 - Nomination Checklist

Nomination papers must be carefully checked when they are filed, and the following must be completed:

- The office that the candidate is seeking must be clearly identified. A candidate can be nominated for only one office [s. 47].
- The consent and oath or affirmation of the candidate must be completed and signed by the candidate [s. 44(6)]. A candidate's official agent can complete the consent and oath or affirmation, if the candidate is absent and the appropriate written authorization has been filed prior to nomination [s. 45].
- The candidate must name their official agent, or indicate that the candidate is acting as their own official agent [s. 70].
- The appropriate deposit and certificate respecting taxes/charges (**Form 3**) have been filed [s. 44(4)].

The returning officer signifies their acceptance of the nomination paper by signing the "receipt" portion of the paper. A copy of this receipt should be given to the candidate. It is evidence that the candidate has been officially nominated [s. 48(2)]. Once the nomination paper is accepted, the returning officer cannot subsequently reject it [s. 48(3)].

Each candidate whose nomination is accepted is to be provided with a copy of the lists of electors who are entitled to vote for the office for which the candidate has been nominated [s. 48(1)].

Each candidate must be provided with **Forms 40 and 41** (Campaign Contribution Disclosure) on accepting their nomination papers.

Also, be sure to provide copies of the accepted nomination forms to the municipal clerk so that the clerk will know which candidates will be filing disclosure forms.

1.6.2.9 - Rejection of a Nomination Paper

The legislation directs the returning officer to reject the nomination paper of someone that they "know" is not qualified [s. 44(5)].

The returning officer should consult the municipal solicitor for advice before rejecting the nomination paper.

1.6.2.10 - Release of Candidate Information

Returning officers may receive enquiries concerning who is running or interested in running for a particular office. At times, potential candidates may not want to file a nomination paper unless they are sure that they will not be challenged for the position, or will not be running against a particular person.

The general practice is information about potential candidates is not public, including who may or may not have taken out nomination papers.

Once the returning officer has signed the receipt on a candidate's nomination paper, then the candidate is officially nominated and the public is entitled to inspect the nomination paper, but the paper cannot be photocopied or otherwise reproduced [s. 48(4)].

Sometimes various interest groups may ask for candidate contact information in order to seek out the candidate's views on a particular issue. The nomination papers can be inspected for this purpose [s. 48(4)].

1.6.2.11 - Changes in Particulars on Nomination Paper

A candidate or a candidate's official agent can request in writing that particulars of their name and address on the nomination paper be changed, before 4:00 p.m., the day after nomination day [s. 49].

If the returning officer is satisfied that the requested changes correspond to how the candidate is known in the community, the returning officer attaches the written direction from the candidate to the nomination paper and amends it accordingly [s. 49].

1.6.2.12 - Candidate Withdrawal

A candidate or a candidate's official agent may withdraw his or her name as a candidate, before 4:00 p.m., the day after nomination day [s. 53].

The request to withdraw must be made by the candidate or a candidate's official agent in person and must be accompanied by a written declaration to withdraw, signed by either one of them. **Form 12A** can be used for this purpose.

A candidate who withdraws is deemed not to have been nominated, but the candidate must forfeit any deposit filed with the nomination paper [s. 53].

Section 1.6.3 - Death of a Candidate

1.6.3.1 - Before the Close of Nominations

If a candidate dies before the close of nominations on nomination day, the candidate is deemed never to have been nominated [s. 54(1)].

1.6.3.2 - After the Close of Nominations and Before Polling Day

If a candidate dies between the close of nominations and polling day, the returning officer must revoke the grant of poll and fix the date for a new nomination day and ordinary polling day.

The revocation of the grant of poll applies if a candidate dies on election day before polls close [s. 54(2)].

The returning officer must call for new nominations, for the fourth Tuesday preceding ordinary polling day [s. 54(4)].

The date for the new polling day must be on a Saturday between 36 and 45 days from the date of the death of the candidate [s. 54(2)].

Candidates who were previously nominated are deemed to be nominated for the

new election, without having to be re-nominated.

The same list of electors can be used, and the election is conducted as if it were a special election [s. 54(3)].

Section 1.6.4 - Elections and Acclamations

Once nominations close on nomination day, the returning officer will know:

- which offices will have sufficient candidates for an election
- which offices will be acclaimed
- which offices do not have sufficient candidates or any candidates for an election

A list of nominated candidates will be requested by the Municipal Elections Officer for purposes of statistical analysis and inclusion on the Provincial website.

1.6.4.1 - Acclamations

If only one candidate, or only the number of candidates required to be elected for a particular polling district, have been officially nominated, the returning officer must inform the clerk of the municipality that the candidate concerned has won by acclamation.

The acclaimed candidate is then declared elected at the first meeting of council following ordinary polling day, or, in the case of a special election where holding a poll is no longer necessary, at the first meeting of council after being informed [s. 55].

1.6.4.2 - Insufficient Number of Candidates Nominated or No Candidates Nominated

In this circumstance, there is a vacancy and a special election is required [s. 13(1)].

Since the incumbent council remains in office until after the election, its members can set the special election date at the earliest opportunity. Refer to Chapter 14 of this Part for information about special elections.

1.6.4.3 - Grant of Poll

The returning officer grants a poll for an election or a plebiscite as follows:

For an election, if there are enough candidates officially nominated to contest representation of an office, then the returning officer must grant a poll to take the votes [s. 56(1)].

For a plebiscite, the returning officer must grant a poll for any question that council

has directed be put before the electors [s. 56(2)].

There is no form for a grant of poll; it is accomplished with the publication of the notice of poll.

1.6.4.4 – Notice of Poll

Soon after nomination day, the returning officer must place a Notice of Poll in newspapers circulating in the municipality. Additionally, the returning officer must give notice by flyers to households or mailing voter cards, or any manner approved by council. The advertisement must state [s. 50]:

- the purpose of the election
- the names of the candidates (including CSAP school board candidates) and the offices they seek
- the names of the candidates acclaimed (including CSAP school board candidates) and the offices to which they have been acclaimed
- the text of any municipal plebiscite question
- the dates of election day and the 2 advance polling days, and the hours of voting at each
- the location of the voting places, including the advance poll
- a statement that the polling division descriptions can be inspected at the municipal office during regular office hours

If the only election is for the CSAP this should be stated in the advertisements for the poll. Stating the qualifications to vote for this office in the advertisements will assist electors to know whether or not they should go to the poll to vote.

A sample notice is found in Appendix “C”. This sample is for suggested content only; the style of the advertisement is the decision of the municipality.

1.6.4.5 - Notice of Advance Poll

Even though the advance poll days must be stated in the Notice of Poll, the legislation [s. 114(6)] requires the returning officer to advertise once the advance polls in a newspaper circulating in the municipality, before the first advance poll.

The notice must contain [s. 114(7)]:

- dates and hours of voting
- location of the advance polling stations, with the polling divisions to be served by each
- who is entitled to vote at the advance poll

A sample notice is in Appendix “C”. This sample is for suggested content only; the style of the advertisement is the decision of the municipality.

Section 1.6.5 - Election Campaigns

This information is included for the information of returning officers. The legislation does not impose an obligation on returning officers to enforce these provisions.

1.6.5.1 - Election Campaign Advertising

All campaign material that is printed, published, broadcast or distributed, either electronically, or in hard copy, must bear the name of the person on whose behalf the ad is printed, published or distributed. Candidates must authorize all advertising material.

Failure to comply with these requirements is an offence [s. 143].

See Appendix "F" for information about the placement of campaign signs on public property and utility poles.

Remember that there should be some provision for campaign advertising to appear in public spaces. Your municipality should inform all candidates of where signs can and cannot be posted on municipal property, including street rights-of-way.

1.6.5.2 - Election Campaigning

The legislation [s. 54A] gives a candidate or a candidate's representative the right to enter locked multiple-unit dwellings during reasonable hours for the purpose of lawfully campaigning. It is an offence to obstruct a candidate who is lawfully campaigning [s. 54B].

Landlords and condominium corporations cannot prohibit tenants or owners of units from displaying election advertising posters on the tenant's or owner's premises [s. 54C (1)].

The landlord or condominium corporation can, however, set reasonable limits on the size or type of advertising that can be displayed and may prohibit the display of advertising in the common areas [s. 54C(2)].

Chapter Seven – Election Supplies for Council and CSAP School Board Elections

Section 1.7.1 - Municipal Responsibility for Supplies

Each municipality is responsible for providing its own election materials and supplies, including:

- forms
- voting compartments
- ballot boxes
- poll books
- pencils, pens and other stationery items

Where quantities allow, municipalities routinely print their own materials. Other municipalities obtain forms and materials from private suppliers in the province.

It is important for each returning officer to have sufficient supplies for the number of polling stations to be established.

The legislation [s. 68] provides the full list of supplies to be given to the Deputy Returning Officer for each polling station. For additional details, see Chapter 2 of Part 4, Guide for Deputy Returning Officers and Poll Clerks.

1.7.1.1 - Ballot Boxes

A minimum of one ballot box is required for each polling station in the municipality.

Returning officers have the choice of putting all ballots cast in one box, and then separating them when they are counted, or having a separate ballot box for each office to be elected. The choice may be influenced by the number of voters in each polling division. The use of colorized ballots has resulted in most units using one ballot box per polling station.

Returning officers also have the choice of supplying a busy polling station with more than one ballot box, to ensure that boxes that get filled can be easily replaced [s. 95].

Ballot boxes must be of a uniform size and shape, made of durable material, and must be furnished with seals. The slit at the top must be sufficiently narrow so that ballots can be deposited in it but cannot be removed from it without unsealing the box [s. 64(2)].

The ballot box for each polling station should be identified by its poll name or number.

Record on the inside cover of the poll book the number of ballot boxes supplied to each polling station [s. 68(2)].

1.7.1.2 - Identification Badges for Poll Workers

The returning officer may supply election officers and agents for a polling station with a badge or other form of identification.

Badges for the agents must not indicate the candidate supported by an agent [s. 69(2)].

1.7.1.3 - Supplies for the CSAP Election

A number of the CSAP election forms have been translated into French.

Returning officers should ensure that forms in both French and English are available at the polling stations where CSAP elections are taking place.

The forms may be completed and filed in either English or French.

Section 1.7.2 - Ballots

Municipal returning officers must arrange to have printed the ballots for the council election.

The returning officer(s) for CSAP elections will supply the ballots for the school board election(s), which must then be included with the supplies for each polling station.

1.7.2.1 - How Many Ballots to Print?

Returning officers must supply each polling station with at least 10% more ballot papers than there are electors on the amended list of electors for that polling station [s. 68].

- This allows for additional ballots for electors who are sworn on to the list on voting day, or for electors who may spoil their ballots and need replacements.
- For example, to supply an additional 10% of ballots to a polling station with 500 names on the final list, an extra book of 50 will suffice.

Note, however, that your estimation of ballot papers needed is dependent on how accurate the number of electors is on your amended list. If you suspect that many electors may have been missed on the amended list, you may wish to print more ballots than the additional 10%. Remember, you cannot print more ballots on election day.

Returning officers should also keep some extra ballots on hand in their offices for emergencies.

Remember to keep ballot papers secure until they are needed.

1.7.2.2 - Preparation and Printing of Ballot Papers

The *Municipal Elections Act* [s. 65-67] has specific directions on names, ballot description, ballot design, and other ballot requirements. **These sections are included in Appendix "B".**

There have been some significant changes to Sec. 66 in 2016 which give ROs some additional flexibility relating to ballots. Section 66(5) is new.

The ballot paper is as shown in **Form 13** of the Act.

Make arrangements early with a printer for the ballots. Many municipalities will be needing to get their ballots printed.

The printing firm must be able to serially number the ballots, perforate them and have them bound into books of 25, 50, or 100 that can be distributed to the polling stations.

The size of the books of ballots that you request from the printer and subsequently provide to each polling station will be dependent on the number of electors on your list, and the voting patterns in that area.

Ballots are to be printed on different colours of paper for different offices or questions [s. 67], so ballots can be quickly sorted for counting when they are taken from the ballot box. Full consultation between municipal and CSAP school board returning officers is essential to ensure selection of appropriate ballot colours for different offices.

1.7.2.3 - Names on the Ballot Paper

The legislation [s. 66(1)(c)] requires the ballot to show "the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names."

If a candidate has a hyphenated surname, the first name in the surname is the name used for the alphabetical listing. For example, if the candidate's surname is Marjorie Smith-Jones, the surname would be treated as beginning with an "S".

It is possible for the candidate to have more than one surname, and the names are not hyphenated. In that case, the first letter of the first surname is used to place the name on the ballot.

The ballot should show the name by which the candidate is known in the community. Nicknames are acceptable and may even be helpful in distinguishing candidates with the same surname.

For example, the name "Billy A. MacDonald" should appear on the ballot for a candidate known by this name in the community. The formal name "William Arthur MacDonald" may not be recognized by electors if it appeared on the ballot. Similarly, a nickname such as "Red" should be included on the ballot for a candidate known in the community as "John "Red" MacDonald".

Note that the Act specifically prohibits including the title, honour, decoration or degree with the candidate's name on the ballot [s. 66(2)].

(Examples: Mr./Mrs./Ms./Dr./Prof. or following the name, such things as BA, BSc, MD, BEd, etc.).

1.7.2.4 - Ballot Design

The front of the ballot shows, at the top, if the ballot is to be marked for one candidate only or for not more than a specified number of candidates (the "warning" [s. 66(1)(b)]).

The back of the ballot must have a place for the DRO initials, and identifies the municipality, the polling district that the ballot is for, along with the date of ordinary polling day (Form 13).

Ballots are printed:

- with the title, warning and names of candidates and a small circular space immediately to the right of the name of each candidate, appearing in the colour of the paper [s. 66(4)].

Ballots must also:

- be of the same description and as nearly alike as possible;
- have a counterfoil and a stub with lines of perforations between the ballot form and the counterfoil and between the counterfoil and the stub;
- be bound in books containing 25, 50, or 100 ballot papers, depending on the requirements of the polling stations [s. 67 (1)]; and
- be serially numbered on the back of each stub and counterfoil [s. 66(3)].

1.7.2.5 - Directions to Electors

Instructions to electors describing voting procedure must be made available in the polling booth. It should reflect the number of candidate(s) to be elected.

Section 1.7.3 - Poll Books

The format of the poll books is provided in **Form 14**. They can be printed in house or acquired from various commercial suppliers in the province.

The number of pages of each form can be modified to suit the circumstances of each municipality's election.

In preparing poll books for the election, some returning officers enter the names of candidates on the statement of poll and tally sheet, so that there is no confusion when the time comes to tally the votes.

Section 1.7.4 - Ballot Envelopes

These envelopes are supplied to the DROs to seal and secure the ballots after the count.

The number of envelopes supplied to each polling station will depend upon what is being voted on at the polling stations in your municipality. Because of acclamations, there can be different envelope requirements at different polling stations. The following are the envelopes that are needed:

- For polling stations where ballots are to be marked for one candidate (mayor, councillor, CSAP) supply an envelope for each candidate on the ballot.
- For polling stations where ballots are to be marked for more than one candidate (most town councils, some CSAP), all the ballots for each office are placed in one envelope.
- In the polls where a CSAP school board election is being held, an envelope is required to secure ballots in case there are fewer than 10 ballots cast at the polling station, and the ballots must be transported for counting to the school board returning officer. More than one may be required, depending on the number of CSAP school board elections at the polling station.

Section 1.7.5 - Polling Station Posters for CSAP

Posters or other "materials "creating appropriate awareness and direction are available from the Department of Education & Early Childhood Development for use in polling stations for CSAP school board elections. The posters describe the qualifications to vote for the office, as well as directing qualified electors to ask the DRO for the particular ballot. **These posters must be placed in areas where they are clearly visible to all voters.**

Your municipality may also supply "Polling Place" identification posters or banners.

Section 1.7.6 - Supplies to Deputy Returning Officers

The supplies for each polling station must be packed and in the hands of the deputy returning officers no later than 10:00 p.m. on the day before ordinary polling day [s. 68].

The supplies must include a statement showing the serial numbers of the ballot papers issued to each DRO [s. 68(1)(b)].

Chapter Eight – Transfer Certificates and Proxy Voting

Section 1.8.1 - Transfer Certificates

The purpose of a transfer certificate is to allow an eligible elector to vote at a polling station where the elector's name does not appear on the list of electors.

An elector who transfers from one polling district to another can only vote for the candidates or matters that the elector was eligible to vote for at the polling station where the elector's name is on the list of electors [s. 73(3)].

For example, suppose an elector's name appears on the list of electors in a polling district where a councillor has been elected by acclamation. If the elector transfers to another polling district electing a councillor and a mayor, the elector would be restricted to vote for a mayor only and not for a councillor.

1.8.1.1 - Who Is Eligible for a Transfer Certificate?

The legislation permits the following electors to transfer from one polling station to another for convenience in voting [s. 73]:

- a candidate; or
- a candidate's agent appointed to a polling station other than where the agent's name appears on the list of electors; or
- a DRO or poll clerk acting at a polling station other than where their name appears on the list of electors; or
- an elector with a physical disability which prevents them from voting at a polling station where their name appears on the list of electors.

No other electors are entitled to a transfer certificate.

1.8.1.2 - Application and Issuance

To obtain a transfer certificate, an eligible elector must first apply by completing **Form 18**.

The returning officer or assistant returning officer then issues the transfer certificate in **Form 19** or **Form 20**:

- **Form 19** is used where the elector wishes to vote at a polling station within the same polling district.
- **Form 20** is used to permit an elector to vote in another polling district within the

municipality. If **Form 20** is used, the returning officer specifies which office(s) or matter(s) the elector is eligible to vote for.

Form 19 or **Form 20** must be completed in triplicate and copies distributed as follows:

- the elector gets the original (1st copy)
- the 2nd copy is delivered to the polling station where the elector's name appears on the list of electors
- the 3rd copy is kept in the returning officer's office

The elector may vote at the polling station named in the transfer certificate by presenting the certificate at that polling station.

If the elector subsequently decides to vote at the polling station where their name appears on the list, the elector must first surrender the transfer certificate to be permitted to vote there.

Transfer certificates must be issued before 5:00 p.m. on the Wednesday before ordinary polling day [s. 73(1)].

Section 1.8.2 - Proxy Voting

An elector may vote by proxy if the elector is on the list of electors and will be unable to vote at a polling station because of illness, physical disability or absence from the municipality [s. 75].

A proxy vote allows someone else (the proxy voter) to vote at the elector's polling station in the name of the elector.

A proxy vote can only be exercised on ordinary polling day [s. 99]. Therefore, there is no proxy voting at the advance poll.

Once an elector has been issued a proxy paper, an elector can only vote by proxy unless the proxy paper is canceled before the deadline [s. 99(3)].

The implementation of e-voting technology in some municipalities has resulted in a drastic reduction in the number of "proxy applications" that get processed into "proxy papers".

1.8.2.1 - Qualification to Vote by Proxy and Be a Proxy Voter

The returning officer must issue a proxy paper in prescribed form from the time the amended list is completed up to 5:00 p.m. on the Friday the 8th day before ordinary polling day [s. 76]:

- the application form must be delivered to the returning officer either by the elector who wishes to appoint another to vote on their behalf by proxy, or by the proxy voter who will act for the elector (**preferably by the proxy voter**). **No other person may bring this application for to the returning officer.**
- **If the proxy voter and the elector are unrelated**, they must each be on the list of electors for the municipality - to vote and the proxy voter must not have been appointed as proxy voter for any other unrelated voters.
- **If the proxy voter and the elector are related** as child, grandchild, brother, sister, parent, grandparent, husband or wife, they must be on the list of electors for the municipality.
- **If the elector is a resident in a home for special care**, the elector can appoint a proxy voter who is related as a child, grandchild, brother, sister, parent, grandparent, husband or wife who is of voting age. There is no requirement for the proxy voter to be on any list of electors.

A proxy can vote for any number of related persons (as described in this part) and one unrelated person.

1.8.2.2 - Proxy Forms

There are two forms used for proxy voting:

- an application for a proxy vote (**Form 21**), which is completed and submitted to the returning officer; **and**
- the proxy paper (**Form 22**), which the returning officer issues upon receipt of a completed and approved application.

Each returning officer should have a large supply of application forms for electors who may request them and for distribution to candidates and their agents who may wish to contact eligible electors.

It would be helpful to have “instructions for completion of proxy paper” attached to the front of **Form 21**, the application for a proxy vote.

It is likely that there will be a large demand for application forms, but that only a small number of them will be completed and returned to the returning officer.

1.8.2.3 - Contents of the Proxy Application Form

The application must show:

- the name of the elector,
- the elector’s number on the list of electors,

- the intended proxy voter's name and number on the list of electors,
- the elector's relationship to the proxy voter, where applicable,
- the reason for applying for a proxy vote, which must be because of absence from the municipality on the advance polling days and the ordinary polling day, or
- inability to attend at the polling station because of illness or physical disability.

1.8.2.4 - Proxy Application Procedure

A person applying to vote by proxy must first complete and sign the application form (**Form 21**).

Note that the elector completing the application form may not know their number on the list of electors, or their polling division number, nor have this information about the person who is going to act as the proxy voter. Those spaces can be left blank and completed by the returning officer, as long as the returning officer is satisfied that it is the elector who signed the application.

Only the person applying to vote by proxy, or the intended proxy voter may return the application form to the returning officer [s. 76].

In some cases, electors may have long distances to travel to return proxy forms to the returning office. To assist, the returning officer or their designate may wish to travel out to certain areas of the municipality to receive the application forms and issue proxy papers.

Travel plans, and the time and place where the proxy applications will be received should be communicated in advance. All candidates in the area should be advised and requested to pass the travel plans to potential applicants.

Proxy application forms can be accepted by fax.

1.8.2.5 - Issuing the Proxy Paper

The returning officer may issue proxy papers only in the period specified by legislation, between the day after nomination day and up to 5:00 p.m. on Friday, 8 days before election day [s. 76(1)].

A proxy paper in **Form 22** is a written direction, signed by the returning officer, permitting one person to vote in the place of another. It is an important document that should be carefully controlled. Under no circumstances should a returning officer issue a blank proxy paper.

On receiving the completed application in **Form 21**, the returning officer must be satisfied that:

- the elector completing the application is qualified to vote by proxy and has not appointed another person to act as his or her proxy voter; and
- the person named in the application is qualified to act as a proxy voter for the elector.

If these conditions are met, the returning officer must issue a proxy paper in **Form 22**, but only to the elector or to the proxy voter who appears before the returning officer.

The returning officer should consecutively number each set of proxy papers (**Form 22**) before issuing copies. Each proxy paper is completed in triplicate [s. 77], and the copies are distributed as follows:

- the first copy is the original, which goes to the elector or the proxy voter who brought in the application. This is the copy to be used by the proxy voter on ordinary polling day;
- the second copy remains in the office of the returning officer for public inspection; and
- the third copy is given to the DRO for the polling station where the elector's name appears on the list of electors and where the proxy voter will come to vote.

1.8.2.6 - Cancellation of a Proxy Paper

Occasionally, an elector may appoint one person (perhaps a worker for a candidate) to vote by proxy and then change in favour of a family member or someone else to act as the proxy voter.

In that case, the person must return the first proxy paper for cancellation and have a new one issued before the deadline of 5:00 p.m. on Friday, 8 days before election day. [s. 79]

If a proxy paper is not cancelled, only the proxy voter may vote for the elector [s. 99(3)]. The elector may not vote in person.

Chapter Nine – Advance Poll and Ordinary Polling Day

Detailed information about the voting procedure is found in the Guide for Deputy Returning Officers (DROs) and Poll Clerks, in Part 4 of this Handbook.

Section 1.9.1 - Appointment of Deputy Returning Officers and Poll Clerks

The returning officer has the responsibility to appoint DROs and poll clerks.

No specific qualifications are legislated for DROs and poll clerks, except that they must not be disqualified as election officers [s.8], so that they do not need to reside in the municipality.

The appointments must be made no later than the eighth day before ordinary polling day [s. 58(1)].

DROs and poll clerks can be dismissed and replaced for cause, including resignation, death or incapacity [s. 58(2)].

You can appoint “stand-by” election officers, who will be available on election day in case one of the appointed poll officials cannot work or does not show up.

A poll clerk can take over for a DRO who becomes incapacitated or fails to act. In that circumstance, the poll clerk can appoint another poll clerk for the poll [s. 58(3)].

Be sure to swear in your poll officials, using Form 2 in the poll book. They can be sworn in during the training session that you have with them.

If you have a CSAP election in your municipality, try to recruit DROs and/or poll clerks who are bilingual, particularly in the areas that are known to have a concentration of electors who may opt to vote for CSAP.

The returning officer may act as the DRO for the advance poll, and the assistant returning officer may act as the poll clerk [s. 114(2)].

1.9.1.1 - Considerations for DROs and Poll Clerks Training

If your municipality has a “no scents” policy, the policy should be applied to polling station personnel. Some people coming to vote, as well as poll workers, may be affected by strong perfumes.

If your poll workers have also worked in federal and provincial elections, you may have to devote some time to explaining the differences between these elections and municipal and a CSAP school board election.

Consider having sample Statements of Poll that are completed. Experience has shown that completion of these forms can be the most challenging aspect of the poll workers duties.

Section 1.9.2 - Agents

1.9.2.1 - Candidate's Official Agent

A candidate can have an official agent [s. 70], who is entitled to be in the polling station at any time (**except for the candidate who is acting as their own official agent [s. 69(1)(e)]**).

The official agent must have an appointment in **Form 17** for displaying to the DRO at the polling station. Some municipalities provide other identification (such as buttons) so that the official agent can enter the poll.

1.9.2.2 - Candidate's Poll Agents

A candidate can also appoint one or more agent(s) to represent the candidate in each polling station in the polling district in which they are running [s. 71].

Only one agent can be present in the polling station at any one time, but the agent can leave and return. The agent must have an appointment in **Form 15** for displaying to the DRO at the polling station

An agent can be appointed to more than one polling station.

Candidates may have what are referred to as “inside” and “outside” agents. An “inside” agent is the agent who observes the voting process. The “outside” agent is the runner who gathers information on who has voted. There is no distinction in the legislation between these two types of agents, and the only agent that can be in the polling station is an agent with an appointment in **Form 16** to the polling station.

An agent can only be present at one polling station during the count of the ballots [s. 107(4)].

There are no specific qualifications to be a poll agent, so the individuals do not need to reside in the municipality, and do not need to be of voting age.

Section 1.9.3 - Election Campaign Signs

Complaints about campaign signs on ordinary polling day are often made, particularly from the camps of rival candidates.

