
ORDER No.	CEO-ORDER-2020-012
Date	November 4, 2020
Date Revised	N/App
Subject	Continuation of Final Count in Constituency Returning Offices
Reference	Sections 145(1), 145(9), 145(10), 146, 147(1), 147(3)(a) of <i>The Election Act, 1996</i>
Intent	To ensure the voting results determined in the central final count of vote by mail ballots are incorporated into the returning officers' statement of voting results in a timely manner so as to permit the declaration of the candidate elected in each constituency at the earliest opportunity.

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 conduct of the Final Count in the sixty-one (61) constituencies in the province, conducted by the Returning Officers appointed in each of these constituencies, may be required to continue past one day in order to incorporate the results from the central count of Vote by Mail ballots as described in CEO-ORDER 2020-007 *Absentee Voting (Vote by Mail) and Homebound Voting* and CEO-ORDER 2020-011 *Attendance of Candidate Representatives at Vote by Mail Central Count*. The Chief Electoral Officer thereby invokes the emergency powers pursuant to section 7 of the *Act* to respond to this circumstance.

Therefore, the Chief Electoral Officer hereby declares that pursuant to paragraph 7(1)(c) of the *Act* and subparagraph 2(2)(a)(ii) of the *Regulations* an emergency exists for which no adequate provision is made by the *Act*:

- The Final Count in each constituency Returning Office shall begin on November 7, 2020, and shall continue daily from 9:00 a.m. to 10:00 p.m., including Sunday, November 8, 2020, notwithstanding s. 147(3)(a).



CEO Order

In the opinion of the Chief Electoral Officer, this adaptation will achieve the purposes of the respective sections and the *Act* because it will ensure candidates and their representatives may attend the Final Count in the office of their constituency Returning Officer and be present at the earliest opportunity the Returning Officer has to declare as elected the candidate having the largest number of votes. Further, this adaptation will maintain the integrity of the ballot counting procedures and preserve the integrity of the electoral process.

For greater clarity, apart from the adaptations made in this CEO Order and in any other Order, elections officials shall comply with the *Act* and the *Regulations*.

This order is in effect for Saskatchewan's 29th General Election, 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
NOVEMBER 4, 2020