



Written Opinions, Guidelines and Interpretation Notes

Guideline: 2023-06

Guidelines for Candidates' Representatives: Advance, Ordinary and Mobile Polls

Comments made during the consultation period of of October 11 to November 24, 2023

Comments received from the Liberal Party of Canada	Elections Canada response to the Liberal Party of Canada
<p>General Comments</p> <p>None</p> <p>Specific Comments</p> <p>We provide the following specific points for consideration:</p> <ol style="list-style-type: none"> On page 2 in the “Note” section, it states “Election officers may ask candidates to provide their <i>Notice of Confirmation of Nomination / Notice of Name to Appear on the Ballot</i> (EC 20012) to prove that they are indeed a candidate in the electoral district.” We believe this is awkward and unnecessary, especially as a candidate is unlikely to be carrying EC 20012 with them. Given the candidate is on the ballot, is providing a copy of valid identification not sufficient? 	<p>We agree that a candidate may provide identification rather than their notice of confirmation to prove that they are a candidate in the electoral district. The sentence has been modified to read: “Election officers may ask candidates to provide identification or their <i>Notice of Confirmation of Nomination / Notice of Name to Appear on the Ballot</i> (EC 20012)”</p> <p>However, the notice of confirmation is preferred because it quickly allows the election officer to confirm the candidate’s right to observe proceedings, especially if the candidate has a common name. Candidates receive a copy of the notice by email and would likely be able to access it on their mobile device at a polling place or service centre. Returning officers advise candidates to bring the notice if they intend to observe proceedings to facilitate the process.</p>
<ol style="list-style-type: none"> On page 2 in the section “Responsibilities at the Polling Place – As a candidate’s representative, you MUST:”, the fourth bullet states “Sign in and sign out of each polling place in the <i>Visitors Log</i> (EC 50428), regardless of how many times you visit the same polling place;”. Our experience is that this practice is not always followed. 	<p>Candidates’ representatives should be signing in and out of each polling place at every visit. This instruction was previously available only in the addendum to the guideline for candidates’ representatives. We anticipate that its increased visibility in this guideline will lead to greater compliance on the part of representatives and enforcement on the part of election officers.</p>
<ol style="list-style-type: none"> On page 2 in the section “As a candidate’s representative, you MAY:”, the fifth bullet describes an elector refusing to present identification to a candidate’s representative. The bullet mentions that election officers will keep a record of such situations. Are we able to provide additional clarity on how election officers keep such a record? 	<p>Election officers keep a record of such situations by writing a description of what happened in the <i>Events Log</i> (EC 50060) for that voting desk. A reference to the <i>Events Log</i> has been added in bullet 5 as well as in bullet 11, which has to do with recording objections to ballots.</p>

<p>4. On page 3 in the section “As a candidate’s representative, you MAY:”, the fourth bullet discusses the ability of a candidate to take a picture of the <i>Sequence Number Sheet – Advance Polls</i> (EC 50109). This capability was added a number of years ago and significantly facilitates the role of the candidate’s representative; however, it is not commonly known. Given the importance of this capability, we strongly encourage Elections Canada to continue to permit this administrative process.</p>	<p>We note your comment and intend to continue to permit this process.</p>
<p>5. On page 4 in the section “Number of Candidates’ Representatives Permitted at a Polling Place,” we applaud the use of the chart as our experience has shown that not many candidates’ representatives are familiar with the representation permitted.</p>	<p>We note your comment.</p>
<p>6. On page 5 in the section “Voting at advance polls,” the third paragraph states “The deputy returning officer also completes the <i>Sequence Number Sheet – Advance Polls</i> (EC 50109), indicating the elector’s polling division and sequence number.” Our experience has shown that this is not always well understood, and we believe additional training should be provided on this process at advance polls.</p>	<p>We note your comment that additional training may be needed and will review the length of time dedicated to this subject in training sessions. Deputy returning officers for advance polls receive three hours of hands-on training that touches on all their duties.</p>
<p>7. On page 5 in the last paragraph of the section “Voting at advance polls,” it states “Alternatively, the returning officer <u>can</u> (<i>underline added for emphasis</i>) provide you with a copy the next day or you can download it through the Political Entities Service Centre.” Is there is a reason the ability to photograph the <i>Sequence Number Sheet – Advance Polls</i> (EC 50109) is not <u>required</u> if so requested by a candidate’s representative?</p>	<p>The candidate’s representative always has the choice to take a photograph of the <i>Sequence Number Sheet – Advance Polls</i> after the polls have closed. The alternative ways to access the sheet are provided for their convenience. For clarity, the sentence has been reworded as follows: “Alternatively, you can choose to request a copy from the returning officer the next day or download it through the Political Entities Service Centre.”</p>
<p>8. On page 5 in the section “Voting on election day,” the second paragraph discusses the requirement for a deputy returning officer to record anything unusual that happens at the voting desk in the <i>Events Log</i> (EC 50060), and a designated election officer also maintains the <i>Polling Place Log</i> (EC 50358). Is it possible to provide examples of entries in such logs?</p>	<p>The <i>Events Log</i> (EC 50060) is maintained by the deputy returning officer, whereas the <i>Polling Place Log</i> (EC 50358) is maintained by the central poll supervisor.</p> <p>The <i>Events Log</i> (EC 50060) contains a log of poll workers, a comparison of records and ballots, a log of notable events and a log of objections to ballots. The <i>Polling Place Log</i> (EC 50358) contains the election officer break schedules, a log of notable events, and the transfer certificate register.</p> <p>Links to the relevant poll worker guidebooks, which contain more information as to what is recorded, are available at the end of the guideline.</p>

<p>9. On page 6 in the section “Elector’s name already crossed off the <i>List of Electors</i>,” there is a discussion of this process. How does an election officer document such instances, and how is a candidate’s representative able to review such occurrences?</p>	<p>As mentioned in the guideline, such instances are documented on the <i>Voting Status Certificate</i>. The deputy returning officer completes this certificate with the elector before issuing them a ballot. The elector must sign it to declare that they have not previously voted or requested a special ballot. Candidates’ representatives may observe this proceeding in real-time.</p> <p>This information is subsequently recorded on the <i>List of Entries</i> at the voting desk, which includes a record of electors voting by registration, transfer or voting status certificate. The candidate’s representative is entitled to review the <i>List of Entries</i> but not make a copy.</p>
<p>10. On page 6 in the section “Closing the polling place,” it states “At the time set for closing a polling place, any electors already in line will be served before the counting starts. No elector arriving after the time set for closing will be allowed to vote, even if others are still voting when they arrive.” We’ve noted confusion on this in the past and perhaps the guidance can be broadened to state that a voter who is in the line, but not necessarily in the door, will be allowed to vote.</p>	<p>The first sentence has been modified to read: “At the time set for closing a polling place, any electors already in line (whether inside or outside the door) will be served before the counting starts.”</p>
<p>Comments received from the Commissioner of Canada Elections</p>	<p>Elections Canada response to the Commissioner of Canada Elections</p>
<p>We agree with the content of the proposed guideline.</p>	<p>We note your comment.</p>

The following parties did not submit comments to Elections Canada regarding OGI 2023-06:

- Animal Protection Party of Canada
- Bloc Québécois
- Centrist Party of Canada
- Christian Heritage Party of Canada
- Communist Party of Canada
- Conservative Party of Canada
- Free Party Canada
- Green Party of Canada
- Libertarian Party of Canada
- Marijuana Party
- Marxist-Leninist Party of Canada
- Maverick Party
- New Democratic Party
- Parti Rhinocéros Party
- People's Party of Canada