The rule is that on ordinary polling day, no sign can be within 200 feet of any wall of a building in which a polling station is located [s. 155(1)(b)].

The returning officer has the authority to remove or have removed a sign that is in contravention of this rule and can deduct the cost of the removal from the candidate's deposit [s. 155(2)].

The returning officer need only act if the situation is brought to their attention. It is often helpful to telephone the candidate and bring the matter to the candidate's attention.

Candidates should be advised that coroplast election signs are recyclable through municipal solid waste systems.

Section 1.9.4 - Activities of Candidates on Election Day

Sometimes, concerns are raised about the presence of candidates at the entrance to polling stations.

If a candidate or their agent(s) or representative(s) at the polling station are "loitering or soliciting votes", then they would be subject to being ordered from the polling place or the area within 200 feet of the polling place by the deputy returning officer [s. 105(f)].

Section 1.9.5 - Instructing the DROs and Poll Clerks on Voting in Long-Term Care Facilities

Taking the votes of electors in long-term care facilities can be challenging. Extra time may be needed to allow persons who may have cognitive or physical impairments to mark the ballot.

If the facility is being served by a mobile poll, you may want to take the opportunity to instruct these DROs and poll clerks separately from the others, so that you can also explain the rules for setting up and closing a mobile poll.

If a poll is set up in a long-term care facility, voting at the poll can be suspended and the ballot box can be taken room to room in order to get the votes of the bedridden patients [s. 88].

If the ballot box is to be taken from room to room, the DRO and poll clerk may be accompanied by an officer of the institution. You should check that someone will be available during the time that the polling station is open.

Section 1.9.6 - Advance Poll

1.9.6.1 - Instructing the Advance Poll DROs and Poll Clerks

Generally speaking, you can use the Guide for Deputy Returning Officers and Poll Clerks to train your DROs and poll clerks for the advance poll. There is supplementary information in the Guide about sealing and securing the ballot box between the two advance poll days and after the close of the second advance poll day.

You must give the DRO instructions on whether the DRO is to keep the ballot box between the two advance poll days or between the close of the advance poll on the second day and the close of polls on ordinary polling day, when the advance poll ballots are counted.

Whether the DRO keeps the ballot box or returns it to the returning officer is a decision of the returning officer, usually based on the distance that the DRO would have to travel to retrieve the voting materials from the returning officer's office.

1.9.6.2 - Transfer of Advance Poll Ballots on Election Day

There are special procedures that have to be followed if there are fewer than 10 votes for any office or matter at the advance poll [Ss. 118, 119, 120].

After the close of the advance poll on the second day, the returning officer will know whether fewer than 10 persons voted for:

- candidates for any one office (such as council or CSAP school board), or
- any one matter

In that situation, the advance poll ballot box must be opened during polling hours on election day and all the ballots distributed to other ballot boxes [s. 119]. This procedure is followed to protect the privacy of the vote.

The returning officer must fix the time for the advance poll DRO to open the ballot box on election day. Be sure that the DRO has enough time to get to other polling stations to add the advance poll ballots before the polling station closes at 7:00 p.m.

The following procedure is used to distribute the advance poll ballots:

- At the time fixed by the returning officer, the deputy returning officer for the advance poll opens the ballot box in the presence of the advance poll clerk and any candidates or agents who are present and removes the ballots without looking at the front of them.
- The ballots are separated into the offices or matters which are being voted on.
- The ballots for each office or matter are then placed into separate envelopes.
- The DRO seals the envelopes and records the number of ballots on the front of each envelope.
- The DRO signs across the seal, and asks the poll clerk and anyone else who wishes to sign to do so.
- The DRO delivers the ballots to the polling station designated by the returning officer.
- At the polling station, the polling station's DRO, in full view of all present, opens the envelope given to him or her by the advance poll DRO, and places the ballots individually into the ballot box, without looking at them.
- These ballots are then counted and reported with the rest of the ballots from the polling station.

1.9.6.3 - Striking Off the Names of Electors Who Voted at the Advance Poll

The list of electors used at the polling stations on ordinary polling day has to have the names of the electors who voted at the advance poll struck off, including those who were added to the list at the advance poll [s. 122].

1.9.6.4 - Information to Candidates about Who Voted at the Advance Poll

Candidates can request access to the list of electors who voted at the advance poll (Form 37, s. 121).

Section 1.9.7 - Instructing DROs and Poll Clerks about Acceptable Ballot Markings

Ballots are to be marked by an "X", a cross "+", or a check mark "✓" or a line made with a pencil or pen. [s. 108(d)].

You should instruct your DROs to use common sense in interpreting these marks in the circumstances, to give effect to the intention of the elector.

Section 1.9.8 - Questions and Answers about Election Day

1.9.8.1 - Are Employees Entitled to Time Off With Pay for Voting?

There is no provision in the *Municipal Elections Act* which allows employees time off work (paid or unpaid) for voting purposes.

Terms of collective agreements or contracts of employment may provide employees with time off work to vote. This would be a matter between the employer and the employee.

With two days of advance polling, and with ordinary polling day on Saturday, most people will have sufficient time to cast a ballot.

Some employees, particularly those on 12-hour shifts, may not be able to vote at either the advance or ordinary polls. In such cases, the proxy may be an option for them.

1.9.8.2 - Can a Candidate Advertise on the Radio or in the Newspaper on Ordinary Polling Day?

There is no restriction in the *Municipal Elections Act* on election day advertising.

1.9.8.3 - Will Liquor Outlets Be Open for Business on Ordinary Polling Day?

The sale of liquor on ordinary polling day is not prohibited.

1.9.8.4 - Is Smoking Permitted in Polling Places?

Smoking is **not** permitted in polling places because the province's *Smoke-free Places Act* prohibits smoking in any place of employment.

A "place of employment" means an enclosed space in which employees perform their duties. This includes polling places, as the DROs and poll clerks would be employees performing their duties.

Section 1.9.9 - Receiving the Results of the Voting

The results received on election night are the unofficial results. The official results are determined after the official addition of the votes.

The returning officer must prepare to receive the results of the election(s) on election night. It is likely that candidates and/or media representatives will want to be present when the results are telephoned into the returning officer from the polling stations, so there must be sufficient space made available to accommodate them.

A system of posting the results from each poll as they are telephoned in, either manually or electronically, will assist you by keeping those present informed so that they are not seeking information from you directly.

Do as much as possible, such as filling in forms or setting up boards or screens, beforehand, so that you are ready once the polls close.

Prepare instructions for your DROs on how to telephone the results to you once counting is complete at the polling station.

Instruct your DROs on when and where to return the voting materials to you after the count is complete.

Broadcast and written media are important sources of information about the election results for residents of your municipality, and their representatives should be accommodated.

If your municipality has a website, consider posting the results, or the continuing counts on election night, if possible.

Chapter Ten – Official Additions of the Votes and Post-Election Responsibilities

Section 1.10.1 - Official Addition Day

The vote counts that are done at the polling stations on election night are the unofficial counts.

The official addition of the votes is held at the returning officer's headquarters, starting at 10:00 a.m. on Tuesday, 3 days after election day. [s. 125(1)]

On the day before official addition day, the returning officer can prepare all the documentation that will be used during the count.

Candidates must be notified of the time and place of the official addition.

1.10.1.1 - Procedure on Official Addition

The official addition determines the number of votes cast for each candidate in each polling station in the municipality.

The returning officer conducts the official addition in the presence of candidates and agents who may be present. [s. 125(2)]

The official addition for the CSAP school board candidates is conducted by the returning officers responsible for the CSAP school board election [s. 5(3)].

The official addition requires the returning officer to determine the number of votes for each candidate by examining the statements of poll from each polling station.

The statements of poll which are examined are the ones that remain in each poll book, with the exception of polls where the votes were counted by a counting officer or returning officer (for school board elections only; where there are polls with less than 10 votes).

If a statement of poll is missing from the poll book, the returning officer can get the statement in the possession of the deputy returning officer, a candidate or agent. The correctness of this statement must be verified under oath by the deputy returning officer or poll clerk [s. 125(2)].

1.10.1.2 - Procedure When There Is No Statement of Poll

If there is no statement of poll available at all, then the returning officer determines the

number of votes for each candidate from the endorsements on the envelopes in the ballot box which contain the ballots cast for each candidate.

If these are not available, then the totals can be obtained from the deputy returning officer or poll clerk, or from any evidence that the returning officer can obtain [s. 126(1)].

If necessary, the returning officer can summon any person with information, and require their presence, along with any relevant documentation. They can also be examined under oath. If such a step is required, the returning officer should give notice to the candidates and their official agents of the time and place where the examination will occur [s. 126(2)].

If it is necessary to open the ballot box to get the necessary information, the returning officer must reseal the ballot box as soon as the count is completed [s. 127].

Section 1.10.2 - Completion of the Recapitulation Sheet

As soon as the official addition is concluded, the returning officer completes the recapitulation sheet, **Form 38**.

A separate recapitulation sheet is completed for each matter or office for which a vote was held.

The returning officer must provide a copy of the recapitulation sheet to:

- each candidate, by personal delivery or registered mail
- the clerk of the municipality or the secretary of the CSAP school board, as the case may be

If the number of votes cast for a candidate came from sources other than the statement of poll, then the recapitulation sheet must be accompanied by an explanation of how the results were determined [s. 128].

In recent years some returning officers have been slow in getting in their recapitulation sheets to the Municipal Election Officer. This has a negative impact on the statistical analysis of election results. ROs are implored to forward the Form 38 as quickly as possible to the Department of Municipal Affairs and Housing. The voter turnout info and other statistics are invaluable for future events such as boundary review processes and future election planning at the local level. Municipalities employing contractual Returning Officers are particularly encouraged to get the required data to the Municipal Election Officer as it is hard to get those contractual people who are not municipal employees to come back or to provide the information at a later date.

Section 1.10.3 - Preservation of Election Material

1.10.3.1 - Retention of Material Returned Following the Election(s)

The returning officer is responsible for the safe keeping of the following [s. 140]:

- ballot boxes
- ballots
- poll books
- recapitulation sheets
- unused election supplies

These materials must be kept so that they may be delivered to a judge in case of a recount or challenge.

The ballot boxes must remain sealed for 25 days after ordinary polling day unless otherwise ordered by a judge.

The poll books are open for inspection for 21 days after ordinary polling day, but shall not be photocopied or otherwise reproduced for members of the public.

1.10.3.2 - When Election Material Can Be Destroyed

Where there is no application to the Supreme Court to void an election, or there is no recount, 25 days after ordinary polling day, the returning officer may open the ballot boxes and dispose of their contents, with the exception of:

- poll books
- lists of electors
- recapitulation sheets

All election material retained must be transmitted to the municipal clerk.

Where there is no application to the Supreme Court to void an election, the clerk must retain the poll books, lists of electors and recapitulation sheets for at least a year. If, there is such an application, the documents must be retained until the time for an appeal has expired or for a year, whichever is the longer [s. 141].

Candidate's campaign contribution disclosure forms must be retained by the municipal clerk or the secretary of the CSAP school board (for CSAP candidates) for at least one year. The deadline to file such forms is 60 days following the election.

Chapter Eleven – Recounts and Challenges

Section 1.11.1 - When an Automatic Recount is Required

If there is a tie after the official addition of votes, the returning officer must submit an affidavit of the facts to the court clerk and apply for a judicial recount. The procedure is automatic and does not require an application by either of the candidates. [s. 130(1)].

The returning officer is required to provide a copy of the affidavit and notify the municipal clerk and the affected candidates at least 3 days before applying to the court [s. 130(2)].

Section 1.11.2 - Application for a Recount

In all other circumstances, any candidate, elector, or the municipal clerk (if authorized by the council) may apply within 10 days after election day to a judge of the Supreme Court or the Provincial Court for a recount.

The application must be accompanied by a deposit of \$200.00 as security for court costs [s. 131(2)]. The judge has the discretion to make an order regarding the disposition of the deposit at the end of the recount and may make a further order respecting the payment of costs by any party.

The deposit of two hundred dollars shall not be paid out by the clerk of the court without an order of the judge (s. 131 A).

On receiving the application, the judge decides the time and place for the recount. The time must be set within 30 days following the date of the application [s. 132].

A judge may refuse to conduct a recount and order that the application be dismissed if the judge determines that

- (a) the application is frivolous or vexatious; or
- (b) it would not be in the interest of justice to conduct the recount.

Upon ordering that the application be dismissed, the judge may order costs against the applicant.

Subject to other directions given by the Court, it is suggested that a person applying for a recount make an application for a hearing before the Court to determine the time and place for the recount. At this hearing, all interested parties may make submissions regarding the most convenient time and place. This procedure may be especially important if one of the parties wishes a recount to be completed in time for the first council meeting when the warden is selected.

The applicant should mention to the judge that the Act provides for the recount to take

place within 30 days of the application. It is suggested that the applicant should have a blank order available for completion by the judge when the time and place is determined.

Suggested forms of the application and the order fixing the time and place of the recount are in Appendix "G". Please note that these forms have not been approved by a court, and a judge hearing the application may wish to use a different application and have the matter proceed in an entirely different manner. The judge's instructions in that regard must be followed.

After hearing persons who appear at the first application to fix the date, the judge will make an order determining the time and place for the recount and give directions regarding the service of notice required.

Once an order is issued, copies of the order must be given immediately to the other parties present. Subject to directions which may be given by the Court, the order should be sufficient written notice for the judicial recount.

Section 1.11.3 - Application to Set Aside an Election

An elector (including a candidate) or the clerk at the direction of council, who believes that a major irregularity occurred during the election which might have affected the outcome of the election, may apply to a judge of the Supreme Court to have the election set aside [s. 158].

An application can ask to set aside an election in a particular polling district or electoral district (for a councillor or CSAP school board member) or could ask to set aside an election in an entire municipality (for a mayoralty contest or council elected at large).

If an application to set aside an election is based on an allegation that an action taken or decision made at the recount was not in accordance with the *Municipal Elections Act*, or if the recount was not done promptly, a court may extend the time for commencing the application [s. 158(6)].

The application to set aside an election must be filed with the court clerk within 21 days after ordinary polling day, and must be accompanied by a deposit of \$500.00 as security for court costs [s. 158(7)]. The judge has the discretion to make an order regarding the disposition of the deposit at the conclusion of the application and may make a further order respecting the payment of costs by any party.

This application will be tried in the same manner as any other lawsuit. Therefore, in almost all cases, it will be necessary for the applicant to arrange for a lawyer to prepare the documents for filing and to conduct the trial.

The returning officer and municipal clerk are named as respondents [s. 158(3)], and therefore should have legal counsel.

The duty of the judge hearing an application of this type is to determine, first, whether there was an irregularity and, second, whether that irregularity affected the result of the election. An election is set aside only where the judge decides that there was an irregularity of that importance.

Chapter Twelve – Declaration of Election and Oath or Affirmation of Office

Section 1.12.1 - Declaration of Election

1.12.1.1 - Declaration Where There Was No Recount

The clerk declares elected the successful candidate(s), with their terms of office, at the first regular or special meeting of council [s. 129 (1)].

The declaration must be after the time for application for a recount has expired.

The time for application for a recount expires 10 days after the election [s. 131(1)].

1.12.1.2 - Declaration Where There Was a Recount

Where there has been a recount, the declaration of election of the successful candidate(s) takes place at the first regular or special meeting of council after the recapitulation sheet has been received from the judge [s. 129 (2)].

1.12.1.3 - Declaration Where There Was an Acclamation

Where a candidate has been elected by acclamation, the clerk declares elected the candidate:

- at the first meeting of council after ordinary polling day, or
- in the case of a special election, where holding a poll is no longer necessary, at the first meeting after being so informed [s. 55].

Section 1.12.2 - Oath or Affirmation of Office for Councillor

A council member must be sworn into office by taking the Oath of Allegiance and of Office in **Form 39** [s. 147].

The oath or affirmation is administered by a judge, a justice of the peace, the mayor or warden, or the municipal clerk.

The oath or affirmation must be taken at the first council meeting after the election, or within the extended time allowed by council.

Section 1.12.3 - Orientation for New Councillors

An orientation session is provided for new councillors by the Department of Municipal Affairs and Housing a few weeks after the election.

Municipalities usually have their own orientation sessions as well.

Chapter Thirteen – Nomination Deposit Refund and Campaign Finance Disclosure

Section 1.13.1 - Candidate's Affidavit Required

All candidates are required to file an affidavit with the municipal clerk in **Form 12** within 7 days of ordinary polling day, which states that [s. 51]:

- all advertising and election materials have been removed, and
- all copies of the lists of electors in the candidates possession have been returned, including any electronic copies, or confirmation of the deletion or destruction of any electronic copies.

Form 12 refers to the removal of material and in some cases a candidate elected by acclamation may never have posted or displayed any advertising. In that case, the affidavit can still be used or it can be varied to state that no advertising or election materials were posted or displayed.

It is an offence for a candidate to fail to remove all advertising material from public places within 7 days after a notice is served upon the candidate by the clerk. The notice cannot be issued until after polling day [s. 51(7)].

Section 1.13.2 - Refund of Nomination Deposit

The clerk is responsible for the refund of nomination deposit.

In a municipality where the nomination paper must be accompanied by a deposit of \$200.00 or a smaller amount determined by the council, the clerk is required, where the candidate files the affidavit in Form 12 within the required time, to refund [s. 51]:

- the entire deposit to a candidate who was elected or who polled at least half of the number of votes polled by the successful candidate (including a candidate who was elected by acclamation); or
- half of the deposit to a candidate who polled less than half of the number of votes polled by the successful candidate.

Where there is more than one successful candidate (in polling or electoral districts where more than one candidate is to be elected), the calculation made to determine half of the votes of the successful candidate is based on the successful candidate having the smallest number of votes.

For example, if candidates A and B were elected after receiving 100 votes and 50 votes respectively, and candidate C lost after receiving 35 votes, candidate C would be entitled to a refund because 35 is greater than 25, which is half of the number of votes received

by candidate B.

Subsection 51(5) provides for the immediate return of the deposit of a candidate who was elected by acclamation, once that candidate has filed an affidavit in Form 12, and returned the lists of electors in the candidate's possession.

If the affidavit is not filed with the returning officer within 7 days after ordinary polling day, the deposit is forfeited, whether or not the election material has been removed or is removed later [s. 51(6)].

Section 1.13.3 - Return of Campaign Finance Disclosure Forms

Within 60 days of ordinary polling day, the candidates and their associations must file their Campaign Finance Disclosure Forms, **Form 40** or **Form 41**, respectively [s. 49A(8)].

The forms are filed with the municipal clerk for council candidates, and with the secretary of the CSAP school board, for CSAP candidates.

The forms must be signed by the official agent for either the candidate or the association. Only candidates who get officially nominated need to file disclosure statements.

Candidates who act as their own official agent file the form on their behalf.

Each Disclosure Form must show the name and address of each contributor whose contributions exceed \$50.00 since the last municipal election.

The clerk or the secretary of the CSAP school board must allow the disclosure statements to be examined at their office, during regular office hours. Copies can be made on payment of a reasonable fee [s. 49B]. **Campaign Contribution Disclosure Forms must be retained for one year.**

Failure to file the Disclosure Form on time is an offence [s. 49B(12)].

Chapter Fourteen – Special Elections and Plebiscites

Section 1.14.1 - Requirement for a Special Election

A special election must be held when there is a vacancy on council or school board. A vacancy occurs when:

- an insufficient number of candidates are nominated to fill the vacancies at a regular or special election, or
- a councillor or school board member dies, resigns, becomes disqualified or forfeits office [s. 13(1)].

The only exception to these requirements is when a vacancy occurs in a regular election year. No special election is required to be held in the 6 months preceding ordinary polling day, unless council or the Minister determines otherwise [s. 13(8)].

Section 1.14.2 - Plebiscites

A council can hold a plebiscite at any time, in all or part of the municipality [*Municipal Government Act*, s. 53].

- (1) A council may direct that a plebiscite be held in all or part of the municipality and that the clerk hold a public meeting in connection with the plebiscite.
- (2) Where a plebiscite is directed, the clerk shall require the returning officer appointed pursuant to the *Municipal Elections Act* to conduct the plebiscite and it shall be conducted as closely as possible to the manner provided for the conduct of a special election pursuant to the Act.
- (3) A plebiscite shall be held on a Saturday, as specified in the resolution, which shall be not less than ten weeks after the resolution directing the plebiscite is passed.

It is the responsibility of the municipal returning officer to conduct the plebiscite as council directs.

A plebiscite can be held in conjunction with the regular election, or at any other time that council directs. If the plebiscite is not conducted with the regular election, it is conducted as a special election.

Section 1.14.3 - Procedure for a Special Election

The *Municipal Elections Act* requires a special election to be conducted as closely as possible to the procedure governing a regular election [s. 13(6)].

However, there will be some differences. A suggested calendar for a special election is produced at the end of this Chapter.

1.14.3.1 - Dates of Note

The calendar provides for 11 weeks to hold a special election. Sufficient time will need to be allocated to carry out election requirements, particularly to accommodate advertising. This is especially important for municipalities that normally advertise in weekly newspapers.

Council must meet within four weeks of the date of the vacancy to set the date for a special election [s. 13(1)].

If a special election is required because of a failure to nominate sufficient candidates at the regular election, the returning officer must notify the clerk, who can ask the outgoing council to set a date for the special election as soon as possible. In the case of insufficient candidates nominated for a school board election, more than one municipality may have to be contacted.

If there is no regular meeting of council scheduled in the four-week period, then a special meeting must be called for that purpose.

The date for the special election must be on a Saturday, not more than 11 weeks after the meeting of council (or school board) at which the date was set [s. 13(2)].

For special elections, nomination day is the fourth Tuesday before ordinary polling day [s. 13(3)], unless it is a vacancy in the office of the mayor, and then it is the fifth Thursday before ordinary polling day [s. 13(4)].

Special Election Calendar Sample

MUNICIPAL ELECTIONS ACT SPECIAL ELECTION CALENDAR

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
62	61	60 Council sets date and approves list	59	58	57	56
55	54	53	52	51 Earliest date for 1 st ad for nominations for Mayor (could include revision notice)	50	49
48	47	46 Earliest date for 1 st ad nominations for council or school board (could include revision notice)	45	44	43	42
41	40	39	38	37 Latest date for 2 nd ad for mayoralty nominations (could include revision notice); begin to receive nominations for Mayor by appointment	36	35
34	33	32 Latest Date for 2 nd ad for nomination for council or school board; begin to receive nominations by appointment	31	30 Nomination day for Mayor	29	28
27	26	25 Nomination day for council or school board	24	23	22	21
20	19	18	17 Suggested date to publish notice of poll and advance poll (weekly)	16	15	14
13	12	11	10 Latest date to publish notice of poll and advance poll (for Thursday advance Poll)	9 Possible Advance Poll	8 Latest date for ad for advance poll and notice of poll (for Sat. Advance Poll)	7 Possible Advance Poll
6	5	4 Advance Poll	3	2	1	0 Ordinary Polling Day
+1	+2	+3 Official Addition	+4	+5	+6	+7

Posting and revision and advertising of preliminary list of electors can occur any time between the date of council resolutions and the date of nomination. There needs to be 2 ads about revision, but the dates for the ads are not specified.

1.14.3.2 - Returning Officer

Special elections for council are conducted by the municipal returning officers.

For vacancies on the school board:

- If the vacancy is in an electoral district covering one municipality, the secretary of the school board should contact the municipality whose returning officer will act as the returning officer for the special election.
- If the vacancy is in an electoral district covering more than one municipality, there must be agreement between the municipal returning officers involved to administer the special election for the school board [s. 5]. The secretary of the school board should contact the municipalities about designating the municipal returning officer who will act as the returning officer for the special election. Generally, it would be expected that the returning officer who conducted the regular school board election would conduct the special election.
- A school board does have the option, however, to administer the special election using its own returning officer [*Education Act*, s. 48(3)].
- A vacancy in the seat of a member of a school board occurring within two years but not within six months of the next regularly scheduled election for school board members shall, following such consultation as the Minister considers appropriate, be filled by the Minister with a person qualified to be elected to that position [*Education (CSAP) Act*, s. 51A (2)].

1.14.3.3 - List of Electors

For a special election, the returning officer has the same choices for preparation of a list of electors as is available for a regular election [s. 30(2)]. Review Section 1.4.1.4 of this Part.

It is not necessary that council approve the choice of the list of electors.

These lists function as preliminary lists, and are revised in the same manner as the preliminary lists are revised during a regular election [s. 30(3)].

1.14.3.4 - Nominations

There are some differences in procedure for nominations in special elections:

Nomination day for a special election for council or school board (with the exception of the position of mayor) is the fourth Tuesday preceding ordinary polling day [s. 13(3)].

If the vacancy to be filled is that of a mayor, nomination day is the fifth Thursday preceding ordinary polling day [s. 13(4)].

If a councillor files nomination papers to run for mayor, then the councillor's seat becomes vacant [s. 18(7)].

To fill the vacancies for mayor and councillor at the same special election, there are only 5 days between their respective nomination days, namely, fifth Thursday (for mayor) and the fourth Tuesday (for councillor) preceding ordinary polling day.

No member of a CSAP school board is qualified to run for a municipal council office during a special election [s. 18(2)].

No council member is qualified to run for school board in a special election. *Education Act* (S. 46)

1.14.3.5 - Notices

The same notices must be placed for a special election as for a regular election. The following notices must be published:

- advertising the revision of the list of electors
- advertising the special election, and requesting nominations
- advertising the election
- advertising the advance poll

Where possible, these notices can be combined. Because there is a shorter time frame to place these advertisements in the special election calendar, especially when weekly newspapers are used, it may not be possible to adhere strictly to the requirements of the *Municipal Elections Act*.

When advertising for the special election for the mayor, the returning officer should mention in the advertisement that:

- a councillor would create a vacancy by running for the mayor's seat, and
- where such a vacancy occurs, the nomination date to fill the councillor seat at the same special election would be on the fourth Tuesday preceding ordinary polling day.

1.14.3.6 - Advance Poll

The requirements for advance polls are the same for special elections as for regular elections.

There must be two advance poll days [s. 2(1)(a)]:

- the first advance poll must be fixed by council to be either on Thursday, 9 days before ordinary polling day or on Saturday, 7 days before ordinary polling day
- the second advance poll is mandatory and must be held on Tuesday, 4 days before ordinary polling day.

