
ORDER No.	CEO-ORDER-2020-009
Date	October 15, 2020
Date Revised	N/App
Subject	Introducing Extraordinary Voting Measures for Voters Impacted by COVID-19
Reference	Sections 86 - 89 of <i>The Election Act, 1996</i>
Intent	To allow voters diagnosed with COVID-19 and others forced to self-quarantine due to close contact with COVID-19 cases to vote using a modified absentee voting provision.

The Chief Electoral Officer has the authority, under section 7 of *The Election Act, 1996* (the *Act*) and section 2 of *The Election Act Regulations* (the *Regulations*) to declare that an emergency exists and that the *Act* does not provide adequate provision to respond to the emergency. These declarations are made through CEO Orders.

The Chief Electoral Officer hereby declares that pursuant to section 7 of the *Act* and sections 2(2)(b) and (c) of the *Regulations* an emergency exists due to the COVID-19 pandemic for which no adequate provision is made by the *Act* and, in the opinion of the Chief Electoral Officer, it is necessary and advisable to do the things mentioned in section 7 of the *Act* to safely prepare for and conduct an election.

The Chief Electoral Officer further declares that, pursuant to section 7(1)(c) of the *Act* and section 2(2)(a) of the *Regulations*, the current necessity for self-isolation in some circumstances because of the COVID-19 pandemic will result in individuals who enter self-isolation between October 16 – 20, 2020 being unable to attend polling places to vote. This is a circumstance for which no adequate provision is made by the *Act* because the *Act* does not contemplate how individuals may vote when they become unable to attend at a polling place to vote after October 15, 2020 (see CEO-ORDER-2020-001, “Adjusting the Absentee Voter Application Deadline”). The Chief Electoral Officer thereby invokes the emergency powers pursuant to section 7 of the *Act* to respond to the circumstance.

Therefore, the Chief Electoral Officer hereby orders that sections 86 – 89 of the *Act*:

- For greater clarity, the definition of “absentee voter” in subsection 86(1) will include voters who vote through the Extraordinary Voting procedure established by this Order;

- For the purposes of sections 86 to 89 and Part IV, Division E and Part V, “returning officer” and “deputy returning officer” includes any Extraordinary Voting Team (“EV Team”) established by the Chief Electoral Officer and located at the head office and any additional off-site location of Elections Saskatchewan used for the purpose of administering the Extraordinary Voting process;
- Where a Public Health Order requires a voter to be in mandatory self-isolation between October 16 – 20, 2020, a voter may apply to the Chief Electoral Officer by contacting Elections Saskatchewan to apply for status as an Extraordinary Voter (the “**Extraordinary Voter Application**”);
- Before an Extraordinary Voter Application may be received and approved, it must be confirmed by the EV Team that the individual is entitled to vote, the individual is registered to vote, the individual has not yet voted, and that the individual is required by a Public Health Order to be in mandatory self-isolation, upon which an individual will be required to complete electronically a fillable Extraordinary Voter Application form and provide through electronic transmission:
 - satisfactory evidence of the voter’s or individual's identity and ordinary residence pursuant to s. 72.1, which must include one original piece of identification that:
 - shows the voter’s or individual's photograph, name and address that matches the address listed on the application under subsection 87(1); and
 - is issued by the Government of Saskatchewan, the Government of Canada or an agency of those governments;provided, however, if the government issued piece of identification does not include an address, then a secondary piece of prescribed information must be provided which establishes the voter’s or individual's name and the voter’s or individual's address which matches the address listed on the application under subsection 87(1).
- Upon receipt of an Extraordinary Voter Application pursuant to subsection 87(1) of the Act, the Chief Electoral Officer shall forward that Application to the EV Team for processing.
- Extraordinary Voter Applications must be received by the Chief Electoral Officer no earlier than 8:00 a.m. on October 16, 2020 and no later than 5:00 p.m. on October 20, 2020.

- Where an Extraordinary Voter Application is approved, the EV Team shall designate the voter an Extraordinary Voter and shall contact the voter to arrange for delivery and return of the ballot kit. The EV Team shall comply with section 88 of the Act, except that subparagraphs 88(1)(a)(ii) and 88(2) shall not apply.
- Where a ballot kit has been returned and the EV Team is satisfied that the Extraordinary Voter applicant is an Extraordinary Voter, the EV Team shall comply with section 89 of the Act, with the following exceptions and necessary modifications arising therefrom:
 - With respect to section 89(2), the EV Team shall place all adjudicated certificate envelopes received through the Extraordinary Voting process into a dedicated and sealed ballot box for Extraordinary Votes, and the certificate envelope shall contain the sealed ballot envelope and its contained ballot until counting at the Final Count.

This order is in effect for Saskatchewan's 29th General Election, scheduled to be held pursuant to *The Legislative Assembly Act, 2007* section 8.1(1) on October 26, 2020.

A handwritten signature in blue ink that reads 'Michael D. Boda'.

DR. MICHAEL BODA
CHIEF ELECTORAL OFFICER
PROVINCE OF SASKATCHEWAN
OCTOBER 15, 2020