
ORDER No.	CEO ORDER 2022-009
Date	February 11, 2022
Date Revised	N/App
Subject	Adjusting the Deadline for Elections Saskatchewan to Receive Absentee (Vote by Mail) Ballots by Mail
Reference	Section 89 of <i>The Election Act, 1996</i>
Intent	To adjust the deadline to receive absentee (Vote by Mail) ballots back from voters from 10 days after polling day (Friday, February 25) to 13 days after polling day (Monday, February 28)

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(1)(c) of the Act and 2(2)(a)(ii) of the *Regulations* an emergency exists and there is a circumstance 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 2(2)(a)(ii) of the *Regulations*, the complications created by the COVID-19 pandemic will result in the increased use of absentee (Vote by Mail) voting in the constituency of Athabasca, for which most communities in the constituency are considered “remote” by Canada Post and involve longer mail or courier delivery times, and is a circumstance for which no adequate provision is made by the Act because the Act requires absentee (Vote by Mail) packages to be returned to Elections Saskatchewan by regular mail, registered mail, or courier, under section 89(5)(b)(ii) by 12:00 noon on the 10th day after polling day, and under section 89(6) requires the ballot boxes to be sealed at that time.

The Chief Electoral Officer thereby invokes the emergency powers pursuant to section 7 of the Act to respond to the circumstance. The Chief Electoral Officer hereby orders that a measure be taken so as to extend the deadline for receiving absentee (Vote by Mail) ballot packages returned to Elections Saskatchewan by regular mail, registered mail, or courier, under section 89(5)(b)(ii), and so as to extend the deadline for the ballot boxes to be sealed

under section 89(6), from 12:00 noon on the 10th day following polling day (Friday, February 25) to 12:00 noon on the 13th day following polling day (Monday, February 28). This will assist in ensuring there is sufficient time for voters to return their absentee (Vote by Mail) ballot package to Elections Saskatchewan, a voting option promoted as an opportunity to vote without visiting a physical polling location given the presence of COVID-19. The CEO hereby further orders that paragraphs 5(b)(ii) and (iv) of Appendix A to the CEO Order 2022-08 dated January 21, 2022 be amended to read as follows:

ii) the Final Count will include all VBM absentee ballots received from Day +1 to 12:00 noon on Day +13 following polling day and will take place on Day +13;

(iv) except as modified by CEO Order, the VBM Team shall comply with the requirements of subsections 89(6)-(8) with respect to the Preliminary Count and the Final Count.

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

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

DR. MICHAEL BODA
CHIEF ELECTORAL OFFICER
PROVINCE OF SASKATCHEWAN
FEBRUARY 11, 2022