2020 Calendar for Municipal and CSAP School Board Returning Officers

Please note: The information contained in this document is intended as a guide to assist in municipal and CSAP election planning. The Municipal Elections Act should be consulted for legislated dates

March 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7 Candidates must be resident in the municipality for a period of 6 months preceding nomination day (s. 17 (1)(b)). In CSAP district for CSAP candidates [s.46 Ed CSAP Act]
8	9	10	11	12	13	14
15 Local ROs must be appointed on or before March 15 [s.4(1B)]	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31 RO must set polling divisions on or before March 31 [s.9(1)].	Note: Report to Council mid-March or early April on such issues as budget and recommendations on preparation of voters' lists, etc.			

April 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7 *If first Advance Poll is Oct 8 th , person must have been resident in Province from this date onwards to be an eligible voter. [S.14 (c)]	8	9 *If first Advance Poll is Oct 10 th , person must have been resident in Province from this date onwards to be an eligible voter. [S.14 (c)]	10	11
12 EASTER	13 EASTER MONDAY	14	15 Council must approve method of preparing preliminary list by April 15 [s. 30(1)]	16	17 No special elections after this date (unless Minister or Council requires it) [s.13 (8)]	18
19	20	21	22	23	24	25
26	27	28	29	30	Note: *Residency requirement date on first advance polling day.	

May 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Registrar of Voters to be appointed on or before May 1 (Optional) [s. 22 (1)]	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 VICTORIA DAY	19	20	21	22	23
24	25	26	27	28	29	30
31 Enumeration must be commenced on or before May 31, unless a later date is set by RO and approved by Council [s. 24(1)]						

June 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10 Enumeration must be completed no later than June 10, unless a later date is set by the RO or approved by council [s.27]	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	Note: Consider booking facilities for polling stations – particularly schools. Considerations should be given to accessible locations.			

July 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 CANADA DAY	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30 Last day for preliminary list of electors to be completed [s. 21]	31	

Note: After the Preliminary list of electors has been prepared by the RO or the Registrar of Voters (if applicable) who shall give notice by at least two insertions in a newspaper circulating in the municipality that the preliminary list has been prepared and provide instructions on how a person can check to see if they are on the list and when and where revising officers will sit to receive applications for amendments [s. 34].

August 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<p>Note: Two Ads for nominations are required. The 2nd Ad must be at least 7 days preceding nomination day and the 1st Ad must be 7-14 days prior to the 2nd Ad. Additional Ads optional. Notices also must be posted at least in two public locations [s. 42 (3)].</p> <p>Revision of voters list ongoing at this time. Ads required for Revision of lists [s.34].</p>						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 Last day for RO to establish procedures and forms as per by-law for alternative method voting and provide copy to candidate. [s.146A) (4)]	18	19	20	21	22
23	24	25	26	27 Nominations by Appointment [s.44 (9)].	28 Nominations by Appointment [s.44 (9)].	29
30	31 Nominations by Appointment [s.44 (9)].	<p>Note: Nomination packages should be ready for potential candidates.</p>				

September 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Note: *The notice of Poll Ad must be done as soon as possible after nomination day [s.50]		1 Nominations by Appointment [s.44 (9)]. Last day date for 2nd AD for nominations [s. 42, (34)]	2 Nominations by Appointment [s.44 (9)].	3 Nominations by Appointment [s.44 (9)].	4 Nominations by Appointment [s.44 (9)].	5
6	7 LABOUR DAY	8 Nomination Day [s.44]	9 Candidate may withdraw and be deemed not to have been nominated [s.53] First day for issuing proxy papers.	10 Suggest Order Ballots.	11	12
13	14	15	16	17 *Suggested day for Notice of Poll and Advanced Poll AD.	18	19
20	21	22	23	24	25	26
27	28	29	30	Note: Training sessions for local DROs and Poll Clerks and Supervisors (if applicable) are most effective during the two weeks prior to polling day. Election workers are more apt to retain the instructions from training if it is held as close as possible to the advance polling or election day. Some ROs hold meetings with candidates to go over election processes they will be experiencing at the polls and to have Q & A sessions.		

October 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Note: If 1 st day of Advance Poll is October 8 th , the deadline for producing revised list of electors is October 5 th . If 1 st day of Advance Poll is October 10 th , the deadline for producing revised list of electors is October 7 th .				1	2	3
4	5	6	7	8 Possible 1 st Advance Poll [s. 114 (4) (b)] 12-8pm.	9 Last day to appoint DRO and poll clerks for polling stations [s.58 (1)]. Last day for issuing proxy papers [s.76(1)]	10 Possible 1 st Advance Poll [s. 114 (4) (b)] 12-8pm.
11	12 THANKSGIVING	13 MANDATORY 2nd Advance Poll [s. 114(4)(a)]	14 Last day to issue transfer certificates [s.73(1)]	15	16 RO to deliver voting materials to DRO by 10pm [s.68]	17 Election Day
18	19	20 Official Count [s.125]	21	22	23	24 Last day for candidate to remove advertising, file affidavit, return/delete lists and receive refund [s. 51(3)].
25	26	27 Last Day to apply for Recount [s. 131(1)]	28	29	30	31

November 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7 Last day for Poll books to be open for inspection [s.140(1A)] Last day for applications for a void election [s.158(5)]
8	9	10	11 If election not contested and no recount required, RO must dispose of ballot box contents and unused election supplies (with some exceptions) [s.140(3)]	12	13	14 Last day for Clerk to call special meeting of council to administer oaths [s.148], if a regular meeting has not been held sooner.
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16 Last day to file Campaign Disclosure with Municipality or Secretary of School Board [s. 49A (8)]. Final List of Electors to be returned to Elections Nova Scotia, including additions and any changes recorded during Election [s.140A(1)].	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Election Forms Cross Reference

The following section lists all Election Forms and the corresponding sections within this Manual. Please note: Forms 11A, 11C, 31A are no longer relevant with the *Education Act* changes.

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
1 Sections 4, 8, 33	Oath or Affirmation Returning Officer, Assistant RO & Revising Officer	To affirm RO, ARO and Revising Officer	1.1.3
2 Sections 8, 59	Oath or Affirmation Deputy Returning Officer and Poll Clerk	To affirm DRO and Poll Clerk	4.1.3
3 Sections 17, 44, 45	Certificate in Respect to Charges that are Liens/Taxes	As of nomination day, the candidate has paid in full all charges that are liens on the candidate's property and the taxes due to the municipality, and, if a municipality has provided for payment of taxes by instalment or interim payments, all instalments or interim payments due as of nomination day have been paid	1.6.2.8
4 Section 22	Oath or Affirmation Registrar of Voters	To affirm Registrar of Voters	1.1.3
5 Section 23	Oath of Affirmation Enumerator	To affirm Enumerator	1.4.3.2
6 Section 25	Index Sheet Alphabetical	For use during enumeration	3.3.7
6A Section 25	Index Sheet Geographic	For use during enumeration	3.3.7
7 Section 27	Enumerator's Certificate	Certifying that the index sheets contain correct information concerning the qualified electors	3.3.7
8 Section 36	Oath or Affirmation of Person Applying to be Added to the List of Electors at Revision	Used during revision period when adding people to the electors list	1.5.6.1

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
9 Sections 35, 36	Oath or Affirmation of Person Applying for Amendment of the List of Electors at Revision	Used during revisions to remove a person from the list (not qualified, deceased, etc)	1.5.6.2
10 Section 37 (2)	Oath or Affirmation of Person Applying to Correct Errors on List of Electors	Used during revisions to change elector information (moved, name change, etc)	1.5.6.3
11 Section 44	Nomination Paper Mayor or Other Council Member		1.6.2.3
11A Section 44	<i>Nomination Paper (District Member, Regional School Board)</i>		<i>1.6.2.3</i>
11B Section 44 (MEA) Section 13 (Ed. Act)	Nomination Paper Conseil scolaire acadien provincial (CSAP)		1.6.2.3
11C Section 44 (MEA) Section 42 (Ed. Act)	<i>Nomination Paper African Nova Scotian Member of Regional School Board</i>		<i>1.6.2.3</i>
12 Section 51	Affidavit Removal of Advertising Materials and Return of List of Electors	To be completed by the candidate within 7 days of ordinary polling day and filed with the Clerk	1.13.1
12A Section 53	Declaration of Candidate Withdrawing from Nomination	Filed prior to 4pm on the day after Nomination Day	1.6.2.12
13 Section 66	Form of Ballot Paper		1.7.2.2

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
14 Section 68	Format of Poll Book		1.7.3
15 Sections 69, 71	Appointment of Agent	Completed form must be presented to DRO when observing a polling station	1.9.2.2
16 Section 69	Oath or Affirmation of Agent Representing a Candidate	Candidate's Agent - Oath must be taken by each Agent and the Agent must present Form 15 to DRO	1.9.2.2
17 Section 70	Appointment of Official Agent		1.9.2.1
18 Section 73	Application of Person Applying for a Transfer Certificate	Completed by person applying for transfer	1.8.1
19 Section 73	Transfer Certificate (Polling Station)	Used where the elector wishes to vote at a polling station within the same polling district	1.8.1 4.5.6
20 Section 73	Transfer Certificate (Polling District)	Used where the elector wishes to vote at a polling station in another polling district	1.8.1 4.5.6
21 Section 76	Application for Proxy Vote		1.8.2.3
22 Section 76	Numbered Proxy Paper		1.8.2.5
23 Section 68	Direction to Electors		4.2.2
24 Section 83	Elector's Oath or Affirmation of Qualification	To be used when a question arises as to whether or not the voter qualifies or is challenged.	4.4.4.1

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
25 Section 86	Oath or Affirmation of Elector Requiring Assistance		4.5.1
26 Section 86	Oath of a Friend of Elector Requiring Assistance (Unrelated)	If accompanied by a friend. The DRO may however assist the Elector (blind, unable to read or has a physical disability). Use with Form 25.	4.5.1
26A Section 86	Oath of a Friend of Elector Requiring Assistance (Candidate or Relative)	If accompanied by a relative or Candidate. The DRO may however assist the Elector (blind, unable to read or has a physical disability). Use with Form 25.	4.5.1
27 Section 87	Oath or Affirmation of Interpreter	If an Interpreter is required to convey specific information (instructions) between DRO and Elector.	4.5.2
28 Section 92	Oath or Affirmation as to Error on List	If a name or address appears incorrect on Voters List but closely corresponds with the name and address on the official list of voters.	4.5.3
29 Section 93	Oath or Affirmation of a Personated Elector	If someone has already voted in another person's name (it may have been incorrectly crossed off).	4.5.4
30 Section 94	Record of Poll	The Poll Clerk shall enter the name of all Electors in Poll Book and fill in all appropriate columns.	4.6.4

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
31 Section 98	Oath or Affirmation of Elector not on List of Electors	When name is not on Voters List and the voter so qualifies voter must provide evidence of residency. DRO must enter on Form 31 address of Elector and have voter sign form. Add name to Form 30 - Record of Poll.	4.4.4.3
31A Section 98	<i>Oath or Affirmation of Elector not on List of Electors</i> <i>For Use When Elector can Vote only for Regional School Board</i>		4.4.4.3
31B Section 98	Oath or Affirmation of Elector not on List of Electors For Use When Elector can Vote Only for Conseil scolaire acadien provincial (CSAP		4.4.4.3
32 Section 99	Affidavit of Proxy Voter To be used on Ordinary Polling Day Only.	An Elector may vote by proxy on ordinary polling day if his Proxy Voter appears on voters list and he must present to DRO the proxy paper issued by Returning Officer; must swear and sign the affidavit of Proxy Voter in Poll Book.	4.5.5
33 Sections 106, 111, 119	STATEMENT OF POLL One Candidate or Matter	To be completed after count. Make sure line 1 balances with line 8. Fill in total number of voters on list <u>including</u> all sworn in voters.	4.6.4
34 Sections 106, 111, 119	STATEMENT OF POLL More than One Candidate or Matter	To be completed after count. Make sure line 1 balances with line 8. Fill in total number of voters on list including all sworn in voters.	4.6.4

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
34A Section 123A	STATEMENT OF POLL To be Completed when Transferring Ballots for Counting	Less than 10 ballots for a matter to be transferred to another Poll Station	4.6.4
35 Section 107	TALLY SHEET Counting of Votes	Give to all persons who are present during the count. Poll Clerk leaves Tally Sheet count in Poll Book.	4.6.4
36 Section 107	TALLY SHEET Counting of Votes for a Plebiscite		
37 Section 117	Persons Who Voted at the Advance Poll		4.7.5
38 Section 128	Recapitulation Sheet	Part of the Official Addition by the Returning Officer	1.10.2
39 Section 147 (MEA) & Section 50 (Ed. Act)	Council Member's/School Board Member's Oath of Allegiance and of Office		1.12.2
40 Sections 49A & 49B	Candidates Campaign Contribution Disclosure Statement		1.13.3
41 Sections 49A & 49B	Association Campaign Contribution Disclosure Statement		1.13.3
44 Section 123A	STATEMENT OF POLL Consolidated Count of School Board Ballots (One Member to be Elected from the School Board Electoral District)		2.6.3.4

Election Forms 2020

FORM	TITLE	USE	Section in Returning Officer Manual
45 Section 123A	STATEMENT OF POLL Consolidated Count of School Board Ballots (More than One Member to be Elected from the School Board Electoral District)		2.6.3.4
46	OBJECTION STATEMENT	When during the count at close of Poll, a Candidate or Agent objects to the DRO rejecting a ballot, mark "Rejected" on back of ballot and number it (1,2,3, etc). The DRO to initial it. Put same number on "Objection Statement" who objected to it and place this ballot in the rejected envelope.	4.6.4

Part Two – Conseil scolaire acadien provincial (CSAP) Elections

Information for Municipal and CSAP School Board
Returning Officers

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Chapter One - General Information

In April 2018, the *Education Reform Act* was passed, which dissolved the English-language school boards, replacing them with an appointed advisory council. As a result of the changes, English-language school boards and the African Nova Scotia Representative will no longer be elected. The French-language school board, Conseil scolaire acadien provincial (CSAP), retains its current structure and will continue with elections in 2020 as set out in the *Municipal Elections Act*.

Consequential amendments were made to the *Municipal Elections Act* whereby the definition of 'school board' was changed to mean 'Conseil scolaire acadien provincial'. As such, for the purposes of this Handbook, references to school board are specific to CSAP.

For more information on CSAP, please visit their website at:

<https://csap.ca/>

Section 2.1.1 – CSAP School Board Returning Officers

2.1.1.1 - Appointment

The *Education (CSAP) Act* [s. 48] places responsibility for CSAP school board elections on municipal returning officers.

Where a CSAP school board electoral district contains the whole or part of more than one municipality, the returning officers concerned must designate one of themselves to be the returning officer for that electoral district [*Municipal Elections Act*, s. 5]. One of the municipal returning officers in each CSAP electoral district must act as the returning officer for that electoral district.

There is no specified procedure on how returning officers in a CSAP school board electoral district are to designate the returning officer for the school board elections. If they fail to agree, the Municipal Elections Officer will designate one of the returning officers to be the returning officer for the CSAP school board election [*Municipal Elections Act*, s. 5].

There is an exception to these rules. Where there is a special election for a CSAP school board vacancy, the CSAP school board itself may conduct the election if the Minister of Education agrees [*Education (CSAP) Act*, s. 48].

A vacancy in the seat of a member of a school board occurring within two years but not within six months of the next regularly scheduled election for school board members shall, following such consultation as the Minister considers appropriate, be filled by the Minister with a person qualified to be elected to that position [*Education (CSAP) Act*, s 51A(2)].

A description of the CSAP electoral districts is in Appendix "I".

2.1.1.2 - Oath or Affirmation of Office

No additional oath or affirmation is required for a municipal returning officer conducting a school board election.

2.1.1.3 - Duties of School Board Returning Officer

Responsibilities of the CSAP school board returning officer include:

- taking nomination papers for CSAP school board candidates
- printing CSAP school board ballots and delivering them to the appropriate municipal returning officers for inclusion in the polling station supplies
- arranging for the counting of CSAP school board ballots from polls where fewer than 10 electors voted for a CSAP school board
- conducting the official addition of the votes for the CSAP school board candidate(s). See Chapter 7 of this Part
- deciding on the disposition of the deposit for CSAP school board candidates

If you are the returning officer for CSAP, be sure to contact all CSAP schools in the electoral district to encourage their families to participate in the election.

2.1.1.4 - Duties of Municipal Returning Officer Who Is Not School Board Returning Officer

Municipal returning officers who are not returning officers for a CSAP school board election in their municipalities have the responsibility to:

- advertise with respect to the CSAP election in their municipalities
- ensure that polling stations and poll staff are in place for the CSAP school board election(s) in their municipalities, even if the council is acclaimed
- train poll staff in carrying out the CSAP school board election(s)
- ensure that the results of the CSAP school board election(s) (and uncounted ballots, if necessary) are transmitted to the CSAP school board returning officer.

Section 2.1.2 – Co-ordination of Effort (Municipal and CSAP School Board Returning Officers)

Co-ordination between CSAP School Board Returning Officer and Other Municipal Returning Officer(s) in the School Board Electoral District

In areas where the CSAP electoral district encompasses two or more municipalities, the person designated to be the school board returning officer for any of the school board elections must receive the co-operation of their counterparts in the electoral district.

There are significant challenges in administering elections that span a number of municipal units. All returning officers with a role in the election must carefully coordinate their efforts. **Anything less than full co-operation could lead to serious problems at the polls on election day.**

Although the CSAP school board returning officer must still take the nomination papers of the candidates, even when the school district covers more than one municipality [s. 5(3)], school board returning officers should provide nomination packages to each municipal returning officer in the school region, so that prospective candidates do not have to travel long distances to obtain the necessary forms.

There must be a clear plan regarding ballot delivery to all returning officers from the school board returning officer. Also, the results must be communicated to the school board returning officer as soon as possible following the election.

2.1.2.1 - Co-ordination Checklist

The CSAP school board returning officer must obtain the following from the other municipalities in the electoral district:

A copy of both their **preliminary and amended lists of electors**, so that the nominators of candidates can be checked if they do not reside in your municipality, and the amended voter lists can be made available to the candidates once nominated.

Amount of their **nomination deposit**, if any. The deposit that must be charged to the school board candidates is the largest amount charged by any municipality in the school board electoral district.

Assistance with choosing a **ballot colour** for the school board election.

Election night contact information so that the municipalities in the CSAP boundaries can contact you with results.

Co-ordination of effort to transport any uncounted ballots on election night to the school board returning officer for subsequent counting.

Municipal returning officers in the electoral district concerned should assist in encouraging CSAP candidates to be officially nominated as early as possible and not to wait for nomination day. Have nomination packages ready for potential candidates to file with the school board returning officer.

2.1.2.2 - Advertisements

The CSAP school board returning officer and the municipal returning officers must co-ordinate the provision of contact information and candidate information after nomination day to include with the municipal election advertisements.

Each municipal nomination advertisement must identify the CSAP school board returning officer(s) for the electoral district(s) that encompasses the municipality, so that potential candidates know who to contact to obtain nomination information.

Local knowledge of newspaper deadlines is an asset in this situation.

Chapter Two – CSAP Elected Office

Section 2.2.3 - Member(s) of the *Conseil scolaire acadien provincial* (CSAP)

The CSAP is the French-first-language school board in Nova Scotia, and it has jurisdiction throughout the province [*Education (CSAP) Act*, s. 11].

CSAP has 10 electoral districts established by the Nova Scotia Utility and Review Board. There are a total of 18 members: 3 electoral districts have 3 members each, 2 have 2 members each, and the remaining 5 have 1 member each.

All municipalities are in a CSAP electoral district.

For example, Halifax Regional Municipality and the Municipality of the County of Inverness are each separate electoral districts for CSAP. All municipalities in the Counties of Kings and Annapolis, and in the District of Hants West, are in the electoral district of Greenwood for CSAP.

At election, the names of the CSAP candidates for the electoral district appear on one ballot and entitled CSAP electors can vote for as many candidates as there are members to be elected from the district.

Chapter Three - Qualifications to Elect CSAP School Board Members

With the recent legislative changes, the only office for school board that an elector can vote for is CSAP. To be an elector in a CSAP election, you need to be an 'entitled person' under the *Education (CSAP) Act*.

Section 2.3.3 - Qualifications to Vote for *Conseil scolaire acadien provincial* (CSAP) [*Education (CSAP) Act*, s. 13]

A qualified elector who is an "entitled person" may choose to vote for CSAP.

An "entitled person" is defined in the *Education (CSAP) Act* [s. 3(h),(i)] as a person:

- who is a Canadian citizen and,
- whose language first learned and still understood is French, or
- who received his or her primary school instruction in Canada in a French-first language program, or

- of whom any child has received or is receiving primary or secondary school instruction in Canada in a French-first-language program.
- For clarity, a French-first-language program is a school program in which the first language of instruction is French, and in which English is taught, but does not include a French immersion program [*Education (CSAP) Act*, s. 2(k)].
- An entitled person who intends to vote for CSAP is not required to take an oath or make an affirmation that the person is an "entitled person". The elector's request for the CSAP ballot is confirmation that the elector is an "entitled person" [*Education (CSAP) Act*, s. 13(3)(c)].
- There can be no challenge at the polls to the qualifications of a CSAP elector [*Education (CSAP) Act*, s. 13(3)(c)].
- An entitled person who votes for a CSAP candidate at a regular election may vote for any other candidate at a special election following the regular election [*Education (CSAP) Act*, s. 13(2A)].
- An "entitled parent" does not include a guardian or a person acting in *loco parentis* [*Education (CSAP) Act*, s. 3(t)].

Section 2.3.4 - Electors who Move Preceding Ordinary Polling Day

A person who moves before ordinary polling day from one municipal unit to another municipal unit, but who remains within the boundaries of a school region is eligible to vote in the CSAP school board election.

In such a case, the elector would go to the polling station where they reside on ordinary polling day and be sworn in using **Form 31B** for CSAP electors.

Chapter Four - Candidates for CSAP Elections

Section 2.4.1 - Qualifications to Run for School Board

Under the *Education (CSAP) Act* [s. 46 (1)], a candidate is qualified to be elected as a school board member, if the candidate:

- is a Canadian citizen of the full age of 18 years at the time of nomination;
- has been ordinarily resident in the school region or in an area annexed to the school region for a period of 6 months preceding nomination day, and continues to so reside; and
- is not disqualified pursuant to the *Education (CSAP) Act*.

The following are disqualified under the *Education (CSAP) Act* [s. 46(2)] from running or serving as a members of a school board:

- a member of the House of Commons or Senate of Canada;
- a member of the House of Assembly;
- a member of another school board;
- a judge of the Nova Scotia Court of Appeal, the Supreme Court of Nova Scotia or the Provincial Court of Nova Scotia;
- a person who would be a member of a school board and a member of the council of a municipality at the same time. This precludes a person from running for both council and the school board in the same election. It also precludes an elected councillor from running for school board membership in a special election. (Subsection 18(2) of the *Municipal Elections Act* precludes a school board member from being a candidate in a special election for a council seat);
- a person who accepts or holds office or employment in the service of the school board. This applies to a board for which the person works. An employee of one school board may run for office in another school board;
- a person who has been convicted of any corrupt practice or bribery contrary to the *Municipal Elections Act* within the ten years preceding nomination day; or
- a person who has been disqualified from any office pursuant to the provisions of the *Municipal Conflict of Interest Act* or the *Municipal Elections Act* and the period of disqualification has not expired.

The onus is on the candidate not the local election official(s) to declare their eligibility status and to confirm by oath or affirmation in their nomination papers that they are

not disqualified from running for school board. Particular care should be taken before a nomination paper is signed by the Returning officer that the candidate is not an employee of the Board for which they are seeking a seat.

Section 2.4.3 - Qualification for Member of *Conseil scolaire acadien provincial* (CSAP)

In addition to meeting the general qualifications, a CSAP candidate must be an "entitled parent" or "entitled person" within the meaning of sections 3(h), (i) and (t) of the *Education (CSAP) Act*. **See Appendix "B" for the legislative reference.**

The candidate attests to this qualification in the nomination paper (**Form11B**).

Note that the "school region" for CSAP is the entire province, so that as long as a person has resided in the Province for 6 months preceding nomination day, they would meet the residency requirements to run for CSAP.

Section 2.4.4 - Nomination of School Board Candidates

Review the nomination procedures section (Section 1.6.2) in Part 1 of this Handbook.

The deposit required for a CSAP school board candidate is the highest deposit charged in the electoral district of the school region in which the candidate is running.

No tax certificate is required for school board candidates.

Where the school electoral district covers a number of municipalities, returning officers for the election of the CSAP member should encourage candidates to file early, to be sure that the names of the nominators can be checked on the list of electors.

It may not be practical in some cases for the candidate or the returning officer to travel long distances to do nomination paperwork. To overcome this, official agents sometimes file nomination papers on behalf of such candidates.

CSAP candidates should also be encouraged to inform potential supporters to identify themselves as entitled when they go to the polls. This would greatly help to streamline the process and make for smoother election administration.

Where the CSAP electoral district covers a number of municipalities, the returning officer will need to get access to the lists of electors from other municipalities which show the nominators, as well as to have the lists of electors to provide to candidates once their nomination papers have been accepted.

Although a CSAP school board candidate is entitled to the lists of electors from all municipalities in the electoral district, the candidate may choose to take only selected lists.

2.4.4.3 - Candidates for Conseil scolaire acadien provincial (CSAP)

CSAP members are nominated using **Form 11B**. Note that **Form 11B** is available in both English and French.

The nominators must:

- reside in the electoral district and be on the list of electors for one of the polling districts within the electoral district, and
- be "entitled persons" within the meaning of the *Education (CSAP) Act*. For the nominators, this is evidenced by signing a statement on the nomination paper to that effect.

Section 2.4.5 - Post-Nomination Responsibilities

Inform the secretary of the CSAP school board of the names of the candidates that are running in the electoral district, so that the secretary will have the information for the board's purposes, including knowing who has to file Financial Disclosure Forms.

If there is an acclamation in the CSAP electoral district, so inform the secretary of the CSAP school board.

If insufficient numbers of candidates have been nominated, inform the secretary of the CSAP school board. A special election to fill the vacancy will be required.

Inform each municipal returning officer in the CSAP school board electoral district of either the candidates nominated or the fact that there have been acclamations or insufficient candidates, so that each municipality can place the information in their respective election notices.

If you are the returning officer for CSAP, contact the CSAP schools in the electoral district to encourage their families to participate in the election.

Chapter Five - Election Supplies for CSAP Elections

Municipal returning officers must ensure that there are sufficient supplies and personnel on hand to take the CSAP vote.

