

ELECTIONS SASKATCHEWAN



Regina Northeast By-Election Communique for Chief Official Agents Issue Ten: September 19, 2018

Details for the Final Count

Final Count

Even though the by-election may feel over in the eyes of many, there are still votes left to be counted before the results of the Regina Northeast by-election become official. By legislation, the Final Count must be held 12 days after polling day at the constituency returning office (650 Henderson Drive). The Final Count will begin at 9 a.m. on Monday, September 24 and each candidate and up to two representatives per candidate can attend.

At the Final Count:

- The returning officer counts any votes cast using special voting procedures that have not yet been counted and records them. For this by-election, this will consist only of absentee votes;
- Results from by-election night are reviewed but ballots are not counted again; and
- Final results are entered into ESPREE, our election management system.

Any candidate representatives who attend must be able to produce an E-417 appointment form – a PDF copy of this form can be found on our website within the Candidates and Political Parties section. Every person who is in attendance for the counting of votes will need to complete an oath of secrecy as well. The Final Count will begin promptly at 9 a.m. but candidates and/or their representatives do not need to be in attendance at the beginning nor do they need to stay for the entire duration.

The Election Act, 1996 (the Act) sets out, in detail, the process by which the returning officer conducts the Final Count. The first ballot boxes opened will be those from election night (with the exception of the homebound ballot box), which are then confirmed against the results recorded that night. Once this process is finished, the absentee votes will be counted. The homebound ballot box is the last one opened.

Recount Processes

Once the final count ends, we enter a period of time whereby candidates and/or their business managers can request or apply for recounts. The ability to request or apply for a recount is an important part of the electoral process that helps to ensure integrity.

A recount will be automatically granted if a request is made by a candidate or their business manager under the following two circumstances:

- If the two candidates with the most votes have the same number of votes following the Final Count;
- If, after the Final Count, the margin of victory of the candidate declared elected is less than the total number of all unopened ballot envelopes, rejected ballots and ballots objected to.

The Act refers to the two above scenarios as “automatic” recounts – see section 155 for more information. A request for an automatic recount is made to the returning officer and must be made within four days of the final count, or Friday, September 28. Given the margin of victory in this by-election, the likelihood of an automatic recount is low, but I have included these details for your information.

There are also circumstances where a candidate or business manager can apply to a judge of the Court of Queen’s Bench for a recount or addition. These are:

- The candidate or business manager is not entitled to request a recount or an addition pursuant to section 155; or
- The candidate or business manager has made a request for a recount or an addition and the returning officer failed to comply with section 155.

In circumstances where a candidate is not entitled to request an automatic recount, the application must be made to the Court of Queen’s Bench within ten days of the returning officer declaring a candidate to be elected, or by Thursday, October 4. Refer to section 156 for more information.

Security of Voters Lists

By legislation, I am required to take all reasonable steps to protect against unauthorized use of a voters list. Whether your party acquired the voters list through an Information Sharing Agreement or through a signed declaration, you agreed to certain responsibilities regarding the privacy and security of that information. I would ask that you review the agreement or declaration that was signed and review how this information needs to be treated. I take this commitment very seriously and I ask that you do as well. If you have any questions on this, please contact my office.

I would also ask you to remind your candidates of their responsibility to collect and destroy any copies of the voters list used throughout the campaign. Anyone who picked up a voters list was required to sign a declaration to protect, secure and/or destroy the list provided to them. This responsibility extends to campaign workers and volunteers.



Dr. Michael Boda
Chief Electoral Officer
Province of Saskatchewan