



Guidelines for Candidates' Representatives

E-418
The Election Act, 1996
(Revised 2015)

Introduction

Candidate's representatives are an important part of the democratic process. They contribute to the transparency of the voting and vote counting processes by observing the activities of election officials and voters on behalf of the candidates they represent.

These guidelines have been prepared to help you perform your duties as a candidate's representative in accordance with rules outlined in *The Election Act, 1996*. Except where otherwise indicated, these guidelines also apply to candidates who may be observing the voting and vote counting processes. The functions and responsibilities of a candidate's representative are outlined in various sections of the Act and the Act should be consulted as the final authority where there are questions about the role of a candidate's representative.

The primary role of election officers, such as the deputy returning officer and poll clerk, is to serve voters as they come to vote. Your role is to observe the election proceedings and provide the level of scrutiny necessary to a fair and transparent voting process. The deputy returning officer is responsible for the polling station and this role includes responsibility for the application of rules regarding candidates' representatives.

If your duties as a candidate's representative will make it difficult for you to vote on election day at the polling station where you are legally entitled to vote, we suggest that you vote at your advance poll during one of the days of advance voting.

Appointment of a Candidate's Representative

Candidate's representatives must be Canadian citizens who are 14 years of age or older and residents of Saskatchewan. Candidates must appoint their representatives using an Appointment of a Candidate's Representative form (E-417). This form must be completed, dated and signed by the candidate for each of their representatives. This authorizes you to be present and to perform your role at a polling place within the constituency.

Before you can be admitted to a polling place that contains a single poll, you must present the authorization form to the deputy returning officer for that polling place. At a central polling place that contains multiple polls, you must present the form to the supervisory deputy returning officer.

The supervisory deputy returning officer will direct you to one of the deputy returning officers who will administer an oath or declaration of secrecy before you can perform your duties within the polling place. At a central polling place, the oath you have taken or the declaration you have made applies to all the polls within the polling place. The deputy returning officer will sign the bottom portion of your appointment form and give you the duplicate (yellow) copy. You must show this yellow copy of your appointment form to the deputy returning officer at each polling station where you intend to observe the proceedings.

In addition to the authorization form, a candidate's representative must wear an approved identification badge within a polling place. This badge (E-419) will be supplied to you at the polling place. It identifies your function and displays the name of the candidate's endorsing political party or the independent status of the candidate you represent.

Number of Candidates' Representatives Permitted at the Polls

A maximum of 2 representatives for each candidate may be present for each polling division at a polling place. For some of the special polls, including homebound voter polls, mobile polls, remand centre polls and temporarily displaced voter polls, only 1 representative for each candidate may accompany or attend with poll officials.

Responsibilities at the Polling Place

As a candidate's representative, you **MUST**:

- maintain and aid in maintaining the secrecy of the vote;
- respect the right of voters to an accessible voting process;
- be prepared to show your signed Appointment of a Candidate's Representative form (E-417) to any supervisory deputy returning officer, deputy returning officer or registration officer, when requested; and
- respect the decisions of the deputy returning officer - their decisions are final unless overruled later a judge.

As a candidate's representative, you **MAY**:

- visit the polling place identified on your appointment form (E-417) during the hours of voting;
- ask to have the ballots counted and inspect the ballots and any other paper forms and documents relating to voting, as long as the polls open at the designated time;
- observe the activities of any of the polls located at the polling place without being required to take another oath, as long as you present the yellow copy of your signed appointment form to the deputy returning officer;

- request a voter to provide his or her name when they are at the polling station to vote;
- challenge the entitlement of a voter to vote. This is done by requesting the deputy returning officer to require a voter to make a voter's declaration before voting, but it is the deputy returning officer who decides who is permitted to vote;
- be present when the deputy returning officer marks a ballot for a voter who is unable to read, is physically unable to mark his or her ballot or has a disability that significantly restricts his or her ability to vote (NOTE: these rights do not extend to the candidate, only to a candidate's representative);
- accompany the deputy returning officer outside the polling place when assisting a voter who is physically unable to enter the polling place;
- object to the deputy returning officer giving a ballot to an individual who claims to be a voter when another individual has already voted under the same name, but it is the deputy returning officer who decides who is permitted to vote;
- sign any seals placed on the envelopes and ballot boxes containing the ballots and other election material, including the Statement by Deputy Returning Officer Respecting Voters who Made Declarations or were Registered on Election Day (Form E-316) and the Ballot Paper Account and Poll Statement (Form E-312); and
- during voting hours, view the voters list with the deputy returning officer, provided it does not interfere with the voting process.

As a candidate's representative you MAY NOT:

- sit at the same table as the deputy returning officer and poll clerk or the registration officer;
- disturb the peace and good order at a polling place – a returning officer, supervisory deputy returning officer or deputy returning office may do anything that he or she considers necessary to preserve the peace and maintain order at a polling place;
- interfere with a voter when the voter is marking a ballot;
- attempt to obtain or communicate information at a polling place as to the candidate for whom a voter is about to vote or has voted;
- attempt to persuade a voter to show his or her marked ballot paper;
- use a cell phone or take photographs in a polling place
- handle any ballots during the count; and
- post or display any campaign material that could be taken as an indication of support of or for a candidate or political party or group on your person, in a polling place or within 50 feet of a polling place.

Information Provided to Candidates' Representatives

During election day, the candidate's representative will receive 1 copy of the Statement of the Voters Who Voted on Polling Day (Form E-333 – commonly referred to as "bingo sheets") approximately every 2 hours or as soon as they are made available for a polling station.

After voting is finished on the last day of the advance polls, after homebound voting is complete, and after the deadline of absentee voter applications, 1 representative for each candidate will be provided with a copy of the entries made in the poll book. These entries are the names of voters who voted at these polls or who were sent an absentee ballot. These names will be crossed off the official voters list that is used on election day.

After the ballots have been counted, 1 representative for each candidate will receive a copy of the Statement by Deputy Returning Officer Respecting Voters who Made Declarations or were Registered on Election Day (Form E-316) and the Ballot Paper Account and Poll Statement (Form E-312).

Counting the Ballots on Election Night

Candidates' representatives may be present at the polling place for the counting of ballots. You cannot enter the polling place after the doors have been closed and the count is underway, or re-enter the polling place if you leave after the count has started.

Candidates' representatives must be given full opportunity to examine each ballot – this does not include handling the ballot. You may object to the manner in which the deputy returning officer intends to count a ballot and the deputy returning officer must make a decision and record the objection.

Redistribution of Special Ballots to Constituencies

Ballots cast at hospitals, remand centres and by temporarily displaced voters are sent by returning officers to the Chief Electoral Officer to be redistributed to the appropriate constituency for the final count. This redistribution occurs in the office of the Chief Electoral Officer 5 days after election day. Candidates' representatives may be present when this occurs and may examine the lists of voters from these polls and the seals on the ballot boxes.

The Final Count

Not more than 2 candidates' representatives per candidate may be present at any one time during the final count held in the returning office. The returning officer will refuse to allow any candidate's representative to be present until he or she produces a written appointment.

At the final count you will be given the opportunity to inspect each poll book and voters list used in voting. You may also examine the lists of voters who made a voter's declaration, the voter's declarations and any certificate envelopes. The returning officer will open any unopened ballot boxes (e.g. Absentee poll) in the presence of candidates' representatives. The final count is conducted in full view of the candidates' representatives present. Candidates' representatives may object to the manner in which the returning officer intends to count a ballot and the returning officer must make a decision and record the objection.

Additional Information

If you have questions about your role, please contact the returning officer for the constituency in which you will be working.