Remember, it can be a big challenge for the CSAP school board returning officers to organize the distribution and retrieval of the school board election materials, particularly ballots, especially over a large geographic area.

Section 2.5.1 - Ballots

The CSAP school board returning officer is responsible for the printing of the school board ballots which will be supplied to all municipalities in the electoral district.

Consult with the other returning officers in the electoral district to determine what colour the ballot will be. Decide early, so that the other units can get their ballot colours established.

Review Section 1.7.2 of Part 1, which describes the printing of ballots. The same rules apply to the printing of CSAP school board ballots. If there is more than one municipality in the CSAP school board district, it is not necessary for the back of the ballot to show the names of the different municipal units in the district. Instead, identify the electoral district.

Using the example of Electoral District of Greenwood, which contains districts of the Municipality of the County of Annapolis, the Municipality of the County of Kings, the District of West Hants and the Town of Windsor, Hantsport, Wolfville, Kentville, Berwick, Middleton, Bridgetown and Annapolis Royal. The back of the school board ballot would be identified simply as "Electoral District of Greenwood".

2.5.1.1 - How Many Ballots to Print?

Confirm with each municipal returning officer in the electoral district the number of ballots required for their polling stations.

Returning officers for the CSAP elections follow the same rules concerning the number of ballots to be printed for each polling station, namely, at least 10% more ballot papers than there are electors on the final list of electors for that polling station [s. 68].

In some polling divisions, there will be many electors interested in voting for the CSAP candidates. Possibly these divisions or districts can be identified in advance.

The number of ballots to be supplied to each municipality in the CSAP school district should be determined by:

- consulting the municipal returning officer(s)
- consulting the Department of Education
- consulting current CSAP
- reviewing voting patterns in the last election
- drawing on your own knowledge about concentrations of electors who may be interested in voting for CSAP.

At a minimum, sufficient ballots must be provided to each municipality that will ensure that a book of 25 ballots is available at each polling station.

Remember, ballots are not that costly to produce and will be paid for by CSAP. It is crucial that sufficient ballots be on hand, and it is best to err on the side of providing too many ballots rather than too few.

2.5.1.2 - Delivery of Ballots

Once the CSAP school board ballots are printed, CSAP school board returning officers are responsible for delivering them securely to municipal returning officer(s), who will then include them in the supplies for each polling station.

Municipal returning officers in the CSAP electoral district must work closely with the CSAP school board returning officer to ensure that the school board ballots arrive safely to each municipal unit.

Section 2.5.2 - Other Supplies

Municipal returning officers are responsible for the other supplies for the CSAP school board election in their municipalities:

- tally sheets
- statements of poll
- envelopes for the ballots once counted

Be sure to remind the municipal returning officers in the electoral district to have envelopes and statements of poll in **Form 34A** in case there are fewer than 10 electors who vote at a polling station, and the ballots must be transported to your office for counting.

French translations of the forms relating to CSAP will be available at the back of the office consolidation of the *Municipal Elections Act*. The relevant translations should be copied and given to DROs for use on polling day where CSAP elections are taking place.

The forms may be completed and filed in either be English or French.

Chapter Six - Election Day and the School Board Elections

Section 2.6.1 - Ballots for CSAP

CSAP ballots are not automatically given to an elector. The ballots must be requested by the elector.

Section 2.6.2 - Communication Plan

There has to be a good communication plan in place between the CSAP school board returning officer and the returning officers of the municipalities in the CSAP electoral district in order to:

- Provide the results of the count for the municipality, including informing the CSAP school board returning officer of how many polls have fewer than 10 ballots, and will be transferred to the CSAP school board returning officer for counting, and respond to any problems that might occur on election day.
- CSAP school board returning officers must provide a telephone number to the other municipal returning officers in the school board electoral district for their use during the day and to report the results following the count.

CSAP school board returning officers must have a very good communication plan to ensure results are received in a timely manner.

Section 2.6.3 - Counting the CSAP School Board Ballots

In order to protect the identity of voters, the legislation provides that the ballots for a school board office are only counted at the polling stations on election night if there are 10 or more ballots for the school board office at the polling station. If there are 9 or fewer

ballots at a polling station, a consolidated count of ballots must take place as per Section 123A.

2.6.3.1 - Procedure Where More than 10 Voted for a CSAP School Board Office at the Polling Station

Where there are 10 or more ballots for a CSAP school board office, they are counted at the polling station. See Part 4 of this Handbook (Instructions for DROs and Poll Clerks) for details.

2.6.3.2 - Procedure Where Fewer than 10 Voted for a School Board Office at the Polling Station

In this case, the ballots are **not counted** at the polling station, but are transferred to the CSAP school board returning officer when the polls close [s. 123A]. This rule is to protect the privacy of the vote.

See Part 4 of this Handbook (Instructions for DROs and Poll Clerks) for details on how the ballots are to be secured for transfer.

The ballots from the individual polling stations are taken by the DROs to the municipal returning officer, who must in turn securely transfer them to the school board returning officer to be counted.

It is of utmost importance that the ballots be transferred to the school board returning officer securely and in a timely way. If it is not possible for the returning officer for the CSAP school board election to receive all the ballots that need to be centrally counted on election night itself because of long distances that must be travelled by election personnel, the counting may need to be postponed to the next day. **Since this day is a Sunday, the count can be postponed to no later than Monday.**

CSAP school board returning officers must inform the CSAP candidates of when and where the count is to occur, so that they can be present or send a representative.

2.6.3.3 - Procedure for Fewer than 10 Votes for a School Board Office (Returned to Election Office)

The CSAP school board returning officer appoints a counting officer to count the ballots that have come from the polling station(s) where fewer than 10 electors voted. The school board returning officer can act as the counting officer.

In the presence of candidates and agents who are present, the counting officer opens all the envelopes containing the uncounted ballots, intermingles the ballots, and then proceeds to count them.

A tally sheet should be provided to each person present.

The count then proceeds in accordance with the procedures in Part 4 of this Handbook, *Guidelines for Deputy Returning Officers and Poll Clerks*.

2.6.3.4 - Completing the Statement of Poll

Once the count of the ballots is finished, the counting officer completes the statement of poll in either **Form 44** (one CSAP school board member to be elected) or **Form 45** (more than one CSAP school board member to be elected).

The statement of poll can also be signed by witnesses who wish to do so.

Once the statement of poll is signed, the counting officer affixes to it the partial statements of poll completed at each polling station, and provides it to the CSAP school board returning officer.

The ballots, along with the endorsed envelopes from each polling station, are sealed in an envelope. The counting officer and any of the witnesses present can sign across the seal in such a way that the envelope cannot be opened without disturbing the signatures.

The CSAP school board returning officer can then declare the unofficial results of the school board election.

The secretary of the CSAP school board should be informed of the result.

Chapter Seven - Official Addition and Declaration of Election of CSAP School Board Candidates

Section 2.7.1 - Official Addition of the Votes

It is the responsibility of the CSAP school board returning officer to conduct the official addition of the votes of the CSAP school board election.

The official addition is conducted in the same way as the official addition of the municipal candidates. Review Chapter 10 of Part 1.

Following the official addition, the CSAP school board returning officer completes a recapitulation sheet for the school board election. Review Chapter 10 of Part 1.

Section 2.7.2 - Declaration of Election of School Board Candidates

Report the successful candidate to the secretary of the CSAP school board, after the time for application for a recount has expired.

School board candidates are sworn in accordance with s. 50 of the *Education (CSAP) Act*.

Section 2.7.3 - Refund of the Nomination Deposit

It is the responsibility of the school board returning officer to decide on the disposition of the nomination deposit of CSAP candidates [s. 5(3)].

The CSAP school board returning officer must receive the candidates' affidavits in Form 12, along with any copies of the lists of electors in their possession, including any electronic copies, or confirmation of the deletion or destruction of any electronic copies within 7 days of ordinary polling day.

The refund of the deposit is based on the same formula and rules as is established for the council candidates. Review Chapter 13 of Part 1.

Part Three – Enumeration Procedures

Information for Municipal and CSAP Returning Officers

Note to Returning Officers:

This Guide must be customized for your municipal unit. To reduce confusion, be sure that the enumerators in your municipality are provided with the information necessary for them to conduct the enumeration. For example, if you do not supply an identification badge remove the reference from the Guide that you give them, so there is no confusion.

A copy of the Guide can be e-mailed to you in Microsoft Word, which can be altered to suit your municipality.

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Chapter One - Introduction

Section 3.1.1 - Duty to Prepare Accurate List of Electors

Enumeration procedures are laid down in the *Municipal Elections Act*.

Enumerators have the important responsibility to prepare preliminary lists of electors who are qualified to vote for the council and CSAP school board elections in your municipality.

3.1.1.3 - Important Points to Remember

Accuracy, thoroughness, and neatness are important for a good enumeration. Errors cause needless delays and problems for revisers and other election officials.

Electors will be irritated if they have to go to revisers to correct enumeration mistakes, or to have their names added by the returning officer in order to vote by proxy or to sign a nomination paper.

An accurate list of electors is essential for a smooth election on polling day. It reduces frustration at the polls, with few electors to be sworn in to vote.

The information that you receive is personal information and must not be communicated to other people.

Section 3.1.2 - Public Relations

Your work requires house-to-house visits. You will find it much easier if you are personable and courteous. Be sure to observe at least the following points:

- Wear your identification badge.
- Greet people cheerfully.
- Introduce yourself.
- Explain that you are preparing the list of electors for the coming municipal and CSAP school board election (if you are eligible).

Section 3.1.3 - Enumerator's Supplies

Check your list of supplies:

1. a copy of this part of the handbook or other suitable written instructions
2. your appointment in **Form 5**
3. a description of the boundaries of the polling division for which you are to prepare the list of electors (written description, map or both)
4. stationery
5. sufficient index sheets for transcribing the elector information
6. sufficient call back cards
7. an identification badge
8. the form for certifying completion of enumeration (**Form 7**)

Chapter Two - Enumeration Area (A Polling Division)

Section 3.2.1 - Important Points to Remember

A list of electors is prepared for every polling division in the municipality.

A polling division is a geographic area that contains the number of electors that can conveniently be accommodated at a particular polling station.

Be sure that you are familiar with the area that you will be enumerating. Look at the description and ask your returning officer for any clarification necessary prior to beginning your work.

Chapter Three - Eligibility to Vote

Section 3.3.1 - Persons Qualified for Registration and Voting for Council Elections

Under the *Municipal Elections Act* [s. 14], a person entitled to be registered on the list of electors and to vote in a municipal election must:

- be 18 years or older and a Canadian citizen on the first advance polling day;
- is a Canadian citizen on the first advance polling day;
- have been ordinarily resident in the Province for a period of 6 (six) months immediately preceding the first advance polling day; and
- is ordinarily resident in the municipality or in an area annexed to the municipality and to have been so since immediately before the first advance polling day.

3.3.1.1 - Persons Not Qualified to Vote

The Act [s. 15] disqualifies the following persons from registration or voting:

- the returning officer
- an inmate in a correctional or reform centre
- a person convicted of bribery under the *Municipal Elections Act* in the 6 years preceding election day

Nova Scotia does not have non-resident voting. This means that municipal taxpayers who are not ordinarily resident in the municipality are not entitled to vote in that municipality, despite the fact that they own property there, or their children attend school there.

Section 3.3.2 - Meaning of “Ordinarily Resident”

The Act [s. 16] provides that a place where a person is “ordinarily resident” is:

- where a person lives and where the person intends to return when away,
- where a person usually lives and sleeps, and to which, when away the person intends to return, regardless of where he or she takes meals or is employed,
- where a person is living temporarily at a place and if the person has no other place the person considers as that person’s place of residence,
- where a person is provided with food, lodging or other social services by a shelter, hostel or similar institution, the person would be ordinarily resident in that shelter, hostel or other institution.

In instances where the rules are not sufficient to determine the place where a person is ordinarily resident, then the appropriate election officer after considering all of the facts, determines ordinary residency.

A person is not ordinarily resident in a seasonal dwelling generally only occupied between May and October unless the person has no other dwelling place.

A person can be ordinarily resident only in one place at a time.

3.3.2.1 – Students

A student is ordinarily resident either where the person’s family home is located or where the person is attending school, but not both. In establishing residency, election officials may require students to demonstrate where they live. Students must meet voting qualifications in order to vote. It is likely that most first year Nova Scotian students will meet the residency requirement in order to vote either where they attend school or where their family home is located, but not in both places.

An elector must be resident in the Province for six months immediately preceding the first advance polling day. The resident must also be ordinarily resident in the municipality or in an area annexed to the municipality and have been so since immediately before the first advance polling day. This change was intended to bring the qualifications for electors for both Provincial and Municipal elections into sync.

Students, once the residency requirements have been met, may be required to work elsewhere for the summer and return in the fall to continue their studies. In such cases if they determine their home to be where they continue to attend school and are qualified to vote, they could choose to vote where they attend school.

If they feel they live where their family home is regardless of where they attend school, they have the option to vote where their family home is located. They can only vote once.

Section 3.3.3 - Enumerating a Long-Term Care Facility

If you have a long-term care facility in your polling division, consult the Administrator or other person in charge to determine whether any patients are receiving such long-term treatment as to be regarded as a "resident" in the facility.

You may consult the Administrator concerning the residents, but you must make the final decision whether or not to include a person on the list of qualified electors.

Remember that all qualified electors must be able to identify themselves to election officers, and to indicate that they wish to vote. If you have any doubt, resolve that doubt by including the name on the list. If you have any questions, consult the returning officer.

Section 3.3.4 - Landed Immigrants and Non-Resident Property Owners Not Qualified

An elector must be a Canadian citizen in order to vote. Landed immigrants are not qualified to vote in municipal elections until they have obtained Canadian citizenship.

An elector must be ordinarily resident in the municipality to be able to vote. Property ownership in the municipality does not qualify a person to vote in a municipal election.

Section 3.3.5 - House-to-House Visits and Completion of Forms

You are required to visit each dwelling place in your enumeration area at least twice to get the information from the electors if it is not obtained on your first visit.

If the information cannot be obtained on your first visit, leave a call-back card indicating when you will return.

If you cannot get the information after two visits, you can get the information from any other reliable source.

Make sure that you have not missed any dwelling place in your polling division. Be on the look-out for dwellings that may not be obvious, such as apartments over stores or in back of premises.

When someone answers the door, briefly outline the qualifications to vote in the municipal and CSAP election, i.e. age, citizenship, residency, language requirements.

Obtain the names of eligible electors from an adult person, being careful to include all qualified members of the family as well as any roomers and boarders, and members of the household who may be temporarily away.

Ask for and record the mailing address of the elector(s), if that is required by your returning officer.

Ask for and record the birth date of each elector in the household.

If the elector is reluctant to provide date of birth information, assure the elector that their birth date will remain confidential and will not appear on any printed list of electors. It will not be available to the candidates or to persons working at the polling stations. Explain that it will be used only for verifying if the elector is on the voters list and only if the elector calls to check.

If the elector still refuses to provide a date of birth, record the information that is provided.

Record the civic address of the dwelling, including an apartment number, if applicable.

When recording information, do not include prefixes, such as Mr., Ms., Dr. with the names collected.

Section 3.3.6 - Refusal to be Enumerated

A person can refuse to be put on the list of electors. Make a note of the address of the individual, and of the fact that the occupant(s) of the dwelling refused to be enumerated, and tell your returning officer.

Section 3.3.7 - Preparation of the Index Sheets After Enumeration Complete

If requested by your returning officer, you must organize the names of the electors alphabetically (Form 6), by surname, or geographically (Form 6A), by street and civic number.

Your returning officer will tell you how to complete the index sheets, either by hand or electronically.

Complete the top section of the index sheet to show the polling division number and any other details prescribed.

Place all members of the same family with the same surname one after the other on the list.

Examples

(alphabetical, by surname)

List all electors beginning with the letter "A". If you are preparing the lists by hand, skip two or three lines before listing those whose names begin with the letter "B". Continue in this manner until all the voters are listed. If you are printing or typing the index sheets, the extra lines left between each group will allow for the addition of names if you discover an error or receive last-minute information. In most cases the information will be entered into an appropriate computer program, which will sort the names appropriately.

(geographic, by street and civic number)

List the electors according to their civic address. Sort the street names in the polling division alphabetically, and then by civic number on each street, in ascending order, from the lowest number to the highest number.

Consecutively number the electors on the list, if your returning officer has requested. Check to make sure that you have not left out or duplicated any names. Count and check the number of names that you have enumerated.

Complete the Enumerators' Certificate (**Form 7**) and return all index sheets and other materials to your returning officer.

It is not necessary to consecutively number the electors for the preliminary list of electors.

Appendices – Form Samples

Included:

- Form 5
- Form 6
- Form 6A
- Form 7

FORM 5

SECTION 23

OATH OR AFFIRMATION OF ENUMERATOR

I, _____ (*name in full*) of _____, (*residence*) appointed enumerator for the Town/Municipality/Regional Municipality of _____ swear (or solemnly affirm) that I will act faithfully in my capacity as enumerator without partiality and will take all necessary precautions and care to ensure that the enumerators' index sheet contains correct information concerning all qualified electors in Polling Division Number _____ and will not contain the names of any persons who are not qualified. I will protect the confidentiality of elector information that is provided to me.

Sworn (or affirmed) at _____
in the County of _____
this _____ day of _____,
_____, before me

(see Section 146)

Enumerator

FORM 6
SECTION 25

INDEX SHEET
(Alphabetical)

* Polling Division (Number, Name or Description) _____

<u>Consecutive Number</u> (Optional)	<u>Name</u> (surname, first name and middle name or initial)	<u>Address</u> Civic Address (number, street, community)	<u>Mailing Address</u> (if different than civic-include postal code) (if necessary)	<u>Date of birth</u> (to be removed from final list of electors)

* Returning Officer to indicate how poll is to be identified

FORM 6A
SECTION 25
INDEX SHEET
(Geographic)

* Polling Division (Number, Name or Description) _____

<u>Consecutive Number</u> (Optional)	<u>Civic Number</u>	<u>Name</u> (surname, given name and middle name or initial)	<u>Mailing Address</u> (if different from civic - include postal code) (if necessary)	<u>Date of birth</u> (to be removed from final list of electors)
(NAME OF STREET/AVENUE/ROAD/HIGHWAY AND COMMUNITY):				
(NAME OF STREET/AVENUE/ROAD/HIGHWAY AND COMMUNITY):				

* Returning Officer to indicate how the poll is to be identified

FORM 7

SECTION 27

ENUMERATOR'S CERTIFICATE

I/We, the undersigned enumerator(s), certify that I/we have taken all necessary precautions and care to ensure that the index sheets attached contain correct information concerning the qualified electors in Polling Division Number _____ and do not contain the names of any persons who are not so qualified.

Dated this _____ day of _____, _____.

Enumerator(s)

Part Four – Guide for Deputy Returning Officers and Poll Clerks

Information for Municipal and CSAP Returning Officers

Note for returning officers:

This Guide must be customized for your municipal unit. For example, if there are acclamations for certain offices in your municipality, particularly for school board elections, it is not necessary to provide information about qualifications of school board electors.

A copy of this Guide can be e-mailed to you, which can then be altered to suit your municipality.

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Chapter One – Introduction

Section 4.1.1 - Duty to Comply With Required Procedure

As deputy returning officer (DRO) or poll clerk, you have been vested with considerable public trust in your appointment. In turn, you must comply with required procedure to ensure a proper conduct of the election.

Election procedures are in the *Municipal Elections Act* which regulates most matters concerning municipal and school board elections. The Act must be followed for accurate reference if there is any conflict between it and these instructions.

Section 4.1.2 - Responsibilities of DRO and Poll Clerk

The DRO:

- is in charge of a particular polling station on election day,
- has the custody of the voting materials and is responsible for setting up the poll prior to the beginning of voting on election day,
- is responsible for closing the polling station and for counting the ballots
- reports the results to the returning officer, and
- ensures the safe return of the voting materials to the returning officer when the count of ballots is finished.

The Poll Clerk:

- keeps a written record of the voting at the polling station by making the appropriate entries in the poll book and crossing names of voters off the list of electors, and
- must be able to assume the role of the DRO should that person not be able to either assume or continue his/her duties.

Section 4.1.3 - Oath or Affirmation of Office

The DRO and poll clerk must each complete the Oath or Affirmation of Office in **Form 2**.

The oath or affirmation states that the election official:

- will carry out their duties *faithfully and impartially*,
- will maintain the secrecy of the vote, and
- has not been convicted of corrupt practices or bribery.

Chapter Two – Opening the Polling Station

Section 4.2.1 - Voting Hours

The hours of voting are:

Ordinary Polling Day: 8:00 a.m. to 7:00 p.m.

Advance Poll: 12:00 noon to 8:00 p.m.

Mobile Poll: (On ordinary polling day) as determined by the returning officer, but between 8:00 a.m. and 7:00 p.m.

Section 4.2.2 - Polling Station Supplies

The returning officer will supply the DRO with the following items for the polling station; in order to conduct the vote:

- ballot box(es)
- ballot papers for each office to be elected or question to be voted on at your polling station. The ballot papers will be bound into books. Ballots for each office or matter to be voted on will be a different colour.
- a statement showing the number of ballot papers supplied, with their serial numbers
- pencils or pens for the marking of the ballots
- 2 copies of the directions to electors (**Form 23**)
- voting compartment
- copy of the *Municipal Elections Act*, and any other instructions prescribed by the returning officer
- final list of electors for the polling station, which will have had the names of the electors who voted at the advance poll crossed off
- poll book
- posters explaining CSAP school board office to be elected, if required
- ballot box seals
- envelopes for:

- cancelled ballots
- unused ballots/stubs
- rejected ballots
- ballots cast for candidates or questions
- a copy of any proxy papers or transfer certificates issued for your polling station
- any other materials provided by the returning officer

The DRO is responsible for the safekeeping of these supplies, particularly the ballots, from the time that the returning officer issues them to you until the opening of the poll on election day.

Section 4.2.3 - When to Arrive

Both the DRO and poll clerk should arrive at their polling station **at least 30 minutes before the opening of the poll.**

This means arriving:

- by 7:30 a.m. on ordinary polling day
- by 11:30 a.m. for advance polling day
- at least 30 minutes before the time set by the returning officer for the mobile poll

Section 4.2.4 - Setting Up the Polling Station

Set up the polling station in such a way that the DRO and poll clerk are sitting at one table.

The table should be large enough to hold the ballot box(es).

Ensure that the voting table is in full view of the DRO and poll clerk, and that it is set up with a voting screen so that an elector can mark their ballot in secret.

Ensure that there is a pencil or pen to mark the ballot in the voting compartment.

Depending on the number of candidates that appear on the ballot(s) at the polling station, the candidate's agents can either be seated at the table with the DRO and poll

clerk, or seated at another location in the polling place where they can observe the voting procedure.

In full view of the poll clerk and any candidates, agents or electors representing candidates who are present, the DRO must:

- post the directions to electors (Form 23) in the polling station, one in a conspicuous place outside of and near to the polling station, and **one in the voting compartment** of the polling station,
- count the ballot papers and permit any candidate or agent who is present to inspect and count them,
- open or assemble the ballot box, ascertain that it is empty, seal it and place it on the table in full view of all present, where it remains sealed until the close of the poll,
- initial the ballot papers in the space provided, without removing them from the books, either in pencil or pen, and
- ensure that there is a Bible for taking oaths.

Posters which describe the qualifications to vote for CSAP school board member(s) will be available for those polling stations having one of these elections.

Put these posters near entrances to polling stations where they will be clearly visible to electors before they reach the polling station itself.

Post the polling station identification sign, if applicable.

Section 4.2.5 - Signs, Badges or Advertising Material in and Around the Polling Station

No one can enter a polling station wearing a badge or emblem that supports a candidate.

No signs or banners can be posted or displayed in the building containing a polling station, or be within 200 feet of any wall of the building containing the polling station.

Inspect the polling station and remove any partisan material on the premises before polls open, and from time to time, when there is a lull in voting, during the day.

If you get a complaint about signs, refer it to your returning officer.

Chapter Three – People Permitted in the Polling Station

Section 4.3.1 - Who Can Be Present in the Polling Station

In addition to the DRO and poll clerk, the following people can be present in the polling station, while the poll is open:

- candidates, except that
- candidates cannot *loiter or solicit* votes (discussed in greater detail below)
 - candidates cannot act as their own poll agents
 - the returning officer and assistant returning officer
- 1 (one) agent for each candidate, who shows his or her appointment in Form 15 and who takes the required oath or affirmation in Form 16 in the poll book.
- a candidate's official agent, who shows his/her appointment in Form 17, unless the official agent is the candidate
- a peace officer, if authorized by the returning officer or DRO
- any other person necessary to comply with the Act, such as a friend of the elector or an interpreter
- others authorized by the returning officer, such as poll supervisors or information personnel at the door
- Returning Officer
- Assistant Returning Officer

Section 4.3.2 - Candidate's Agents

Each officially nominated candidate is entitled to be represented by an agent at each polling station.

The agents can:

- observe the opening and closing of the polling station,
- leave the polling station and return,
- observe the voting procedure,
- challenge an elector, by asking for the Oath or Affirmation of Qualification,
- view the poll book, at times when there is a lull in voting,
- witness the count of the ballots at one polling station only, and
- object to the counting or rejection of a ballot.

The agents cannot:

- interfere with an elector
- prohibit an elector from voting
- question electors as they enter the polling station
- prevent a ballot from being counted
- disrupt the operation of a polling station

Only one agent for each candidate can be present at the polling station during polling hours, but the agent does not have to stay, and other agents duly appointed to the particular polling station can replace him/her throughout the day.

Candidates are not permitted to act as their own agents in the polling station.

Section 4.3.3 - DRO

Verify that a candidate's agent has been duly appointed in Form 15 before allowing the agent into the polling station. Form 15 has the name and address of the agent and the agent's designated polling station.

Verify that a candidate's official agent has an appointment in Form 17 before allowing the agent into the polling station.

Chapter Four – The Voting Process – General

Section 4.4.1 - Who Can Vote

The following people can vote:

- a person whose name is on the revised list of electors for your polling station;
- a person whose name is not on the revised list of electors, but who takes the required oath or affirmation(s);
- a person who has a transfer certificate to vote at your polling station, or who is on the revised list of electors for your polling station and surrenders the original transfer certificate to you prior to voting;
- a person who delivers a proxy paper issued by the returning officer (only on ordinary polling day). A person cannot vote by proxy at advance poll.

Section 4.4.2 - Ballots to Be Issued

Where there is only a council election (**mayor and/or councillor(s)**), all electors who apply to vote are given the council ballots.

