
ORDER No. CEO ORDER 2020-05

Date January 18, 2022

Date Revised N/App

Subject Limits on Candidates' Representatives

Reference Sections 57, 63(1)(f), 63(3)(f), 77(3)(a), 89(7)(a), 89.3(5), 92(5), 101(2.1)(b), and 144 of *The Election Act, 1996*

Intent To limit the number of candidates' representatives who are present during voting at polling locations, at the counting of ballots, and require physical distancing between candidates' representatives, election officials and voters

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.

In the context of the COVID-19 pandemic occurring during the Athabasca by-election it is necessary that changes be made to the number of candidates' agents present to scrutinize vote proceedings at polling locations, observe the count of ballots at the close of voting at polling locations and the tally of votes at constituency returning offices, and witnessing the count of absentee ballots during the final count at returning offices.

The Chief Electoral Officer hereby declares that, pursuant to section 7(1)(c) of the Act and section 2(2)(a)(ii) of the Regulations, an emergency exists for which no adequate provision is made by the Act to limit the number of candidates' representatives present at voting locations and where ballot counting occurs, nor are there adequate provisions in the Act to require physical distancing between candidates' representatives election officials and voters to ensure public health safety.

Therefore, the Chief Electoral Officer hereby orders that:

- a maximum of one representative per candidate per polling division will be permitted at polling places;
- candidates' representatives will no longer be able to attend voting at personal care facilities;
- candidates' representatives will no longer be able to attend homebound voting;
- candidates' representatives will no longer be able to attend voting at hospital, remand or temporarily displaced voters polls;

- on election night a maximum of one representative per candidate will be permitted to attend the counting of ballots per ballot box;
- no candidates' representatives will be allowed in the returning office on election night unless personal care facility ballots are being counted at the returning office. In that circumstance, one candidate representative per candidate may be present.
- at the final count in the returning office a maximum of one representative per candidate will be permitted to attend the count of in-person absentee ballots and the final tallying of votes in the constituency; and
- candidates' representatives will be required to wear a mask (non-medical grade disposable or cloth) and to remain at least two meters away from each other, from poll officials and from voters at polling places and locations where ballot counting, or vote tallying, is being performed.

In the interests of greater certainty, this order does not apply to the counting of ballots received as part of the absentee "Vote by Mail" process. For instructions and restrictions on the role and presence of candidate representatives during that process, see the CEO Order specifically dedicated to the presence and role of candidates' representatives during Absentee Voting (Vote by Mail) processes.

This order is in effect for the constituency of Athabasca by-election, scheduled to be held on February 15, 2022.

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

DR. MICHAEL BODA
CHIEF ELECTORAL OFFICER
PROVINCE OF SASKATCHEWAN
JANUARY 18, 2022