Where there is a council election (**mayor and/or councillors(s)**) and an election for the for **CSAP**, all electors who apply to vote are given:

- the council ballot(s)

If the elector requests to **vote for CSAP**, should be given:

- CSAP school board ballot

Section 4.4.3 - Standard Voting Procedures

Have the elector state their name and address to the DRO and the poll clerk.

If the elector's name appears on the revised list of electors, the poll clerk draws a line through the name on the list and enters in the poll book:

- the elector's name and address
- the elector's number on the list of electors
- the consecutive number of the voter, which is prefixed to the elector's name

Where there is an election for more than one CSAP school board office at the polling station, the DRO ascertains the elector's choice of school board ballot, in accordance with the directions from the returning officer.

The DRO then detaches all ballots to be given to an elector from the bound stubs (the counterfoil remains attached to the ballot) and folds each one so that, when folded, the DRO's initials can be seen without unfolding it.

The DRO delivers the ballot paper(s) to the elector (unless the elector is challenged, see below).

The DRO directs the elector to proceed into the voting compartment, mark the ballot paper(s), and re-fold them as they were received (so that the initials and the serial number on the counterfoil(s) can be seen without unfolding the ballot).

After the elector returns the ballot papers to the DRO, the DRO, without unfolding them, ascertains by examination of the initials and serial number that they are the same ballot paper(s) that were delivered to the elector.

The DRO removes the counterfoil and deposits the ballot paper(s) in the ballot box(es), in full view of the elector. The elector is permitted to put the ballot(s) in the ballot box (**s. 85 (2) (a)**) providing that they first give it to the DRO to have the counterfoil removed and to confirm that it is the same ballot the elector was given.

As soon as the ballot papers are deposited in the ballot box, the poll clerk places in the poll book, next to the elector's name, a check mark under the words "voted for mayor", "voted for councillor", "voted for CSAP", or "voted for other", as the case may be.

Section 4.4.4 - Additional Circumstances

4.4.4.1 - Challenging an Elector

(See note below for CSAP elector)

An elector whose name is on the list of electors can be challenged by a DRO, a poll clerk, candidate or agent who is present in the polling station. One of these individuals may suspect that the elector is not the person they are claiming to be, or that the elector does not meet the qualifications to vote at that polling station.

If an elector is challenged, they must take the Oath or Affirmation of Qualification in **Form 24** in the poll book, before being permitted to vote.

The challenge must be made before the elector is given the ballot paper(s).

If the elector takes the oath or affirmation, then they must be permitted to vote.

Once the elector has voted, the poll clerk puts a check mark under the words “sworn or affirmed” opposite the name of the elector in the poll book.

If the elector refuses to take the oath or affirmation, then they are not given the ballot paper(s), and is not allowed to vote. The poll clerk draws erasing lines through the elector’s name on the list of electors, and places a check mark under the words “refuses to swear or affirm” in the poll book.

The elector cannot again be admitted to the polling station. **A DRO who allows an elector to vote who has not taken the oath or affirmation on request is guilty of an offence.**

Note: A person applying to vote for CSAP cannot be challenged as to their status to vote for the CSAP office(s).

They can be challenged on their qualifications to vote generally, as all electors can.

4.4.4.2 - Cancelled Ballot Papers

The DRO must treat a ballot paper as **cancelled** in the following two situations:

1. an elector inadvertently deals with the ballot paper so that it cannot be used, or
2. an elector receives a ballot paper, and then declines to vote.

In the first case, the elector can return the spoiled ballot paper to the DRO who then:

- marks “cancelled” on the back, and, without showing it to any other person, place it in the envelope for cancelled ballot papers, and
- issues the elector another ballot paper.

In the second case, where the elector declines to vote, the DRO:

- marks “cancelled” on the back, and place it in the envelope for cancelled ballots, and
- does not issue the elector another ballot paper

4.4.4.3 - Elector Not on the List of Electors

General Rule

A person whose name is not on the list of electors for the polling station may have their name added to it, provided that they are qualified to vote at that location.

It is not necessary for a person to produce identification for purposes of proving residency. Section 98(1) requires an elector only to take the required oath(s) of qualification in prescribed form in the poll book

Follow these steps when someone applies to be added to the list of electors:

- the elector must **swear (or solemnly affirm) and sign Form 31** in the poll book, and
- on taking the oath or affirmation, the elector is entitled to vote.

Once the elector has voted, the poll clerk:

- writes the name in the poll book and puts a check mark under the word “added” in the poll book, and
- adds the name of the elector to the list of electors.

Exception - Elector Entitled to Vote for CSAP School Board

(1) CSAP School Board

For a CSAP elector, the "school region" is the entire province. Therefore, a CSAP elector (who has moved from one part of the province to their present residence in the time period between the first advance polling day and ordinary polling day) would be qualified to vote only for the CSAP school board at the polling station.

In such a case, the elector would go to the polling station for the polling division where they reside on ordinary polling day and be sworn in to vote for the CSAP.

On taking the oath in **Form 31B**, the elector is entitled to vote.

Note: For emphasis this example of the limited qualification of a voter who moves from one municipality to another municipality in the same school board jurisdiction in the short time period between the first advance polling day and ordinary polling day would be an infrequent set of circumstances. However Returning Officers during training sessions should note with DROs and Poll clerks that someone who shows up looking to be added to the voters list on election day may in fact have partial eligibility for the CSAP School Board seats (only) being contested in the area.

Chapter Five – Special Situations at the Poll

Section 4.5.1 - Elector Requiring Assistance

Where an elector cannot mark their ballot because of blindness, illiteracy, or a physical disability which prevents them from marking a ballot independently, the elector may vote by a friend.

The friend of the elector can be either:

- a person who is unrelated to the elector, or
- one of the following of the elector's relatives: child, grandchild, brother, sister, parent, grandparent, husband or wife.

A person can only act as a friend for one unrelated elector.

A candidate can only act as a friend for the candidate's relatives (see list above).

The DRO asks the elector who needs assistance to take the oath or affirmation in **Form 25** in the poll book, and asks the friend of the elector to take the oath or affirmation in **Form 26** (Friend who is unrelated to the elector) or **Form 26A** (Friend who is one of the named family members of the elector). Both forms are in the poll book.

On taking the oath or affirmation, both the elector and the friend go into the voting compartment, where the friend can assist the elector in marking the ballot.

If requested by the elector, the DRO can act as the friend of the elector. The DRO is **not** required to take the oath or affirmation in **Form 26**.

Once the ballot is returned, the poll clerk enters in the poll book, opposite the name of the elector:

- the reason why the ballot was marked by a friend
- the name of the friend

- the oath or affirmation(s) that were taken

Section 4.5.2 - Elector Requiring an Interpreter

If the DRO does not understand the language spoken by an elector, and is satisfied that the elector does not understand the election procedure:

- The DRO must find an interpreter.
- The elector cannot vote until an interpreter is found.
- The interpreter acts as the means of communication between the DRO and the elector.
- The interpreter takes the oath or affirmation in **Form 27** in the poll book before undertaking the responsibility to interpret.
- The interpreter does not accompany the elector into the voting compartment.

Section 4.5.3 - Errors in Particulars on the List of Electors

If a person applies to vote using a name and address that corresponds so closely to the name and address on the list of electors that you consider it probable that the entry on the list is intended to refer to the elector, the elector can vote if they take the oath or affirmation in **Form 28** in the poll book, before receiving a ballot.

Once the elector has voted, the poll clerk enters in the poll book:

- the correct name of the elector, and
- the oath or affirmation(s) that were taken.

Section 4.5.4 - Personated Elector

If an elector applies to vote after another person has already voted as that elector, the elector may still vote if:

- the elector takes the oath or affirmation in **Form 29** in the poll book.

Once the elector has voted, the poll clerk enters in the poll book, following the name of the elector:

- that the elector voted after a ballot paper had been issued to another elector who had voted using the same name, and
- the oath or affirmation(s) that were taken.

Section 4.5.5 - Voting by Proxy

A proxy vote must be exercised at the polling station where the name of the elector who gave the proxy vote is on the list of electors. Remember, the proxy voter is exercising the vote of a person who is on the list of electors for your polling station. When someone applies to exercise a proxy vote:

- Check that the name of the person who gave the proxy vote is on the list of electors.
- Ask the person to deliver to you the proxy paper issued by the returning officer (you should have a duplicate of the proxy paper).
- Have the proxy voter **swear (or solemnly affirm) and sign** the oath or affirmation in **Form 32** in the poll book.
- Once the proxy voter completes voting, the poll clerk enters a check mark under the column marked "by proxy" in the record of poll, opposite the name of the elector.
- **Note:** If an elector has not cancelled their proxy paper and is duly authorized to vote by proxy, the elector cannot reverse proxy voting. Therefore, if an elector who has given a proxy vote arrives at the poll to vote in person, they should be informed that the proxy vote is still in effect and the elector can only vote through the proxy voter.
- A person can vote by proxy only on ordinary polling day - not at advance polls.

Section 4.5.6 - Voting by Transfer Certificate

An elector who has been issued a transfer certificate in **Form 19** or **Form 20** can vote EITHER at the polling station where their name is on the list of electors, OR at the polling station to which their name has been transferred.

The DRO will have a copy of any transfer certificates issued for electors whose names are on the list of electors for your polling station.

In either case, the elector must surrender the original transfer certificate to the DRO.

Note: If an elector presents a transfer certificate in **Form 20**, particular attention is required to ascertain which offices or matters the elector is entitled to vote for, and to give the elector **only** those ballots covered by the transfer certificate.

Section 4.5.7 - Use of an Additional Ballot Box

If the first ballot box used when the poll opens becomes full, the DRO ensures that the following steps are taken before using a second one:

- The DRO seals the opening of the first ballot box with a paper seal.
- The DRO and poll clerk must sign the paper seal, and any candidates or agents present who may wish may then initial the paper seal.
- The DRO leaves the sealed ballot box on the table in full view until the votes are counted.
- The DRO, in full view of the poll clerk and others present at the polling station, opens the second ballot box, ascertains that it is empty, seals it and places it in full view on the voting table.

Section 4.5.8 - Disturbance at the Polling Station

While the polls are open, and during the counting of the ballots, DROs have the powers of a constable, and may also order constables to assist them in maintaining peace and good order at the polling station. Specifically, a DRO can:

- arrest or cause to be arrested by a constable or peace officer, any person disturbing the peace and good order of the election, or who has disobeyed an order of the returning officer or DRO, including having the person placed in a jail or lock-up or other convenient place, for as long as one hour after the polls close;
- order from the polling place anyone who is intoxicated, or who is causing a disturbance or obstructing the voting. The person is not to be admitted again to the polling station
- order from the polling station anyone who is not entitled to be there; and/or
- order from the polling place or the area within 200 feet of the polling place anyone who is loitering or soliciting votes, including a candidate.

Section 4.5.9 - Advance Poll Ballots Placed in Your Ballot Box on Ordinary Polling Day

Where fewer than ten voters from a polling district have voted for any office at the advance poll, the returning officer can direct that the ballots be added to the votes being cast at another polling station in the polling district. If these votes are to be added to the ballot box for your polling station, the procedure to be followed is:

- During the day that the polls are open, the DRO for the advance poll will bring a sealed envelope or envelopes containing the ballots that are to be added to the ballot box. There will be a separate envelope with ballots for each office or matter being voted on. The number of ballots in each envelope will be shown on the outside of the envelope.
- The envelope containing the ballots is opened and, in full view of all present, the ballots are placed individually into the ballot box by the DRO. The ballot box is not opened.
- These ballots are then counted and reported with the votes from the polling station where the ballots are added.

Chapter Six – Closing the Polling Station and Counting the Votes

Section 4.6.1 - When to Close the Polling Station

The poll **must be closed** at 7:00 p.m. sharp (8:00 p.m. sharp for the advance poll).

Section 4.6.2 - When Electors are Waiting to Vote

If there are electors waiting to get into the polling station at 7:00 p.m (or 8:00 p.m. for the advance poll), they are entitled to vote and the DRO must follow these rules:

- Make a list of all persons who are either inside the polling station or outside waiting to get into the polling station.
- Keep the polling station open long enough to allow the electors on the list to vote. **Electors who arrive after closing time (7:00 p.m. or 8:00 p.m. for the advance poll) must not be allowed to vote.**
- The poll must close once the last of the electors on your list has voted.

Section 4.6.3 - Who Can Be Present When the Poll Closes

At the close of the poll, the following people can remain in the polling station, besides the DRO and the poll clerk:

- candidates
- candidate's agents
- candidate's official agent

Note. If a candidate and/or a candidate's agent can only be present at **1 polling station** to witness the count. They cannot move from polling station to polling station.

Section 4.6.4 - Steps to Count Ballots

Follow these steps when ready to count votes:

Step 1: Complete the Record of Poll (Form 30) in the Poll Book

Draw a line under the name of the last elector in the poll book.

Complete the Record of Poll (**Form 30**) in the poll book by counting the number of electors listed in the poll book, then write under the line the following: "The number of electors who voted at this election in this polling station is (state the number)." Sign the poll book following this notation.

Note: The DRO's total count of the number of electors who voted should be the same as the last consecutive number entered in the poll book.

You are now ready to start counting the ballots.

Order of Counting the Ballots:

The ballots must be counted in the following order:

1. Mayor, if applicable
2. Councillor(s)
3. *Conseil scolaire acadien provincial* (CSAP) member(s)
4. Municipal Plebiscite(s)

Step 2: Arrange Statements of Poll

A separate statement of poll is used to record the results for each office or matter being voted on. The following are used:

- **Form 33** - used where one candidate to be elected or one matter to be voted on
- **Form 34** - used where two or more candidates to be elected, or more than one question to be voted on
- **Form 34A** - used when fewer than ten people vote for CSAP (see detailed procedure in Step 6)

Step 3: Count Cancelled Ballots and Any Unused Ballots

Open the envelopes containing the cancelled ballot papers and count how many have been cancelled for each office, including the municipal plebiscite.

Record the total number of cancelled ballots on the front of the envelope.

Place the cancelled ballots back into the envelope and seal it with a gummed paper seal.

DRO and poll clerk then initial the seal and ask any witnesses who may wish to also initial it.

Count the UNUSED ballot papers. Do not detach ballots from the books. **A useful tip is to physically count the unused ballots and not rely on the sequencing of serial numbers on the ballots. Although rare there could be a duplication of a ballot number or a number could be missed at the printers, thus throwing off the count and the balancing of the number of ballots to be reconciled.**

Mark the number of unused ballot papers for each office or matter on the outside of an envelope.

Place the unused ballots and all stubs of used ballots into the envelope and then seal it with a gummed paper seal.

DRO and poll clerk then initial the seal and ask any witness who may wish to do so to sign also.

Step 4: Record Entries on the Statement of Poll

Fill in the top portion of each statement of poll form. Depending on what is being voted on at the polling station, there could be as many as 7 different statements of poll to be completed.

On each statement of poll, record:

- the number of blank ballots received from the returning officer for that office or matter
- the number of ballots added from the advance poll, if applicable
- the total number of ballots to be accounted for

Step 5: Distribute Tally Sheets

The DRO counts the votes and the poll clerk tallies them.

Give tally sheets, (**Form 35**) in the poll book, to the poll clerk and each person present who requests one.

Note that for a plebiscite you need to use a different tally sheet (**Form 36**).

Each person with a tally sheet enters the names of the candidates in the spaces provided at the top. **Make sure all persons present list the names of the candidates on their Tally Sheet in the same order as they appear on the ballots. This will prevent confusion during the count.**

For the plebiscite tally sheet the form columns are prepopulated with Yes and No.

Step 6: Open the Ballot Box and Empty the Contents on Table

Remove or cut the seal to open the ballot box top.

If a recyclable ballot box is used, check the bottom flaps and ensure that no ballot paper is stuck between flaps.

If separate ballot boxes are used for each office or matter, then the boxes can remain sealed until the DRO is ready to count the ballots for that office or matter.

If the ballots for all offices or matters are in one ballot box, then the ballot box is opened, and the ballots are emptied onto the table and sorted according to each office or matter for which a poll was granted. The ballot for each office or matter is a different colour.

Procedure for Fewer than 10 Votes for CSAP

As soon as the poll closes, the DRO must determine if there are **9 or less** votes cast for any CSAP election that was voted on at the polling station.

To protect the secrecy of the vote, if the ballots cast are 9 or less, these ballots are **not counted** at the polling station. They are sealed in an envelope and delivered to the returning officer after the count with the statements of poll and all the other polling station materials.

Where CSAP ballots are in one ballot box, the DRO sorts and counts the ballots without unfolding them to determine if there are fewer than 10 ballots cast for a school board member.

Where the CSAP ballots have been placed in a separate ballot box, the DRO also determines if there are fewer than 10 ballots by counting the ballots without unfolding them. The number of voters can also be determined by checking the "Voted For..." column in the Record of Poll in the poll book. For each CSAP school board office with 9 or less votes, the DRO must take the following steps:

1. Complete the statement of poll in Form 34A
2. Seal the statement of poll and the ballots in an envelope, on which the DRO has written
3. the number of ballots in the envelope
4. the office for which the ballots have been cast
5. Initial and/or sign the seal, and have the poll clerk and any others present in the polling station sign the seal, if they wish.

Step 7: Count the Ballots

Remember:

DRO is responsible for, and in charge of, the counting of the ballots.

Do not let anyone rush you. Handle each ballot in such a way that others present can see how it was marked, but DO NOT pass the ballot paper around.

The counting process

Unfold one ballot paper at a time, and make sure that your initials are on the back.

If you decide that the ballot is to be counted, the DRO calls out the name of the candidate marked on the ballot, or if there is a plebiscite, the answer to the question voted on.

For each candidate or plebiscite answer the DRO calls, the poll clerk records the vote on the tally sheet. Others with tally sheets may also record the vote.

Place the ballot papers counted for each candidate or plebiscite matter in a separate pile on the table, or if there is more than one candidate or matter on the ballot, keep the ballots together in one pile.

Ballots which are to be Counted

Acceptable ballot markings are an "X", a cross "+", or a check mark "✓" or a line made with a pencil or pen within the small circular space on the ballot to the right of the name of the candidate that the elector wishes to vote for, or if it is a plebiscite question, to the right of the answer to the question.

Ballots which can be marked for more than one candidate are to be counted even if the voter does not indicate as many choices as are permitted. For example, if the voter can vote for not more than four candidates, but chooses to vote for only one of them, the ballot is still counted.

Irregular ballots can be counted

Ballots with the counterfoil still attached. In that case, in full view of all present, you conceal the number of the counterfoil, do not examine it yourself, and then remove it and destroy it.

Ballots without the initial of the DRO. If you are satisfied that the ballot is one that you supplied, place your initials on it and proceed to count it, unless you determine that it should be rejected for another reason.

Rejection of a Ballot

The following ballots must be rejected:

- ballots that have not been supplied by the DRO
- ballots that have not been marked for any candidate or any answer to a question for a plebiscite ballot
- ballots on which votes have been given for more than the number of candidates to be elected
- ballots that have not been marked within the circular space on the ballot paper at the right of the name of the candidate or answer to a question; except that, no ballot shall be rejected by reason that the mark is partially outside the circular space, where there is no uncertainty for which candidate or candidates the voter has voted or which answer to a question is chosen
- ballots that have not been marked by an "X", a cross "+" or a check mark "✓" or a line made with a pencil or pen
- ballots that have been so marked as to render it uncertain for which candidate or candidates the voter has voted
- ballots upon which there is any writing or mark by which the voter can be identified, or that has been so torn, defaced or otherwise dealt with by the voter that the voter can be identified

No ballot is rejected because of any word, letter or mark written or made or omitted to be written or made by the DRO.

Where you decide to reject a ballot, write "rejected" on the back of the ballot and initial the endorsement.

Objections

Anyone present may object to your decision to count or reject a ballot.

Consider the objection, but remember that you have the final decision on whether the ballot is to be counted or rejected.

For each objection, make a note of the objection by

- numbering the objection consecutively on **Form 46** in the poll book
- recording the nature of the objection
- writing the same consecutive number and your initials on the back of the ballot in question

If you count a ballot objected to, place it with the other ballots for the candidate.

If you reject a ballot objected to, place the ballot in the envelope for rejected ballots.

If anyone present objects to the rejection, add the words "rejection objected to" on the back of the ballot, and also initial that endorsement. **Remember, the DRO decides on the objection raised.**

Step 8: Completing the Statement(s) of Poll

Once the count for each office or matter is complete, complete the statement of poll for that office or matter prior to commencing the count for the next one, using the records from the tally sheet that has been kept by the poll clerk.

Sufficient copies of the statement of poll must be completed so that each representative or agent of a candidate who is present can have one, if requested.

One copy of the statement of poll must be left in the poll book.

The statements of poll are signed by the DRO and poll clerk, and any others present who may wish to do so.

Section 4.6.5 - Securing the Election Materials

Once the statements of poll have been completed, the election materials must be secured.

The following steps must be taken:

- Where ballots are marked for only one candidate or matter, place the ballots in separate envelopes for each candidate or matter.
- Where ballots are marked for more than one candidate or matter, place the ballots in one envelope.
- Place the rejected ballots in one envelope.

Write on each envelope:

- the contents (e.g. ballots for _____)
- the number of ballots enclosed
- the serial number of the seal used to seal the ballot box

Sign and seal each envelope and have the poll clerk and anyone else present who wishes to also sign across the flap of the envelope, so that the envelope cannot be opened without disturbing the signatures.

Set aside and DO NOT PLACE IN THE BALLOT BOX:

- any envelopes containing CSAP school board ballots that must be counted along with the partially completed statement of poll
- the statements of poll
- the poll book

Place the following in the ballot box:

- the ballot envelopes (except any envelopes containing CSAP school board ballots that must be returned to the RO for counting)
- the list(s) of electors
- all other materials used at the polling station (except the statements of poll and the poll book)

Return these items to the returning officer in accordance with their directions.

Chapter Seven – Notes for Advance Poll: Deputy Returning Officers and Poll Clerks

Section 4.7.1 - Opening the Advance Poll

The advance poll opens at 12:00 noon sharp on both advance poll days.

Section 4.7.2 - Closing the Advance Poll After the First Advance Poll Day

The advance poll closes at 8:00 p.m. sharp.

At the close of the first advance poll day, the DRO places a paper seal over the opening of the ballot box.

The DRO and the poll clerk initial the seal, and allow any candidate or agent who is present to initial the seal if they wish.

The unused ballots, the ballot stubs, and the envelope containing the cancelled ballots must be put in an envelope which is sealed and initialed by the DRO, the poll clerk and any candidates or agents. The other voting materials, including the poll book, can also be secured in this envelope.

This envelope must be securely fastened to the ballot box.

The voting materials are kept secure until the second advance poll day in the manner and at the location that the returning officer directs.

Section 4.7.3 - Opening the Advance Poll on the Second Advance Poll Day

The DRO and poll clerk remove the paper seal from the ballot box, and remove the voting materials that were in the envelope attached to the ballot box.

They can then begin to receive the votes of the electors.

Section 4.7.4 - Voting at the Advance Poll

There is no proxy voting at the advance poll.

Section 4.7.5 - Closing the Advance Poll on the Second Advance Poll Day

The advance poll closes at 8:00 p.m. sharp.

The same procedures that are used to close the poll after the first advance poll day are followed.

In addition, the DRO must complete **Form 37**, the List of Persons Who Voted at the Advance Poll.

At this point, take the ballot box and voting materials to a place for safekeeping until election night, when the ballots are to be counted, following the instructions from your returning officer.

Section 4.7.6 - Counting the Advance Poll Ballots

The ballots are counted after the close of the polls on election day, at the place identified by the returning officer.

Chapter Eight - Procedures for Voting in Long-term Care Facilities (Mobile Poll DROs/Poll Clerks)

Section 4.8.1 - Opening the Mobile Poll

The mobile poll opens sharp at the designated time.

Section 4.8.2 - Closing the Mobile Poll After the First and Subsequent Stop(s)

Close the poll sharp at the designated time.

DRO places a paper seal over the opening of the ballot box.

The DRO and the poll clerk initial the seal, and allow any candidate or agent present to initial the seal if they wish.

The voting materials must be secured to allow for transportation to the next stop or until it is time for counting. Unused ballots and the ballot stubs must be secured, along with the poll book and the other voting materials. Place them in an envelope, which is then sealed. The DRO and poll clerk can initial the seal, as can any candidates or agents who are present.

Section 4.8.3 - Opening the Mobile Poll at the Second or Subsequent Stop

At the time fixed for the opening of the mobile poll, the DRO and poll clerk remove the seal from the ballot box and remove the voting materials that were sealed in an envelope.

They can then begin to receive the votes of the electors.

Section 4.8.4 - Voting in Long-Term Care Facilities

In order to take the votes of residents in a long-term care facility, the DRO can take the voting materials from room to room in the facility to take the votes of residents who cannot vote in person at the polling station.

The DRO suspends temporarily the voting at the polling station in the facility by placing a sign to that effect in case anyone comes to vote during this time.

The DRO and poll clerk take the ballot box, ballots, poll book and any other necessary documents from room to room.

The DRO and poll clerk must be accompanied by an officer of the institution, and may be accompanied by one agent for each candidate as they go from room to room.

Care must be taken so that the electors can vote secretly.

Appendices

APPENDIX "A" - CONTACT INFORMATION

Returning officers looking for special advice or users of the Handbook with comments and suggestions for changes may contact the **Municipal Elections Officer's General Inquiries support** as follows:

Department of Municipal Affairs and Housing
8th Floor, Maritime Centre
1505 Barrington Street
PO Box 216
Halifax, NS B3J 2M4

E-mail: municipalelections@novascotia.ca

Information from Elections Nova Scotia (ENS) can be obtained as follows:

Elections Nova Scotia
202 Brownlow Avenue, Suite 505
Dartmouth, Nova Scotia, B3B 1T5
PO Box 2246
Halifax, NS
B3J 3C8

Telephone (toll-free): 1-800-565-1504 (Toll free)
Metro area: 902-424-8584
Fax: 902-424-6622 (Fax)
E-mail: elections@novascotia.ca

Information from the Association of Municipal Administrators (AMANS) can be obtained as follows:

Association of Municipal Administrators
Suite 1304
1809 Barrington Street
Halifax, NS, B3J 3K8

Telephone: (902) 423-2215
Fax: (902) 425-5592
E-mail: info@amans.ca

You may download or order the following from the Department of Municipal Affairs and Housing website:

Municipal Elections Handbook (including the Calendar Guide)
Candidate's Guide to Municipal Elections (*coming soon*)

To view the Municipal Elections Act or other legislation, please visit:

<https://nslegislature.ca/legislative-business/bills-statutes/consolidated-public-statutes>

APPENDIX "B" - DEFINITIONS, LEGISLATION, AND REGULATIONS

Definitions

1. The *Municipal Elections Act* defines ordinarily resident as follows:

16 (1) A person is ordinarily resident in the place where the person lives and to which, whenever absent, the person intends to return.

(2) A person may be ordinarily resident in only one place at a time.

(3) A person does not cease to be ordinarily resident in a place by leaving the place for a temporary purpose only.

(4) Where a person usually sleeps in one place and has meals or is employed in another place, the person is ordinarily resident in the place where the person sleeps.

(5) Where a person has temporary residential quarters, those quarters are considered to be the place in which the person is ordinarily resident only if the person has no other place the person considers as that person's ordinary place of residence.

(6) Where a person is being provided with food, lodging or other social services by a shelter, hostel or similar institution, the person is ordinarily resident in the shelter, hostel or institution.

(7) Where the rules set out in subsections (1) to (6) are not sufficient to determine the place where a person is ordinarily resident, the place where the person is ordinarily resident must be determined by the appropriate election officer with reference to all the facts of the case.

(8) A person who, on the ordinary polling day,

(a) is a student;

(b) is ordinarily resident in a polling district or polling division other than that of the person's family home; and

(c) is qualified as an elector,

may elect to be included on the list of electors in one or the other of the polling divisions, but not both, and is deemed to be ordinarily resident in that polling division.

(9) A person is not ordinarily resident in a residence that is generally occupied by the person only between the beginning of May and the end of October but that is generally unoccupied between the beginning of November and the end of April unless the person does not have another residence in the Province where the person resides between the beginning of November and the end of April.

“Polling District”, “Polling Division”, and “Electoral District”

These three terms are defined in the *Municipal Elections Act* [s. 2(1)] as follows:

- (n) **“electoral district”** means a district for the election of a member of a school board
- (x) **“polling district”** includes a ward or a town which is not divided into wards;
- (y) **“polling division”** means one of the parts into which a polling district is divided for the purpose of better taking the vote;

The following term(s) are defined in the *Education (CSAP) Act* [s.3(1)] as follows:

- (g) **“electoral district”** means a district for the election of a member of a school board

“Area annexed to the municipality”

The expression “area annexed to the municipality” refers to an area which has been added to a municipality by reason of an annexation or amalgamation and does not simply mean an area “adjacent” to a municipality.

When the term is used in the context of qualification of candidates, it means that the candidate must have been living in the area which now constitutes the municipality for a period of 6 months, whether or not that area was within the boundaries of the municipality for the whole 6 months.

“Level access” [s. 2(1)(q)]

When used in reference to a polling station, premises with “level access” means premises that are so located that a person may reach the premises from the street or roadway and enter the premises without going up or down any step, stairs or escalator.

Legislative Provisions

Persons barred from being candidates for council

The legislation [s. 18] bars the following persons from running for council:

- member of the House of Commons or Senate of Canada;
- member of the Legislative Assembly;
- member of a Village Commission;
- member of the council of another municipality;
- a judge of the Nova Scotia Court of Appeal, the Supreme Court of Nova Scotia or the Provincial Court;
- a person who holds office or employment in the service of the municipality, or any utility, board, commission, committee or official thereof, to which any salary, fee, wages, allowance, emolument, profit or other remuneration of any kind is attached, for so long as he holds or is engaged in the office or employment unless the person is on a leave of absence granted pursuant to subsection 17 C(2), but this disqualification does not apply in respect of an office or employment:
 - as a volunteer fireman with a municipal firefighting organization,
 - as a volunteer member of a board or committee of the municipality with a school board, or
 - with a joint body of two or more municipalities to which the municipality appoints at least one representative and to which the municipality provides funding; or
- has been convicted of any corrupt practice or bribery contrary to this Act within 5 years preceding nomination day

During a Special election, a person cannot be nominated if he/she is a school board member ([18(2)])

Note that under s. 10 of the *Municipal Conflict of Interest Act*, a sitting member who has been found to have contravened the Act could be prohibited by the court from running to fill a vacancy created by the forfeiture of his/her seat, and the person could be banned from holding office for up to 10 years.

Requirements for the design of ballots

The legislation [ss. 65-67] is as follows:

Printing of ballot papers

65 If a poll is required, the returning officer shall cause to be printed ballot papers in sufficient quantity to supply all polling stations.

Form of ballot paper

66(1) A ballot paper shall be in prescribed form and have on the front thereof

- (a) at the top of the ballot the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
- (b) immediately below the title the warning "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates, as the case may be; and
- (c) following a substantial space, the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names.

No description of candidate

66(2) No title, honour, decoration or degree shall be included with a candidate's name on the ballot.

Serial number

66(3) On the back of each of the stub and the counterfoil shall be printed a serial number, which shall be the same on both.

Requirements of ballot paper

66(4) The ballot paper shall be printed with the title, warning and names of candidates and a small circular space immediately to the right of the name of each candidate, appearing in the colour of the paper.

66 (5) The returning officer may determine the form of the ballot paper, including the quality, weight, colour and size of the ballot paper R.S., c.300,s. 66, 1994, c. 26, s.21; 2003(2nd Session), c.5, s.11; 2015, c.47 ,s. 12

Other requirements of ballot paper

67(1) All ballot papers shall, subject to subsection (2),

- (a) be of the same description and as nearly alike as possible;
- (b) have a counterfoil and a stub with lines of perforations between the ballot form and the counterfoil and between the counterfoil and the stub; and
- (c) be bound or stitched in books containing twenty-five, fifty or one hundred ballot papers, according to the requirements of the polling stations.

Colour of ballot papers

67 (2) The returning officer shall ensure that the ballot for mayor, the ballot for councillor, the ballot for school board member and any other ballot required be of different colours of paper.

Education (CSAP) Act References

Conseil scolaire acadien provincial (CSAP)

11(1) The Governor in Council may establish a school board with jurisdiction throughout the Province, a body corporate to be known as the *Conseil scolaire acadien provincial*, for the purpose of providing a French-first-language program to the children of entitled parents.

(2) The Conseil acadien is responsible for the delivery and administration of all French-first-language programs.

13(1) The Conseil acadien shall be elected by entitled persons, at the same time as the regularly scheduled elections for school boards.

(2) An entitled person may vote in an election for the Conseil acadien or for another school board if that person is otherwise entitled to vote in an election for a school board but that person is not entitled to and shall not vote in the same election for both.

(2A) For greater certainty, an entitled person who votes in an election for either the Conseil acadien or for another school board may vote for either the Conseil acadien or for another school board in a special election that follows the election.

(3) Notwithstanding the *Municipal Elections Act*,

(a) for greater certainty, only entitled persons may be member of the Conseil acadien;

(b) only an entitled person may nominate a candidate for election as a member of the Conseil acadien and a person nominating such a candidate shall be required to sign a statement stating that person's status as an entitled person, in a form prescribed pursuant to the *Municipal Elections Act*;

(c) a person applying to vote in an election for the Conseil acadien shall not be required to take an oath or make an affirmation attesting to that person's status as an entitled person but shall be required to confirm the person's status as an entitled person as defined in the *Education Act* and, where a person wishes to provide the confirmation, the person may provide the confirmation by requesting the ballot to vote for the Conseil acadien and that request constitutes the confirmation;

(d) where a person votes in an election for the Conseil acadien, that fact shall be entered in the poll book in the manner prescribed by or pursuant to the *Municipal Elections Act*;

(e) for greater certainty, the Minister of Housing and Municipal Affairs may, pursuant to that Act, prescribe or alter any forms under that Act for the purposes of this Section; and

(f) the Municipal Elections Officer may give such directions as may be necessary for the purpose of this Section.

(3A) A returning officer shall accept

(a) subject to subsection 44(5) of the *Municipal Elections Act*, a signed statement, in a form prescribed pursuant to the *Municipal Elections Act*, of a candidate that the candidate is an entitled person; or

(b) a statement signed pursuant to clause 3(b), as sufficient evidence that the candidate or person is an entitled person.

African Nova Scotian Representative

42A(1) In this Section,

(a) "African Nova Scotian" means a person who is African Nova Scotian or a black person;

(b) "African Nova Scotian elector" means a person who is qualified to vote in an election of a school board member and who is also

(i) an African Nova Scotian, or

(ii) the parent of an African Nova Scotian.

(2) This Section does not apply with respect to the Conseil acadien.

(3) Notwithstanding any other provision of this Act, the membership of a school board includes, in addition to those members as determined by the Utility and Review Board, one African Nova Scotian representative, elected by African Nova Scotia electors throughout the school region over which the school board has jurisdiction.

(4) The election of the African Nova Scotian member of a school board shall be held at the same time as the regularly scheduled elections to the school board.

(5) Notwithstanding the *Municipal Elections Act*,

(a) only a person who is

(i) an African Nova Scotian, and

(ii) qualified to be a candidate for election to a school board, is qualified to be a candidate for election as the African Nova Scotian member of a school board;

(b) only an African Nova Scotian elector may nominate a candidate for election as the African Nova Scotian member of a school board and a person nominating such a candidate shall be required to sign a statement stating that person's status as an African Nova Scotian elector, in a form prescribed pursuant to the *Municipal Elections Act*;

(c) where a person intends to vote in an election of an African Nova Scotian to a school board, that person shall not be required to take an oath or make an affirmation in a form attesting to that person's status as an African Nova Scotian, but shall be required to confirm the person's status as an African Nova Scotian elector as defined in the *Education Act*, and where a person wishes to provide the confirmation, the person may provide the confirmation by requesting the ballot to vote for the African Nova Scotian elector and that request constitutes the confirmation;

(d) where a person votes in an election of an African Nova Scotian member of a school board, that fact shall be entered in the poll book in the manner prescribed pursuant to the *Municipal Elections Act*;

(e) for greater certainty, the Minister of Housing and Municipal Affairs may, pursuant to the *Municipal Elections Act*, prescribe or alter any forms under that Act for the purpose of this Section, and

(f) the Municipal Elections Officer may give such directions as may be necessary for the purpose of this Section.

42A(6) A returning officer shall accept

(a) subject to subsection 44(5) of the *Municipal Elections Act*, a signed statement, in a form prescribed pursuant to the *Municipal Elections Act*, of a candidate that the candidate is an African Nova Scotian as sufficient evidence that the candidate is an African Nova Scotian; or

(b) a statement signed pursuant to clause (5)(b) as sufficient evidence that the person is an African Nova Scotian elector if that person is qualified to vote in an election of a school board.

(7) A signed statement in good faith of a candidate that the candidate is an African Nova Scotian is conclusive evidence that the candidate is an African Nova Scotian.

(8) A statement signed pursuant to clause (5)(b) in good faith and stating that the person is an African Nova Scotian elector or a confirmation provided pursuant to clause (5)(c) in good faith confirming that the person is an African Nova Scotian elector is conclusive evidence that that person is an African Nova Scotian elector, if that person is qualified to vote in an election of a school board.

(9) Except as provided by this Section, the *Municipal Elections Act* applies *mutatis mutandis* to the election of the African Nova Scotian member to a school board as if the district or region over which the school board has jurisdiction were an electoral district.

(10) A qualified African Nova Scotian elector may vote in a school board election for either

(a) a candidate for election as the African Nova Scotian member of the school board; or

(b) a candidate for election to the school board other than as the African Nova Scotian member of the school board, but not both.

(11) For greater certainty, a qualified African Nova Scotian elector, who votes in an election for either a candidate for election as the African Nova Scotian member of the school board or a candidate for election to the school board other than as the African Nova Scotian member of the school board, may vote for either candidate in a special election that follows the election.

Elections

48(1) The election of members of a school board shall take place concurrently with and as part of the regular municipal elections for members of the councils of the municipalities.

(2) The election of members of a school board shall be conducted by the returning officers responsible for the conduct of municipal elections.

(3) Notwithstanding subsection (2), a special election may be conducted by the school board if the Minister consents.

(4) Any additional cost incurred by a municipality from

(a) the inclusion of the election of members of a school board with the regular municipal elections; or

(b) a special election for a member of a school board, may be recovered by that municipality from the school board for which the cost was incurred.

(5) In the event that there is a dispute between a municipality and a school board over the amount to be recovered, the dispute shall be submitted to the Minister [of Education], who shall consult with the Minister Municipal Affairs, or an official designated by the Minister of Municipal Affairs, and shall render a decision thereon, which decision is final and binding.

49(1) In this Section, "election" includes a special election.

(2) A voter shall cast only one vote for the election of a member of a school board at an election.

APPENDIX "C" - SAMPLE ADVERTISEMENTS

Sample Revision Advertisement - s. 34

MUNICIPALITY/TOWN/REGIONAL

MUNICIPALITY OF _____

REVISIONS TO THE PRELIMINARY LIST OF ELECTORS

Municipal and School Board Elections

October __, 20__

The preliminary lists of electors have been prepared for the upcoming elections. The revising officer(s) may make additions or corrections to the lists upon application by telephone, fax, e-mail, mail or in person. Electors may find out if they are on the list of electors by:

(1) Visiting the municipal office (or other location) between the hours of 9:00 a.m. - 5:00 p.m. (or other hours) from August ____ to August ____, at

Municipal Building

221 Main Street

Anytown, NS

(2) Contacting the returning office between the hours of 9:00 a.m. - 5:00 p.m. (or other hours), from August ____ to August ____.

Telephone: 555-5555

Fax: 555-6666

E-mail: municipality@address.ca

You will be asked for your name, your address and your date of birth.

Returning Officer

***Ad must appear at least twice in a newspaper circulating in the municipality [s. 34]**

Sample Nomination Notice - s. 42

MUNICIPALITY/TOWN/REGIONAL MUNICIPALITY OF _____

NOTICE

NOMINATIONS OPEN

Municipal and Conseil... School Board Elections

TAKE NOTICE that the undersigned will accept nominations for the following offices in the Municipality of _____ for which an election will be held on the ___ day of October, _____:

Mayor

Five Councillors elected at large

(or One Councillor for each of Polling Districts 1-20)

One Member of the *Conseil scolaire acadien provincial* for

the electoral district comprising the Town of _____

and Polling Districts _____ and _____ of the

Municipality of _____

AND TAKE NOTICE that a nomination shall be filed at the office of the Returning Officer, Room 222, Municipal Building, 1234 Main Street between 9:00 am and 5:00 pm on nomination day which is Tuesday, September ____, ____, or by appointment during office hours in the seven (7) business days preceding nomination day.

[**OR WHERE** another person is the Returning Officer for the election of the district member of the Conseil... school board the following:]

[**AND TAKE FURTHER NOTICE** that electors in the Municipalities of (insert names) will elect one person to be a Member of the *Conseil scolaire acadien provincial* and a nomination for that office shall be filed at the office of the Returning Officer (address) between 9:00 am and 5:00 pm on nomination day which is Tuesday, September ____, ____, or by appointment during office hours in the 7 business days preceding nomination day.]

DATED at _____, Nova Scotia, this ____ day of September, _____.

_____ (print name)

Returning Officer

*** Ad must appear at least twice, not less than 7 nor more than 14 days apart, the second insertion to precede nomination day by at least 7 days, in a newspaper circulating in the municipality, and be posted in at least 2 public locations in each polling district [s. 42].**

Sample Notice of Poll - s. 50

MUNICIPALITY/TOWN/REGIONAL MUNICIPALITY OF _____

Municipal and School Board Elections

The Municipal and Conseil scolaire acadien provincial (CSAP) elections will be held on Saturday, OCTOBER __, ____

Electors may vote between 8:00 a.m. and 7:00 p.m. at the locations listed below or at the advance poll. The advance polls will be held on (Thursday or Saturday), the __ of October, ____, and on Tuesday, October __, ____, between the hours of 12:00 noon and 8:00 p.m.

<u>OFFICE</u>	<u>CANDIDATES</u>	<u>ORDINARY POLLING DAY</u> <u>POLLING PLACES</u>
Mayor	John Doe Mary Roe	In Your Polling District
Councillor, District 1	Megan Doe Richard Doe	Little Red School (all polling divisions)
Councillor, District 2	Peter Platt – Acclaimed	Little Blue School (all polling divisions)
Councillor, District 3	No nominations. Special Election at a later date.	Little Yellow School (all polling divisions)
Councillor, District 4	Ann Brown Charles White	Polls 1- 20, Little Green School Polls 21 – 30, Fire Hall
Member of <i>conseil scolaire acadien provincial (CSAP)</i>	Alain LeBlanc Helene Surette	In Your Polling District

ADVANCE POLL LOCATIONS: Districts 1 & 2: Little Red School

Districts 3 & 4: Fire Hall

Descriptions of the polling divisions are available at the returning officer's office. Information may be obtained by calling (xxx-xxx-xxxx), etc.

Returning Officer

*** Ad must appear in a newspaper circulating in the municipality, as soon as may be after nomination day.**

Sample Notice of Advance Poll - s. 114

MUNICIPALITY/TOWN/REGIONAL MUNICIPALITY OF _____

Municipal and School Board Elections

ADVANCE POLL

____ day, ____

12:00 noon - 8:00 pm

Tuesday, October __, ____

12:00 noon - 8:00 pm

Polling Districts 1 & 2 vote at: Little Red School

Polling Districts 3 & 4 vote at: Fire Hall

Any elector who expects to be unable to vote on ordinary polling day may vote at the advance poll.

A description of the boundaries of each polling district and polling division within a polling district in the municipality may be inspected at the municipal office (address) during regular office hours.

Dated at _____, Nova Scotia, this ____ day of _____, ____.

(print name)

Returning Officer

*** Ad must be published in a newspaper circulating in the municipality once before the first advance poll day.**

APPENDIX "D" - Nursing Homes and Residential Care Facilities



Nursing Homes and Residential Care Facilities

DIRECTORY

Accurate Bed Count as of March 2020

Important Note to Reader:

If a Nursing Home or Residential Care Facility is “Not SEA Participating”, it means that applicants must apply directly to the facility and that government subsidy is not available. The rest of the homes are SEA Participating which indicates that admission to the Nursing Home or Residential Care Facility is exclusively through the Department of Health’s **Single Entry Access (SEA)** system. Eligible residents of SEA Participating Nursing Homes or Residential Care Facilities pay an authorized accommodation charge and have the health care portion of the long-term care facility costs covered by the Department of Health.

There are two types of facilities:

Nursing Homes

are an option for people who have difficulty performing everyday tasks, such as dressing or bathing, and are appropriate for those who are medically stable yet have nursing needs beyond home care.

Residential Care Facilities

are for those who need personal care, supervision and accommodation in a safe and supportive environment and who are able to exit on their own in an emergency.

What services do nursing homes and residential care facilities provide?

Nursing homes provide nursing and personal care on a 24-hour basis including care given under the supervision of a nurse, administration of medication and assistance with daily living. Other services may include physiotherapy, occupational therapy, recreation, and those provided by a Social Worker.

Residential care facilities provide assistance with personal care such as, bathing and dressing, and reminders about daily routines. Personal care and supervision are provided by Residential Care Workers who are available on site at all times. For both nursing homes and residential care facilities, staff administer all medications for residents.

The facilities have medical advisors, but residents may continue to visit their family doctor. Residents usually have private bedrooms or share with one other person but common spaces include dining and living areas, bathrooms, and outdoor spaces.

How do I apply to Long Term Care?

To apply for residency in a nursing home or a residential care facility, contact Continuing Care toll-free at 1-800-225-7225. We will guide you through the application process and arrange for a care coordinator to assess your needs – to identify the best way to meet your needs.

Zone 1 (Western)

Annapolis Royal Nursing Home (NH and RCF)

Karen Doucette, Director of Facility & Resident Care 9745
Highway 8, RR #2, Annapolis Royal, NS B0S 1A0
Telephone: (902) 532-2240 or (902) 532-5460, Fax: (902) 532-7151
E-mail: karen.doucette@macleodgroup.ca
No. of Beds 53, Respite Beds – 1
No. of RCF Beds -12; RCF Respite Beds – 0

Au Logis d’Meteghan (RCF)

Lisa Comeau, Administrator
8405 Highway #1, PO Box 128, Meteghan, NS B0W 2J0
Telephone: (902) 645-3594, Fax: (902) 645-2429
E-mail: aalogis@eastlink.ca
No. of Beds - 22, Respite Beds - 0

Bay Side Home Corporation (NH)

Paula Hatfield, A/Administrator
PO Box 238, 96 Bayside Drive, Barrington, NS B0W 1E0
Telephone: (902) 637-2098, Fax: (902) 637-3151
E-mail: paula.hatfield@nshealth.ca
No. of Beds - 62, Respite Beds - 0

Blomidon Court Continuing Care Residence (NH)

Matthew Jollymore, Site Manager
58 Jessica’s Way, Greenwich, NS B4P 0B2
Telephone: (902) 697-3702, Fax: (902) 697-3701
E-mail: mjollymore@shannex.com
No. of Beds - 50, Respite Beds - 0

Evergreen Home for Special Care (NH)

Fred Houghton, Administrator
655 Park Street, Kentville, NS B4N 3V7
Telephone: (902) 678-7355, Fax: (902) 678-5996
E-mail: f.houghton@evergreenhome.ns.ca
No. of Beds - 115 (97 adults, 18 children), Respite Beds - 4 (1 adult, 3 children)

Foyer Celeste (RCF)

Kathy MacDonald, Administrator
PO Box 314, 8064 Highway #31, Meteghan, NS B0W 2J0
Telephone: (902) 645-2248, Fax: (902) 645-3231
E-mail: office@foyerceleste.com No.
of Beds - 19, Respite Beds - 0

Grace Haven (RCF)

Lynn Longmire, Administrator
9791 Highway # 1, Paradise, RR #4, Bridgetown, NS B0S 1C0
Telephone: (902) 665-4224, Fax: (902) 825-1400
E-mail: gracehaven@ns.aliantzinc.ca
No. of Beds - 20, Respite Beds - 0

Grand View Manor Continuing Care Community (NH)

Menna MacIsaac, Administrator
110 Commercial Street, Berwick, NS B0P 1E0
Telephone: (902) 538-3118, Fax: (902) 538-3998
E-mail: menna.macisaac@grandviewmanor.org
No. of Beds - 142, Respite Beds - 0

Harbour View Haven (NH)

Tim McAuley, Administrator
PO Box 1480, 25 Blockhouse Hill Road, Lunenburg, NS B0J 2C0
Telephone: (902) 634-8836, Fax: (902) 634-8792
E-mail: tmcauley@hvh.ca
No. of Beds - 143, Respite Beds - 1

Heart of the Valley Long Term Care Centre (NH)

Janey Carter, Administrator
89 North Street, Middleton, NS B0S 1P0
Telephone: (902) 825-3789, Fax: (902) 825-3640
E-mail: janey.carter@gemhc.com
No. of Beds - 49, Respite Beds - 1

Hillside Pines Home for Special Care (NH)

Marisa Eisner, Administrator
77 Exhibition Drive, Bridgewater, NS B4V 3K6
Telephone: (902) 543-1525 x 211, Fax: (902) 543-8083
E-mail: m.eisner@hillsidepines.com
No. of Beds - 50, Respite Beds - 0

Hillsview Acre Home for Special Care (RCF)

Janie Ryan, Administrator
RR #1, 14 Middlefield Road, Greenfield, NS B0T 1E0
Telephone: (902) 685-2966, Fax: (902) 685-2446
E-mail: hillsview.acres@ns.sympatico.ca
No. of Beds - 29, Respite Beds - 0

Lohnes Rest Home (RCF)

David Burke, Administrator
RR #1, 97 Lakeview Drive, Barss Corner, NS B0R 1A0
Telephone: (902) 644-3880, Fax: (902) 644-1205
E-mail: david@lohnesresthome.ca
No. of Beds - 8, Respite Beds - 0

Mahone Nursing Home (NH)

Angela Barnard, Director
PO Box 320, 640 Main Street, Mahone Bay, NS B0J 2E0
Telephone: (902) 624-8341, Fax: (902) 624-6338
E-mail: angela.barnard@macleodgroup.ca
No. of Beds - 60, Respite Beds - 1

Mary's Abide-A-While Home Ltd (RCF)

Mary Davis, Administrator
PO Box 609, 188 Water Street, Shelburne NS B0T 1W0
Telephone: (902) 875-4384, Fax: (902) 875-4384
E-mail: marysabide-a-whilehome@bellaliant.net
No. of Beds - 14, Respite Beds - 0

Mountain Lea Lodge (NH)

Joyce d'Entremont, Administrator
RR #1, 170 Church Street, Bridgetown, NS B0S 1C0
Telephone: (902) 665-4489, Fax: (902) 665-2900
E-mail: jdentremont@homesforcare.com
No. of Beds - 107, Respite Beds - 0

Nakile Home for Special Care (NH)

Gail Kaiser, Administrator
35 Nakile Drive, Glenwood, NS B0W 1W0
Telephone: (902) 643-2707, Fax: (902) 643-2862
E-mail: gail@nakile.ns.ca
No. of Beds - 47, Respite Beds - 1

New Vision Special Care Homes (RCF)

Michael Walsh, Administrator
PO Box 566, 4507 Highway #1, South Berwick, NS B0P 1E0
Telephone: (902) 538-9579, Fax: (902) 538-0390
E-mail: NewVision2@ns.sympatico.ca
No of Beds - 25, Respite Beds - 0

North Queens Nursing Home (NH)

Lisa Gallant, Executive Director
9565 Highway 8, Caledonia, NS B0T 1B0
Telephone: (902) 682-2553, ext 222 Fax: (902) 682-2602
E-mail: lgallant@nqnh.ca
No. of Beds - 43, Respite Beds - 1

Olson's Glo Estate Home for Special Care (RCF)

Hazel Olson, Administrator
143 Route #304 (Grove Road), Yarmouth, NS B5A 4J7
Telephone: (902) 742-7583, Fax: (902) 742-2463
E-mail: hazelolson232@gmail.com
No. of Beds - 11, Respite Beds - 0

Orchard Court Continuing Care Residence (NH)

Jenna Swindell, Site Manager
155 River Street, Kentville, NS B4N 1G8
Telephone: (902) 365-4702, Fax: (902) 365-4701
E-mail: jswindell@shannex.com
No. of Beds - 62, Respite Beds - 0

Peter's Place (PJD Rehab Housing Inc.) (RCF)

Carla Hirtle, Administrator
RR #1, Pleasantville, NS B0P 1G0
Telephone: (902) 688-1575; Fax: (902) 688-1747
E-mail: carla.hirtle@petersplace.ca
No. of Beds - 6, Respite Beds - 0

Pont du Marais Home Boarding Home (RCF)

Charlene Leblanc, Administrator/Owner
PO Box 236, 1526 Highway #335, Lower West Pubnico, NS B0W 2C0
Telephone: (902) 762-3099, Fax: (902) 762-2072
E-mail: pdm@ns.aliantzinc.ca
No. of Beds - 21, Respite Beds - 2

Queens Manor (NH)

Andrew MacVicar, Executive Director
PO Box 1283, 20 Hollands Drive, Liverpool, NS B0T 1K0
Telephone: (902) 354-3451, Fax: (902) 354-5383
E-mail: administrator@queensmanor.ca
No. of Beds - 61, Respite Beds - 0

Rosedale Home for Special Care (NH)

Valerie Veinot, Administrator
4927 Highway #10, RR #2, New Germany, NS B0R 1E0
Telephone: (902) 644-2008, Fax: (902) 644-3260
E-mail: admin@rosedalehome.ca
No. of Beds - 39, Respite Beds - 0

Roseway Manor Inc. (NH)

Cathy Hambleton, Administrator
PO Box 518, 1604 Lake Road, Sandy Point, Shelburne, NS B0T 1W0
Telephone: (902) 875-4707, Fax: (902) 875-4105
E-mail: admin@rosewaymanor.com
No. of Beds - 66, Respite Beds - 0

Ryan Hall (NH and RCF)

Kim Clattenburg, Site Manager
313 Hollingsworth Drive, Bridgewater, NS B4V 0A3
Telephone: (902) 530-8202, Fax: (902) 530-8201
E-mail: kclattenburg@shannex.com
No. of Nursing Home Beds - 50, Nursing Home Respite Beds - 0
No. of RCF Beds - 15, RCF Respite Beds - 0

Saunders Rest Home (RCF)

Shaun & Patty Saunders, Administrators
PO Box 114, 9 Freeman Street, Bridgetown, NS B0S 1C0
Telephone: (902) 665-4331, Fax: (902) 665-4768
E-mail: jenjonpatshaun@hotmail.com
No. of Beds - 8, Respite Beds - 0

Shoreham Village Senior Citizens Association (NH)

Janet Simm, Administrator
50 Shoreham Village Crescent, RR #1, Chester, NS B0J 1J0 Telephone:
(902) 275-5631, 0, Fax: (902) 275-2586
E-mail: j.simm@shorehamvillage.com
No. of Beds - 89, Respite Beds - 1

Surf Lodge Community Continuing Care Centre (NH)

Karla Swansburg, Administrator
PO Box 160, 73 Howe Street, Lockeport, NS B0T 1L0
Telephone: (902) 656-2014, Fax: (902) 656-2026
E-mail: karla.swansburg@macleodgroup.ca
No. of Beds - 36, Respite Beds - 0

Tibbetts Home for Special Care (RCF)

Jennifer Millett, Administrator
15074 1 Hwy, Kingston, NS B0P 1R0 Telephone:
(902) 765-6614, Fax: (902) 765-3807
E-mail: sunvalleygardens@hotmail.com
No. of Beds - 25, Respite Beds - 0

Tideview Terrace (NH)

Debra Boudreau, Administrator
PO Box 1120, 74 Pleasant Street, Conway, NS B0V 1A0
Telephone: (902) 245-4718, Fax: (902) 245-6674
E-mail: Debra.boudreau@nshealth.ca
No. of Beds - 89, Respite Beds - 1

The Meadows - Tidal View Manor (NH)

Anna Babin, Administrator
339 Pleasant Street, Yarmouth, NS B5A 2K9
Telephone: (902) 881-3399, Fax: (902) 742-1426
E-mail: anna.babin@nshealth.ca No.
of Beds - 104, Respite Beds - 1

Wedgewood House for Seniors (RCF)

Michael E. Walsh, Administrator
19 Leverett Avenue, Kentville, NS B4N 2K5
Telephone: (902) 678-1242, Fax: (902) 679-2808
E-mail: Michael_e_walsh@hotmail.com
No. of Beds - 15, Respite Beds - 0

The Elms (RCF)

Paul MacDonald, Administrator
705 Main Street, Wolfville, NS B4P 2N4
Telephone: (902) 542-2420, Fax: (902) 542-1048
E-mail: macdonaldpaul@wolfvillenursinghomes.ca
No. of RCF Beds 23, Respite - 0

Wolfville Nursing Home (NH)

Paul MacDonald, Administrator
601 Main Street, Wolfville, NS B4P 1E9
Telephone: (902) 542-2429, Fax: (902) 542-1048
E-mail: macdonaldpaul@wolfvillenursinghomes.ca
No. of Beds - 67, Respite Beds - 0

Villa Acadienne (NH)

Lucille Maillet, Administrator
PO Box 248, 8403 Highway #1, Meteghan, NS B0W 2J0
Telephone: (902) 645-2065, Fax: (902) 645-3899
E-mail: lucillemaillet@villaacadienne.ca No.
of Beds - 85, Respite Beds - 1

Villa Saint Joseph-du-Lac (NH)

Rick Atkinson, Administrator
255 Highway #1, RR #1, Dayton, NS B5A 4A5
Telephone: (902) 742-7128 or (902) 742-7129, Fax: (902) 742-4230
E-mail: rickatkinson@eastlink.ca No.
of Beds - 79, Respite Beds - 0

Zone 2 (Northern)**Bayview Memorial Health Centre (NH)**

Ronald MacCormick, Administrator
PO Box 61, 3375 Highway #209, Advocate Harbour, NS B0M 1A0
Telephone: (902) 392-5401, Fax: (902) 392-2625
E-mail: ronaldv.maccormick@nshealth.ca
No. of Beds - 10, Respite Beds - 0

Cedarstone Enhanced Care (NH)

Stephanie Miles, Site Manager
378 Young Street, Truro, NS B2N 7H2 Telephone:
(902) 843-8117, Fax: (902) 893-2361
E-mail: smiles@shannex.com
No. of Beds - 125, Respite Beds - 1

Centennial Villa (RCF)

Kathy Maltby, Administrator
258 Church Street, Amherst, NS B4H 3C9
Telephone: (902) 667-5330, Fax: (902) 667-0653
E-mail: kathy.maltby@gemhc.com
No. of Beds - 43, Respite Beds - 0

Chignecto Manor Co-Operative (RCF)

Doris Collins, Administrator
PO Box 63, 24 Bayview Manor Road, Advocate Harbour, NS B0M 1A0
Telephone: (902) 392-2028, Fax: (902) 392-2434
E-mail: chignectomanor@ns.aliantzinc.ca

No. of Beds - 14, Respite Beds - 0

Debert Court Continuing Care Residence (NH)

Vonn Manahan, Director of Resident Care
16 Dakota Road, PO Box 160, Debert, NS B0M 1G0
Telephone: (902) 641-3902, Fax: (902) 641-3901
E-mail: vmanahan@shannex.com
No. of Beds - 36, Respite Beds - 0

East Cumberland Lodge (NH)

Andrew Holland, Administrator
262 Gulf Shore Road, PO Box 250, Pugwash, NS B0K 1L0
Telephone: (902) 243-2504, Fax: (902) 243-3375
E-mail: aholland@eastcumberlandlodge.ca
No. of Beds - 73, Respite Beds - 1

Elk Court (NH)

Louela Paris, Site Manager
91 Carter Road, Brookfield, NS B0N 1C0
Telephone: (902) 650-3300, Fax: (902) 650-3301
E-mail: lparis@shannex.com
No. of Beds - 35, Respite Beds - 1

Gables Lodge (NH)

Kathy Maltby, Administrator
260 Church Street, Amherst, NS B4H 3C9
Telephone: (902) 667-3501, Fax: (902) 667-3533
E-mail: kathy.maltby@gemhc.com
No. of Beds - 96, Respite Beds - 1

Glen Haven Manor Corporation (NH)

Lisa Smith, CEO
739 East River Road, New Glasgow, NS B2H 5E9
Telephone: (902) 752-7397, Fax: (902) 752-0053
E-mail: lisa.smith@glenhavenmanor.ca
No. of Beds - 201, Respite Beds - 1

High-Crest Home New Glasgow (RCF)

Robert MacDonald, Administrator
253 Forbes Street, New Glasgow, NS B2H 4P5
Telephone: (902) 752-3461, Fax: (902) 752-2672
E-mail: rmacdonald@high-crest.com
No. of Beds - 29, Respite Beds - 0

High Crest Place Limited (RCF)

Kora Stephenson-Barrett, Administrator
222 Provost Street, New Glasgow, NS B2H 2R3
Telephone: (902) 755-9559, Fax: (902) 752-1577
E-mail: kstephenson-barrett@high-crest.com
No. of Beds - 27, Respite Beds - 0

High-Crest Springhill Home for Special Care (NH)

Conrad LeBlanc, Administrator
PO Box 2170, 11 Sproul Street, Springhill, NS B0M 1X0
Telephone: (902) 597-2797, Fax: (902) 597-8339
E-mail: cleblanc@high-crest.com
No. of Beds - 65, Respite Beds - 1

Ivey's Terrace Nursing Home (NH)

MaryAnne Leblanc, Director of Facility and Resident Care
PO Box 250, 11 Centennial Drive, Trenton, NS B0K 1X0
Telephone: (902) 695-6500, Fax: (902) 695-3721
E-mail: maryanneleblanc@macleodgroup.ca
No. of Beds - 36, Respite Beds - 0

Karlaine Place (RCF)

Robert Barnhill, Administrators
104 Pictou Road, Truro, NS B2N 2S3
Telephone: (902) 895-5111, Fax: N/A
E-mail: karpl@bellaliant.com
No. of Beds - 8, Respite Beds - 0

Maplewood Manor (RCF)

Ilona Patterson, Administrator
PO Box 237, 150 Blair Avenue, Tatamagouche, NS B0K 1V0
Telephone: (902) 902-292-6433, Fax: (902) 657-1022
E-mail: ilonapatterson@gmail.com
No. of Beds - 6, Respite Beds - 0

Maritime Odd Fellows Home (NH)

Michael Archibald, Administrator
143 Haliburton Road, PO Box 850, Pictou, NS B0K 1H0
Telephone: (902) 485-5492 or (902) 485-6868, Fax: (902) 382-1215
E-mail: marchibald.ioof@eastlink.ca
No. of Beds - 46, Respite Beds - 1

Mitchell's Rest Home (RCF)

Dorothea Mitchell, Owner

5153 Highway #14, Upper Nine Mile River, NS B2S 3A6

Telephone: (902) 883-1549; Fax: (902) 883-9253

E-mail: redo.Mitchell@ns.sympatico.ca

No. of Beds - 3, Respite Beds - 0

Northumberland Hall Continuing Care Residence (NH)

Charlene Nelson, Site Manager

189 Willow Street, Amherst, NS B4H 3W6

Telephone: (902) 660-6061, Fax: (902) 660-6062

E-mail: cnelson@shannex.com No.

of Beds - 36, Respite Beds - 0

Serenity Lodge Home Care Ltd. (RCF)

Christine MacAskill, Owner

39 Russell McKeen Drive, Enfield, NS B2T 1A7

Telephone: (902) 883-9241; Fax: (902) 883-4927

E-mail: administrator@serenitylodge.ca

No. of Beds - 6, Respite Beds - 0

Shiretown Nursing Home (NH and RCF)

Loretta Brooker, Director of Facility and Resident Care

280 Haliburton Road, Pictou, NS B0K 1H0

Telephone: (902) 485-4341, Fax: (902) 485-9203

E-mail: Loretta.brooker@macleodgroup.ca

No. of Nursing Home Beds - 36, Nursing Home Respite Beds - 0

No. of RCF Beds - 17, RCF Respite Beds - 0

South Cumberland Community Care Centre (NH)

Ronald MacCormick, Administrator

PO Box 489, 50 Jenks Avenue, Parrsboro, NS B0M 1S0

Telephone: (902) 254-5401, Fax: (902) 254-2504

E-mail: ronaldv.maccormick@nshealth.ca

No. of Beds - 14, Respite Beds - 0

The Magnolia (NH and RCF)

Tracy Bonner, A/Administrator

416 Highway #2, Enfield, NS B2T 1E1 Telephone:

(902) 259-7500, Fax: (902) 883-2757

E-mail: tracy.bonner@rosecrest.ca

No. of Nursing Home Beds – 59, Nursing Home Respite Beds - 0

No. of RCF Beds - 12, RCF Respite Beds - 0

The Mira Nursing Home (NH)

Pat Falconer, Administrator
426 Young Street, Truro, NS B2N 7B1 Telephone:
(902) 895-8715, Fax: (902) 897-1903
E-mail: pat.falconer@gemhc.com
No. of Beds - 89, Respite Beds - 1

Townsvieview Estates (RCF)

Bill Boyle, Administrator
PO Box 1825, 310 Abenaki Road, Truro, NS B2N 5Z5
Telephone: (902) 893-2419, Fax: (902) 893-8094
E-mail: bill_boyle99@hotmail.com
No. of Beds - 51, Respite Beds - 0

Valley View Villa (NH)

Marcus Stephenson, Administrator
6125 Trafalgar Road, RR #1 Stellarton, NS B0K 1S0
Telephone: (902) 755-5780, Fax: (902) 755-3104
E-mail: mstephenson@vvilla.ca No.
of Beds - 112, Respite Beds - 1

Victoria Manor (RCF)

Amy McNutt, Administrator
14 West Victoria Street, Amherst, NS B4H 1B8
Telephone: (902) 667-9464, Fax: (902) 667-5250
E-mail: victoriamanor@eastlink.ca
No. of Beds - 40, Respite Beds - 0

Vimy Court Continuing Care Residence (NH)

Christine Ingraham, Site Manager
130 Vimy Road, Bible Hill, NS B2N 4J6
Telephone: (902) 843-7501, Fax: (902) 843-7502
E-mail: christineingraham@shannex.com
No. of Beds - 60, Respite Beds - 0

White Birches Retirement Residence (RCF)

Doug and Sandra Gallagher, Administrators
RR #5, 189 Fox Ranch Road, Amherst, NS B4H 3Y3
Telephone: (902) 667-9929, Fax: (902) 667-0234
E-mail: birches@ns.sympatico.ca
No. of Beds - 24, Respite Beds - 0

Willow Lodge (NH)

Janine Jaconelli, Executive Director
100 Blair Avenue, PO Box 249, Tatamagouche, NS B0K 1V0 Telephone:
(902) 657-3101, Fax: (902) 657-3859
E-mail: Janine.jaconelli@willowlodge.ca No.
of Beds - 61, Respite Beds - 0

Willows Manor (RCF)

Jamilla Bannerjee, Administrator
PO Box 248, 2844 Highway #2, Shubenacadie, NS B0N 2H0 Telephone:
(902) 758-3021, Fax: (902) 758-3025
E-mail: willowsmanor@ns.aliantzinc.ca
No. of Beds - 8, Respite Beds - 0

Wynn Park Villa Limited (NH and RCF)

Sheila Peck, Administrator
32 Windsor Way, Truro, NS B2N 0B4 Telephone:
(902) 843-3939, Fax: (902) 843-3936
E-mail: speck@wynnparkvilla.ca
No. of Nursing Home Beds – 40, Nursing Home Respite Beds - 0
No. of RCF Beds – 20, RCF Respite Beds – 0

Zone 3 (Eastern)**Alderwood Corporation (NH and RCF)**

Peggy MacNeil, A/Administrator
89 Alderwood Lane, PO Box 218, Baddeck, NS B0E 1B0
Telephone: (902) 295-3122, Fax: (902) 295-1698
E-mail: peggy.macneil@alderwoodbaddeck.ca
No. of Nursing Home Beds - 59, Nursing Home Respite Beds - 0
No. of RCF Beds - 11, RCF Respite Beds - 0

Canso Seaside Manor (NH)

Carol Rhynold, Administrator
1748 Union Street, PO Box 70, Canso, NS B0H 1H0
Telephone: (902) 366-3030, Fax: (902) 366-2154
E-mail: crhynold@modg.ca
No. of Beds - 15, Respite Beds - 0

Carefield Manor (RCF)

Tom Donovan, Administrator
1 Dryden Avenue, Sydney, NS B1S 1V3
Telephone: (902) 567-6424; Fax: (902) 567-9818

E-mail: tom.donovan@carefieldmanor.com
No. of Beds - 12, Respite Beds - 0

Celtic Court (NH)

Roxanne Gillis, Site Manager
16 St. Anthony Drive, Sydney, NS B1S 2R5
Telephone: (902) 270-4700, Fax: (902) 270-4701
E-mail: rgillis@shannex.com
No. of Beds - 36, Respite Beds - 0

Dominion Community Guest Home Limited (RCF)

Tom Donovan, Owner/Operator
79 Commercial Street, Dominion, NS B1G 1B3
Telephone: (902) 842-9084; Fax: (902) 842-1310
E-mail: tom.donovan@dcgh.ca No.
of Beds - 4, Respite Beds - 0

Dutch Brook Guest Home (RCF)

Phillip Woodill, Owner/Operator
2400 Highway #327, Dutch Brook, NS B1L 1G1 Telephone:
(902) 564-9220; Fax: (902)564-4781
E-mail: pwoodill@yahoo.com No.
of Beds - 3, Respite Beds - 0

Foyer Père Fiset (NH and RCF)

Mona Poirier, Administrator
15092 Cabot Trail, PO Box 219, Cheticamp, NS B0E 1H0
Telephone: (902) 224-2087, Fax: (902) 224-1188
E-mail: foyer.fiset@ns.sympatico.ca
No. of Nursing Home Beds - 60, Nursing Home Respite Beds - 1
No. of RCF Beds - 10, RCF Respite Beds - 0

Glance Bay Health Care Facility (NH) (Temporary

licensed beds, Transitional Care Unit) Marie
McPhee, VP Community Health
Telephone (902) 567-1906
300 South Street, Glance Bay, NS B1A 1W5
Telephone: (902) 842-2874, Fax: (902) 842-1732
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 18, Respite Beds - 0

Harbourstone Enhanced Care (NH)

Kyle Richardson, Administrator
84 Kenwood Drive, Sydney, NS B1S 3V7
Telephone: (902) 567-6869, Fax: (902) 567-6234
E-mail: krichardson@shannex.com
No. of Beds - 270, Respite Beds - 2

Harbour View Facility (NH)

Marie McPhee, Administrator
22 Richard Street, Sydney Mines, NS B1V 2H7
Telephone: (902) 567-1906 Fax: (902) 567-8144
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 8, Respite Beds – 0

High-Crest Sherbrooke Home for Special Care (NH)

Gerry Grant, Administrator
PO Box 284, 53 Court Street, Sherbrooke, NS B0J 3C0
Telephone: (902) 522-2147, Fax: (902) 522-2628
E-mail: ggrant@high-crest.com No.
of Beds - 39, Respite Beds - 0

Highland Crest Residential Care Facility (RCF)

Mary Beaver, Administrator
44 Hillcrest Street, Antigonish, NS B2G 1Z3
Telephone: (902) 863-3855, Fax: (902) 863-1833
E-mail: highlandcrest@high-crest.com
No. of Beds - 35, Respite Beds - 0

Highland Manor (NH)

Bernadette Dixon, Administrator
175 New Haven Road, PO Box 48, Neil's Harbour, NS B0C 1N0
Telephone: (902) 336-2895, x228, Fax: (902) 336-2878
E-mail: dixonbl@hotmail.com
No. of Beds - 19, Respite Beds - 0

Inverary Manor (NH)

Stephen Doiron, Administrator
PO Box 460, 72 Maple Street, Inverness, NS B0E 1N0
Telephone: (902) 258-2842, Fax: (902) 258-3865
E-mail: administration@inverarymanor.com
No. of Beds - 71, Respite Beds – 0

Mary's Court (Parkland-Antigonish) (NH)

Debra Horne, Interim Site Manger 153
Highway 337 Antigonish Landing
Antigonish, NS B2G 0G5
Telephone: (902) 237-1160, Fax: (902) 735-2606
Email: dhorne@shannex.com No.
of Beds- 25, Respite Beds-0

Maple Hill Manor (NH and RCF)

Kendra Baldwin, Administrator/CAO
700 King Street, New Waterford, NS B1H 3Z5 Telephone:
(902) 862-6495 ext 225, Fax: (902) 862-9294
E-mail: kendra.baldwin13@gmail.com
No. of Nursing Home Beds - 50, Nursing Home Respite Beds - 0
No. of RCF Beds - 13, RCF Respite Beds - 0

Milford Haven Corporation (NH)

Lee Kelly, Administrator
10558 Route #16, PO Box 300, Guysborough, NS B0H 1N0
Telephone: (902) 533-2828, Fax: (902) 533-4024
E-mail: lkelly@modg.ca
No. of Beds - 50, Respite Beds - 1

Miner's Memorial Manor (NH and RCF)

Carol MacLean, Administrator
15 Lorne Street, Sydney Mines, NS B1V 3B9
Telephone: (902) 736-1992, Fax: (902) 736-0667
E-mail: carol-maclean@ns.sympatico.ca
No. of Nursing Home Beds - 36, Nursing Home Respite Beds - 1
No. of RCF Beds - 13, RCF Respite Beds - 0

My Cape Breton Home for Seniors (North Sydney) (RCF)

Sherry MacNeil, Owner/Operator
137 Riverdale Drive, Sydney, NS B1R 0A9
Telephone: (902) 564-4461, Fax: (902) 564-4247
E-mail: sherry@mycbhome.ca No.
of Beds - 16, Respite Beds - 0

My Cape Breton Home for Seniors (Sydney) (RCF)

Sherry MacNeil, Owner/Operator
137 Riverdale Drive, Sydney, NS B1R 0A9
Telephone: (902) 564-4461, Fax: (902) 564-4247
E-mail: sherry@mycbhome.ca No.
of Beds - 16, Respite Beds - 0

Northside Community Guest Home (NH)

Kim Gale, Administrator
11 Queen Street, North Sydney, NS B2A 1A2
Telephone: (902) 794-4733, Fax: (902) 794-9021
E-mail: kimgale@northsideguesthome.com
No. of Beds - 144, Respite Beds - 0

Northside General Hospital 4 East (NH)

Marie McPhee, Administrator
PO Box 399, 520 Purves Street, North Sydney, NS B2A 3M4
Telephone: (902) 567-7837, Fax: (902) 794-5444
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 11, Respite Beds - 0

Port Hawkesbury Nursing Home (NH and RCF)

Lana MacNeil, Director of Facility (NH)
2 MacQuarrie Drive Extension, Port Hawkesbury, NS B9A 3A2
Telephone: (902) 625-1460, Fax: (902) 625-3232
E-mail: lane.macneil@macleodgroup.ca
No. of Nursing Home Beds - 59, Nursing Home Respite Beds - 1
No. of RCF Beds - 6, RCF Respite Beds - 0

R.C. MacGillivray Guest Home Society (NH)

Jody Gentile, Administrator
25 Xavier Drive, Sydney, NS B1S 2R9
Telephone: (902) 539-6110, Fax: (902) 567-0437
E-mail: jody.gentile@mggh.org No.
of Beds - 86, Respite Beds - 1

Richmond Villa (NH and RCF)

Carson Samson, Administrator
PO Box 250, 9361 Pepperall Street, St. Peter's, NS B0E 3B0
Telephone: (902) 535-3030, Fax: (902) 535-2256
E-mail: carson.samson@richmondvilla.ca
No. of Nursing Home Beds - 59, Nursing Home Respite Beds - 1
No. of RCF Beds - 8, RCF Respite Beds - 0

R.K. MacDonald Nursing Home Corporation (NH)

Michelle Thompson, Administrator
64 Pleasant Street, Antigonish, NS B2G 1W7
Telephone: (902) 863-2578, Fax: (902) 863-4437
E-mail: mthompson@rkmacdonald.ca
No. of Beds - 136, Respite Beds - 1

Seaview Manor (NH)

Eric Doucette, Administrator
275 South Street, Glace Bay, NS B1A 1W6
Telephone: (902) 849-7300, Fax: (902) 849-2937
E-mail: ericdoucette@seaside.ns.ca
No. of Beds - 113, Respite Beds - 0

Southview Guest Home (RCF)

Noreen Nicholson, Owner/Operator
2027 Highway #28, Sydney, NS B1N 3H6
Telephone: (902) 539-1737; Fax: N/A
E-mail: atwistofiron@eastlink.ca
No. of Beds – 3, Respite Beds - 0

St. Anne Community and Nursing Care Centre (NH)

Annette Fougere, Administrator
PO Box 30, 2313 Highway 206, Arichat, NS B0E 1A0
Telephone: (902) 226-2826, Fax: (902) 226-1529
E-mail: annette.fougere@sacentre.nshealth.ca
No. of Beds - 24, Respite Beds - 0

Taigh Na Mara Facility (NH)

Marie McPhee, Administrator
974 Main Street, Glace Bay, NS B1A 4Z8
Telephone: (902) 567-1906, Fax: (902) 567-8144
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 36, Respite Beds - 0

Taigh Solas (NH)

Marie McPhee, Administrator
Northside General Hospital
PO Box 399, 520 Purves Street, North Sydney, NS B2A 3M4
Telephone: (902) 567-6174 Fax: (902) 567-8144
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 22, Respite Beds - 0

Cove Guest Home (NH)

Cheryl Deveaux, Administrator
320 Alexandra Street, Sydney, NS B1S 2G1
Telephone: (902) 539-5267, Fax: (902) 539-7565
E-mail: cheryldeveaux@hotmail.com
No. of Beds - 110, Respite Beds - 0

The Heritage House (RCF)

Janice & Angus MacInnis, Administrators
PO Box 81, 55 High Road, Port Hood, NS B0E 2W0
Telephone (902) 787-2210, Fax (902) 787-2210
E-mail: janicemaci@hotmail.com
No. of Beds - 11, Respite Beds - 0

Victoria Haven Nursing Home (NH)

Penney Campbell, A/Administrator
PO Box 219, 5 Third Street, Glace Bay, NS B1A 5V2
Telephone: (902) 849-4127, Fax: (902) 849-8826
E-mail: penney@macleodgroup.ca
No. of Beds - 52, Respite Beds - 2

Waterford Heights (NH)

Marie McPhee, Administrator
New Waterford Consolidated Hospital
716 King Street, New Waterford, NS B1H 3Z5
Telephone: (902) 592-3328, Fax: (902) 567-3314
E-mail: marie.mcphee@nshealth.ca
No. of Beds - 24, Respite Beds - 0

Zone 4 (Central)**Arborstone Enhanced Care (NH)**

Kathryn Meade, Regional Manager
1430 Purcell's Cove Road, Halifax, NS B3P 1B5
Telephone: (902) 477-8051 Fax: (902) 477-5726
E-mail: kmeade@shannex.com
No. of Beds - 190, Respite Beds - 0

Bissett Court Continuing Care Residence (NH)

Rhonda Walsh, Site Manager
74 Chameau Crescent, Cole Harbour, NS B2W 0H5
Telephone: (902) 407-3902, Fax: (902) 407-3901
E-mail: rwalsh@shannex.com
No. of Beds - 50, Respite Beds - 0

Clarmar Residential Care Limited (RCF)

Crystal Johnson, Administrator
200 Main Street, Dartmouth, NS B2X 1S3
Telephone: (902) 435-6186, Fax: (902) 435-9354
E-mail: clarmarcare@hotmail.com

No. of Beds - 24, Respite Beds - 0

Dykeland Lodge (NH)

Krista Beeler, Interim Administrator
124 Cottage Street, Windsor, NS B0N 2T0
Telephone: (902) 798-8346, Fax: (902) 798-8312
E-mail: kbeeler@dykelandlodge.ca
No. of Beds – 111, Respite Beds - 0

Glasgow Hall – Parkland at the Lakes (NH)

Lisa Fitzgerald Site Manager
76 Baker Drive, Dartmouth, NS B2W 0C7
Telephone: (902) 406-4012; Fax: (902) 406-4043
E-mail: lfitzgerald@shannex.com No.
of Beds - 72, Respite Beds – 0

Haliburton Place (NH)

Sherri Parker, Director
89 Payzant Drive, Windsor, NS B0N 2T0
Telephone: (902) 792-2067, Fax: (902) 798-6002
E-mail: sherri.parker@nshealth.ca
No. of Beds - 31, Respite Beds - 1

Harbourview Lodge Continuing Care Centre (NH and RCF)

Roberta Duchesne, Health Services Manager
22651 Highway #7, PO Box 68, Sheet Harbour, NS B0J 3B0 Telephone:
(902) 885-3616, Fax: (902) 885-3289
E-mail: roberta.duchesne@nshealth.ca
No. of Nursing Home Beds - 28, Nursing Home Respite Beds - 0
No. of RCF Beds - 4, RCF Respite Beds - 0

Ivy Meadows Continuing Care Centre (NH)

Tracy Bonner, Administrator
125 Knowles Crescent, Beaverbank, NS B4G 1E7
Telephone: (902) 865-6364, Fax: (902) 865-3582
E-mail: tracy.bonner@rosecrest.ca
No. of Beds - 51, Respite Beds - 0

Maplestone Enhanced Care (NH)

Alejandro Ocampo, General Manager 245
Main Avenue, Halifax, NS B3M 1B7
Telephone: (902) 444-8150, Fax: (902) 443-9037
E-mail: aocampo@shannex.com
No. of Beds - 86, Respite Beds - 1

Melville Gardens Nursing Home (NH and RCF)

Bobbi Rose, Administrator

11 Ramsgate Lane, Fourth Floor, Halifax, NS B3P 2S9

Telephone: (902) 477-3135, Fax: (902) 477-2718

E-mail: bobbi.rose@gemhc.com

No. of Nursing Home Beds - 31, Nursing Home Respite Beds – 0

No. of RCF Beds - 60, RCF Respite Beds - 0

Melville Lodge (NH)

Bobbi Rose, Administrator

50 Shoreham Lane, Halifax, NS B3P 2R3

Telephone: (902) 479-1030 x102, Fax: (902) 477-1663

E-mail: bobbi.rose@gemhc.com No.

of Beds - 123, Respite Beds - 1

Musquodoboit Valley Home for Special Care (NH)

Cora Lee Joudrey, Director of Health Services

126 Higginsville Road, Middle Musquodoboit, NS B0N 1X0

Telephone: (902) 384-2220, Fax: (902) 384-3310

E-mail: CoraLeeJoudrey@nshealth.ca

No. of Beds - 29, Respite Beds - 0

Northwood Bedford Incorporated – Christina & Hedley G. Ivany Place (NH and RCF)

Josie Ryan, Executive Director

123 Gary Martin Drive, Bedford, NS B4B 0G7

Telephone: (902) 407-8500, Fax: (902) 407-8501

E-mail: jryan@nwood.ns.ca

No. of Nursing Home Beds - 130, Nursing Home Respite Beds - 0

No. of RCF Beds - 26, RCF Respite Beds - 0

Northwoodcare Incorporated (NH and RCF)

Josie Ryan, Executive Director

2615 Northwood Terrace, Halifax, NS B3K 3S5

Switchboard: (902) 454-8311, Fax: (902) 455-6408

Admissions: (902) 454-3356

E-mail: jryan@nwood.ns.ca or information@nwood.ns.ca

No. of Nursing Home Beds - 445, Nursing Home Respite Beds - 0

No. of RCF Beds - 40, RCF Respite Beds - 0

Oakwood Terrace (NH)

Anthony Taylor, Administrator

10 Mount Hope Avenue, Dartmouth, NS B2Y 4K1

Telephone: (902) 469-3702, Fax: (902) 469-3824

E-mail: anthony.taylor@oakwoodterrace.ns.ca

No. of Beds - 111, Respite Beds - 0

Ocean View Manor (NH)

Dion Mouland, Administrator
1909 Caldwell Road, PO Box 130, Eastern Passage, NS B3G 1M4
Telephone: (902) 465-6020, Fax: (902) 465-4929
E-mail: dmouland@oceanv.ca
No. of Beds - 176, Respite Beds - 1

Parkstone Enhanced Care Limited (NH)

Gavin Slade, General Manager
156 Parkland Drive, Halifax, NS B3S 1N9
Telephone: (902) 446-8579, Fax: (902) 443-9037
E-mail: gslade@shannex.com
No. of Beds - 191, Respite Beds - 3

Peter's Place Halifax (RCF) - PJD Rehab Housing Incorporated

Carla Hirtle, Administrator
12 Swan Crescent, Halifax, NS B3M 1T6
Telephone: (902) 444-3639; Fax: (902) 444-3706
E-mail: carla.hirtle@petersplace.ca
No. of Beds - 4, Respite Beds - 0

Precision Health – Washmill Lake Drive Apartments (RCF)

Michelle White, Administrator
599 Washmill Lake, Halifax, NS B3S 0G8
Telephone: (902) 444-8382, Fax: (902) 444-8336
E-mail: michelle.white@colonialhomes.ca
No. of Beds - 20, Respite Beds - 0

Precision Health – 16 Rannoch Road (RCF)

Michelle White, Administrator
16 Rannoch Road, Dartmouth, NS B2X 1J6
Telephone: (902) 444-8382, Fax: (902) 444-8336
E-mail: michelle.white@colonialhomes.ca
No. of Beds - 3, Respite Beds - 0

Precision Health – 21 Kincardine Street (RCF)

Michelle White, Administrator
21 Kincardine Street, Dartmouth, NS B2X 1H7
Telephone: (902) 444-8382, Fax: (902) 444-8336
E-mail: michelle.white@colonialhomes.ca
No. of Beds - 4, Respite Beds - 0

Precision Health – 24 Kincardine Street (RCF)

Michelle White, Administrator
24 Kincardine Street, Dartmouth, NS B2X 1H9
Telephone: (902) 444-8382, Fax: (902) 444-8336
E-mail: michelle.white@colonialhomes.ca
No. of Beds - 3, Respite Beds - 0

Saint Vincent's Nursing Home (NH)

Angela Berrette, Executive Director
2080 Windsor Street, Halifax, NS B3K 5B2
Telephone: (902) 429-0550, Fax: (902) 492-3703
E-mail: aberrette@svnh.ca
No. of Beds - 149, Respite Beds - 0

Seabright Rest Home (RCF)

Heather Cochrane, Owner
11625 Peggy's Cove Road, Seabright, NS B3Z 2Y1
Telephone: (902) 823-3205; Fax Same: (Call 1st, machine has to be turned on)
Mailing address: 79 Crocher's Point Road, Glen Haven, NS B3Z 2V6
E-mail: hmcochrane@eastlink.ca
No. of Beds - 6, Respite Beds - 0

The Admiral Long Term Care Centre (NH)

Tara Deveau, Administrator
6 Admiral Street, Dartmouth, NS B2X 1W4
Telephone: (902) 469-4545; Fax: (902) 469-4540
E-mail: tara.deveau@gemhc.com
No. of Beds - 65, Respite Beds - 1

The Birches (NH)

Dion Moulard, President and CEO
7702 Highway #7, RR #2, Musquodoboit Harbour, NS B0J 2L0
Telephone: (902) 889-3474 x4125, Fax: (902) 889-3825
E-mail: dion.moulard@thebirchesns.ca
No. of Beds - 41, Respite Beds - 1

Sagewood Continuing Care Centre (NH and RCF)

Tracy Bonner, A/Administrator

345 Cobequid Road, Sackville, NS B4C 4E6

Telephone: (902) 252-7500; Fax: (902) 865-7473

E-mail tracy.bonner@rosecrest.ca

No. of Nursing Home Beds - 36, Nursing Home Respite Beds -

1 No. of RCF Beds - 13, RCF Respite Beds - 0

Victoria Park Guest Home (RCF)

Dorothy Blakely and Ms. Sue Sheehy, Administrators

PO Box 556, 653 King Street, Windsor, NS B0N 2T0

Telephone: (902) 798-4375, Fax: (902) 798-4378

E-mail: vpghinc@gmail.com

No. of Beds - 12, Respite Beds - 0

White Hills Long Term Care Centre (NH)

Tara Deveau, Administrator

297 Pockwock Road, Hammonds Plains, NS B4B 1N5

Telephone: (902) 835-0888, ext 115; Fax: (902) 835-8855

E-mail:

tara.deveau@gemhc.com No. of

Beds - 58, Respite Beds - 0

Windsor Elms Village for Continuing Care Society (NH)

Susan Hayes, Administrator

174 Dyke Road, Falmouth, NS B0P 1L0

Telephone: (902) 798-2251; Fax: (902) 798-3302

E-mail: susan.hayes@winelms.ca

No. of Beds - 107, Respite Beds -

1

APPENDIX "E" - A MODEL TARIFF OF FEES AND EXPENSES

MADE PURSUANT TO SECTION 139 OF THE *MUNICIPAL ELECTIONS ACT*

RETURNING OFFICER

1. For all services and expenses in connection with an election, an allowance of _____ .

OR

1. (a) For all services and expenses in connection with the municipal election, an allowance of _____ .
- (b) For all additional services and expenses in connection with the CSAP election, an allowance of _____ .

RENTAL OF OFFICE SPACE

2. Where the returning officer does not have premises provided by the municipal unit, the following tariff applies:
 - (a) For use as headquarters, the amount actually and reasonably paid, supported by vouchers,

OR

 - (b) For use by the returning officer of his/her residence as headquarters, an allowance of _____
 - (c) For use by the returning officer of his/her business premises as headquarters an allowance of _____
3. For stationery, postage, courier services, election supplies, ballot boxes, rental of computers, adding machines and office furniture, installation of telephones and service, long distance charges, cartage of election supplies, rental of a meeting hall or temporary office, and other incidental outlays necessary in conducting an election, the amount actually and reasonably spent, supported by vouchers.
4. For the services of clerical assistants, including services for the tabulation of election results, an allowance of _____ times the number of names on the official list of electors.
5. For addressing envelopes for mailing lists of electors, an allowance of _____ for each name on the official list of electors.

6. For expenses incurred in the cleaning of ballot boxes before their return to the custodians, for each box an allowance of _____.

REGISTRAR OF VOTERS

7. For all services and expenses in connection with an election, an allowance of _____.

ASSISTANT RETURNING OFFICER

8. For assisting returning officer, for all services and expenses in connection with an election and for acting in the absence of the returning officer, an allowance of _____.

OR

- (a) For assisting returning officer, for all services and expenses in connection with the municipal election and for acting in the absence of the returning officer, an allowance of _____.
- (b) For assisting returning officer, for all additional services and expenses in connection with CSAP election and for acting in the absence of the returning officer, an allowance of _____.

ENUMERATORS

9. For services and expenses required in the enumeration of electors, the sum of _____, plus _____ for the name of each elector properly included in the Enumerator's Index Sheets.

REVISING OFFICER

10. For all services performed in connection with the revision of names, a daily allowance of _____ .

DEPUTY RETURNING OFFICERS

11. (a) For all services and expenses in connection with an election, a daily allowance of _____ .

(b) For standby service as a substitute, a daily allowance of _____ .

POLL CLERKS

12. (a) For all services and expenses in connection with an election, a daily allowance of _____ .

(b) For standby service as a substitute, a daily allowance of _____ .

CONSTABLES

13. For all services at ordinary polls, at advance polls and at the revisal office the hourly wage of _____ times the number of hours.

TRAVEL ALLOWANCE

14. A returning officer, assistant returning officer, and revising officer, and revision clerk are authorized to be paid a travel allowance in connection with the conduct of an election as follows:
 - (a) for distance actually travelled by private car, supported by an itemized statement, the rate from time to time paid to employees of the municipality.
 - (b) for travel by other means of transportation the expenses necessarily and reasonably incurred, supported by vouchers.
 - (c) actual and reasonable living expenses, supported by vouchers.

PRINTING CLAIMS

15.
 - (a) For the printing, numbering and binding or stitching of ballot papers, the actual cost incurred, supported by vouchers.
 - (b) For the printing of election lists, the actual cost, supported by vouchers

RECOUNTS OR CONTROVERTED ELECTIONS

16. For required attendance by the returning officer at a recount or a court application regarding a controverted election, a daily allowance of _____.

APPENDIX "F" - INFORMATION FOR CANDIDATES

Sample Confidentiality Notice for the List of Electors

This information is to be provided to all users of the list of electors.

Confidentiality of the List of Electors

The list(s) of electors that have been provided to you as a candidate is/are to be used for electoral purposes only. The list(s) cannot be inspected, disposed of or sold; such actions are prohibited and are subject to possible prosecution [*Municipal Elections Act*, s. 40(6), s. 156].

Candidates are responsible to ensure that copies of the list(s) of electors are not retained, in any form, whether hard copy, electronic or otherwise. Hard copies (including physical media such as computer disks) of the list(s) of electors are to be returned to the clerk of the Municipality, and any electronic or other forms of the list(s) is/are to be destroyed or permanently erased.

Please note that failure to return all copies of the list(s) of electors in your possession to the clerk of the Municipality within 7 days of the election, may result in the candidate's deposit being forfeited. [*Municipal Elections Act*, s.51(6)].

Sample Information Kit for Prospective Candidates

The following is a sample of information that can be provided to candidates by the municipality. You may also provide some of this information to prospective candidates, and some following the acceptance of their nomination.

- Candidate's Guide
- Nomination form (Forms 11, 11B or 11C, as the case may be)
- Information about any required deposit, including how it is to be paid
- Letter to the candidate outlining significant matters and dates
- Candidate information sheet, which contains
 - Identification information
 - contact information
- Any other information determined by the municipality
- Results of the last election
- Calendar Guide

- Appointment Forms for Official Agent (Form 17A) and Poll Agents (Form 15)
- Candidate's Campaign Contributions Disclosure Statement (Form 40)
- Association's Campaign Contributions Disclosure Statement (Form 41)
- Written description or map (or both) of the polling district (Note: for Mayoralty candidates, must provide the information for the whole of the municipality)
- Statistical information, such as the number of dwellings or households in the district (to assist with the distribution of campaign material)
- Confidentiality Notice for Lists of Electors
- Proxy voting information and applications for proxy votes (Form 21)
- Information about transfer certificates and applications for the certificates (Form 18)
- Information about posting and identification of campaign signs

Information on the Posting of Signs in Public Places:

From Bell Aliant

"Bell Aliant would appreciate your support in ensuring public safety by reminding candidates not to post campaign signs on utility poles. While the practice may seem harmless, **there** are some potential safety concerns to be aware of:

- 1) The signs themselves present a safety hazard for employees who must climb poles to complete their work.
- 2) The Metal staples or clamps used to put up the signs often remain in the poles long after the election is over. These items could cause an employee to lose his or her footing while climbing. This could also be a hazard for the general public who may happen to brush the pole while walking by.
- 3) These staples or clamps will cause a pole to degrade faster than it should, making them more susceptible to damage, required maintenance or possibly replacement."

From Nova Scotia Power

"Nova Scotia Power Inc. does not permit the unauthorized installation of signs, banners or posters on power poles. These attachments, as well as associated protruding nails and staples pose a safety hazard to our power line technicians, as well as employees with other utilities, who work on these poles".

From the Provincial Department of Transportation and Infrastructure Renewal

The Department of Transportation and Infrastructure Renewal has established the following practice regarding election related signage to coincide with the new Advertising Sign Regulations dated July 15, 2001, near provincial roadways.

Controlled Access Highways

(a) Election signs are not permitted within 1000 metres of the centre line of a controlled access highway.

(b) Election signs are not permitted within 60 metres of the end of ramps or controlled access connectors onto connector/non-controlled access highways.

Non-Controlled Access Highways (Most Provincial Roads)

Note: The following "common sense" constraints apply:

- Signs should not cause hazard by obstructing sight distance at intersections, parking lots, driveways and to posted traffic control signs;
- Signs should be behind ditch line or minimum three (3) metres behind curb;
- sign erectors should have approval of adjacent property owner;
- signs are not permitted to be attached to Department signs or guardrail/guide posts.

Enforcement Procedure to Be Followed by TIR Staff

(a) The practice as stated will be enforced.

(b) If a large wooden sign (1.2 x 1.2 metres or larger) is found to be in violation of policy, contact has to be made with the candidate's office to advise that the sign is in violation and has to be removed. For signs smaller than 1.2 x 1.2 metres, the candidate's office will not be contacted.

(c) For signs greater than 1.2 x 1.2 metres, the candidate's office will be advised that if the sign is not relocated within 24 hours, TIR staff will remove the sign. The sign will be taken down with as little damage as possible and stored at the local TIR base for retrieval by the appropriate person.

For signs smaller than 1.2 x 1.2 metres, the sign should be removed and stored at the TIR base until the end of the election period or the appropriate person contacts the Base in regards to collecting signs that may have been taken down.

APPENDIX "G" – SAMPLE RECOUNT FORMS

APPENDIX "G"

SAMPLE RECOUNT APPLICATION FORMS

Province of Nova Scotia)
County of _____)

IN THE PROVINCIAL COURT

IN THE MATTER OF: Sections 131 and 132 of the *Municipal Elections Act*,
R.S.N.S. 1989, c. 299;

IN THE MATTER OF: An application for a Recount Made By

(name of candidate)
a Candidate in a Municipal Election held in Polling
District (Ward) _____ in the
(number)
_____ held
(name of municipality)
on _____
(date of election)

APPLICATION FOR DATE FOR RECOUNT

TAKE NOTICE that an application will be made by or on behalf of the above named candidate to the Judge of the Provincial Court sitting at the Court House _____ on _____, the
(street address and community where court house is) (day of the week)
_____ day of _____, _____, at the hour of _____
(day) (month) (year)
o'clock in the _____ noon, or so soon thereafter as the application can be made for a time and place to be appointed to recount all ballots in the above noted municipal election, which time will be not more than thirty days after this application.

AND FURTHER TAKE NOTICE that you may be present or represented at the hearing of this application and may make submissions regarding the most

convenient time and place for the recount, and if you are not present you will be further notified of the time and place for the recount.

AND FURTHER TAKE NOTICE that the applicant has caused the sum of \$200.00 in the form of cash, a certified cheque or a money order to be deposited with the clerk of the court as security for costs of the recount.

DATED at _____, Nova Scotia, this _____ day of _____,
_____. (place) (day) (month)
(year)

Candidate or Solicitor for Candidate
(street and mailing address)

TO: Clerk of _____
(name of municipal unit)
Returning Officer (if the Clerk is not the Returning Officer)
Other Candidates: _____

Province of Nova Scotia)
County of _____)

IN THE PROVINCIAL COURT

IN THE MATTER OF: Sections 131 and 132 of the *Municipal Elections Act*,
R.S.N.S. 1989, c. 299;

IN THE MATTER OF: An application for a Recount Made By

(name of candidate)
a Candidate in a Municipal Election held in
Polling District (Ward) _____ in the
(number)
_____ held
(name of municipality)
on _____
(date of election)

ORDER

UPON APPLICATION by the above noted candidate;

AND UPON HEARING all persons wishing to be heard in respect of the
application for the appointment of the time and place for a recount in the above
noted municipal election;

IT IS HEREBY ORDERED that the above noted recount shall take place at

(full address and room number where applicable)
on _____, the _____ day of _____, _____, at
(day of the week) (day) (month) (year)
the hour of _____ o'clock in the _____ noon, or so soon thereafter
as the recount can commence.

IT IS FURTHER ORDERED that the following persons shall be notified of the
time and place of the recount by personal service on each of them of a copy of this
Order. The persons to be served are:

_____, Municipal Clerk
name

_____, Returning Officer
name

(delete if Municipal Clerk was Returning Officer)

_____, Candidate
name

_____, Candidate
name

_____, Candidate
name

GIVEN under my hand this _____ day of _____, _____ .
(day) (month) (year)

A Judge of the Provincial Court

APPENDIX “H” - COUNCIL OPTIONS UNDER THE MUNICIPAL ELECTIONS ACT

1. Under the terms of the *Municipal Elections Act*, a Council may
 - (a) reduce or eliminate the \$200 deposit for candidates, by by-law subject to the approval of the Department of Municipal Affairs [s. 51]. The deposit has two purposes, namely, to test the seriousness of a candidate and to ensure the removal of election advertising (See #5 below). If Council does not act, then the \$200 deposit will apply;
 - (b) appoint one or more assistant returning officer(s) to assist the returning officer and act in his or her absence; Council may delegate its authority to the clerk or CAO;
 - (c) appoint a registrar of voters (on the recommendation of the returning officer), by resolution [s. 22]. The registrar of voters, whose function is to assist the returning officer in overseeing the conduct of the enumeration and the preparation of the lists of electors, is an optional election officer whose functions would otherwise be performed by the returning officer;
 - (d) choose, by April 15th, to have the preliminary list of electors prepared from a federal or provincial list of electors, or from an enumeration, or from the most recent municipal list of electors [s. 30];
 - (e) fix a day for the first advance polling day to be either the Saturday preceding ordinary polling day or the second Thursday before the ordinary polling day. Council may delegate its authority to fix date of first advance poll to the returning officer;
 - (f) establish a tariff of fees and expenses for election officers, together with a system for rendering and verifying accounts, by resolution [s. 139]. The tariff of fees and expenses must be prescribed, but Council has complete freedom as to its contents (see sample in Appendix “E”). Council may delegate its authority to the clerk or CAO;
 - (g) call a special election (by-election) by resolution, to fill a vacancy that occurs within seven to eight months before ordinary polling day in a regular election year (the Act specifies that no special election is to be held within six months, and since the election is held at least

five to eleven weeks after the vacancy occurs, the extended timing results), by resolution [s. 13(6)];

- (h) extend date to commence enumeration later than the last day of May in a regular election year [s. 24];
- (i) extend date for completion of enumeration later than the 10th day of June [s. 27];
- (j) approve an additional notification method re Notice of Poll [s.50(2);
- (k) by by-law authorize voters to vote by mail, electronically or by another voting method.

Model By-law Respecting Candidate's Deposit

To be effective for an election, a by-law respecting the deposit must be effective before nomination day, the second Tuesday in September. Where there is a deposit in effect, it must be the same for all candidates, whether for mayor, councillor, or school board member.

Should council choose to reduce or eliminate the deposit a sample by-law to that effect follows. (Note that council may adopt either version of paragraph 2, but not both.)

MODEL BY-LAW

RE: DEPOSIT BY CANDIDATES AT AN ELECTION

(Municipal Elections Act, Section 51)

BE IT RESOLVED by the council _____ that the following by-law is hereby enacted:

1. This by-law shall be known as the Election Deposit By-Law.

EITHER

1. Every nomination paper filed by or on behalf of a candidate in any election held under the Municipal Elections Act shall be accompanied by a deposit of _____ dollars.

OR

2. No deposit is required to accompany any nomination paper filed by or on behalf of any candidate in any election held under the *Municipal Elections Act*.

THIS IS TO CERTIFY that the foregoing is a true copy of a by-law duly passed at duly called meeting of the Council of the _____ of _____ duly held on _____ day of _____.
Dated this _____ day of _____,
_____.

.....

CLERK

APPENDIX "I" - MUNICIPAL AND SCHOOL BOARD ELECTORAL BOUNDARIES

Electoral District of Argyle is comprised of the Municipality of the District of Argyle, the Municipality of the District of Yarmouth, the Town of Yarmouth, the Municipality the District of Barrington, the Town of Clarke's Harbour, the Municipality of the District of Shelburne, the Town of Shelburne and the Town of Lockeport.

Electoral District of Clare is comprised of the Municipality of the District of Clare, the Municipality of the District of Digby and the Town of Digby.

Electoral District of Halifax is comprised of the Halifax Regional Municipality

Electoral District of Inverness is comprised of the Municipality of the County of Inverness

Electoral District of Richmond is comprised of the Municipality of the County of Richmond and the Town of Port Hawkesbury

Electoral District of Antigonish is comprised of the Municipality of the County of Antigonish, the Municipality of the District of Guysborough, the Municipality of the District of St. Mary's, the Municipality of the County of Pictou, the Municipality of the District of East Hants and

the Towns of Antigonish, Mugrave, Pictou, New Glasgow, Stellarton, Westville and Trenton

Electoral District of Greenwood is comprised of the Municipality of the County of Annapolis, the Municipality of the County of Kings, the Municipality of the District of West Hants and the Towns of Windsor, Hantsport, Wolfville, Kentville, Berwick, Middleton, Bridgetown and Annapolis Royal.

Electoral District of Victoria-Cape Breton is comprised of the Municipality of the County of Victoria and the Cape Breton Regional Municipality.

Electoral District of South Shore is comprised of the Region of Queens Municipality, the Municipality of the District of Lunenburg, the Municipality of the District of Chester and the Towns of Lunenburg, Bridgewater and Mahone Bay.

Electoral District of Truro is comprised of the Municipality of the County of Colchester, the Municipality of the County of Cumberland and the Towns of Truro, Amherst, Oxford and Stewiacke.

Acknowledgements

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