

Guide for Candidates' Representatives

E-418



Candidates' 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.

Polling Station No(s):

8

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Introduction

Candidates' 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.

The functions and responsibilities of a candidate's representative are outlined in various sections of *The Election Act, 1996* (the Act). This summary has been prepared to provide assistance and guidance in understanding and complying with the Act but the Act should be consulted as the final authority where there are questions about the role of a candidate's representative.

These guidelines have been prepared to help you perform your duties as a candidate's representative in accordance with rules outlined in the Act. Except where otherwise indicated, these guidelines also apply to candidates who may be observing the voting and vote counting processes.

The primary role of election officers, such as the deputy returning officer, 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.



Appointment of a Candidate's Representative

Candidates' representatives must be Canadian citizens who are 14 years of age or older and residents of Saskatchewan.



Candidate Right To Access

Candidates' representatives are entitled to access units and common areas of multiple-residence buildings for the purpose of canvassing and distributing election materials.

During the writ period, buildings are required to provide access to a candidate, or an authorized agent or representative of a candidate. Before beginning to canvass, you should download and complete a Right to Access (E-420) form and carry a copy of the form with you in case you are asked to provide documentation that identifies you as a candidate representative. Questions can be directed to The Office of the Public Registry Administration at condos@gov.sk.ca for condominiums, or The Office of Residential Tenancies at ORT@gov.sk.ca for apartments.

Before Entering a Polling Place

Candidates must appoint their representatives using an Appointment of a Candidate's Representative form (E-417). This form, available on the Elections Saskatchewan website, 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 voting location within the constituency.





A candidate acting as his or her own representative does not need to provide an Appointment of a Candidate's Representative form (E-417).

If you are a candidate and are acting as your own representative, you should immediately identify yourself to the deputy returning officer or supervisory deputy returning officer and provide ID.

Before you can be admitted to a voting location, you must present the E-417 form to the supervisory deputy returning officer for that voting location. If the voting location does not have a supervisory deputy returning officer, you must present the form to the deputy returning officer. The supervisory deputy returning officer or deputy returning officer will then administer an oath or declaration of secrecy before you can perform your duties within the voting location.

At a voting location with multiple voting stations, the oath you have taken or the declaration you have made applies to all the voting stations within the voting location.

The deputy returning officer will take your E-417 form and issue you a Receipt of Candidate's Representative Appointment form (E-417R) and an approved identification badge (E-419). This badge identifies your function and displays the name of the candidate's endorsing political party or the independent status of the candidate you represent. You must place the E-417R behind your name badge and show it to the deputy returning officer at each voting station where you intend to observe the proceedings.



Number of Candidates' Representatives Permitted at the Voting Location

A maximum of two 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 one representative for each candidate may accompany or attend with poll officials.

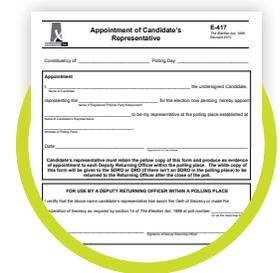




Responsibilities at the Voting Location

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

- remain in the area designated for candidates' representatives unless there are no voters present at the voting station;
- 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 Receipt of Candidate's Representative Appointment form (E-417R) to any supervisory deputy returning officer, or deputy returning officer, when requested;
- wear your identification badge (E-419) at all times; and
- respect the decisions of the deputy returning officer – their decisions are final unless overruled later by a judge.



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

- use an electronic device, including a smart phone, computer, smart watch or tablet, that is set to silent mode to email, text, or perform other tasks;
- before the voting location opens, ask to have the ballots counted and ask to inspect the ballots, the ballot box or any other material relating to voting as long as the voting location opens at the designated time; to observe this process you must be present at least 15 minutes before the voting location is scheduled to open;
- visit the voting location identified on your Receipt of Candidate's Representative Appointment form (E-417R) during the hours of voting;
- observe the activities of any of the voting stations located at the voting location without being required to take another oath, as long as you present your signed Receipt of Candidate's Representative Appointment form (E-417R) to the deputy returning officer;
- request a voter to provide his or her name when they are at the voting 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 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 voting location when assisting a voter who is physically unable to enter the voting location;
 - 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. It is the deputy returning officer who decides who is permitted to vote but your objection will be noted in the voting record;
 - 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 or Refused to Make Declarations (Form E-316) and the Ballot Paper Account and Poll Statement (Form E-312); and
 - during voting hours, ask the deputy returning officer to let you view and/or take a photo of the voting record, provided it does not interfere with the voting process.
- **At voting locations using electronic pollbooks:**
Deputy Returning Officers cannot provide candidates' representatives with access to the electronic poll book or strike-off data. However, when filing their nomination papers, candidates may request access to an online candidate dashboard which will provide access to this information.

As a candidate's representative, you MAY NOT:

- sit at the same table as the deputy returning officer;
- disturb the peace and good order at a voting location;
- engage with voters in any way;



Candidate representatives must NOT engage with voters in ANY way while in the voting location.



As a candidate's representative, you MAY NOT: Continued

- wear anything featuring your party name or logo. This includes shirts, jackets, hats and pins. In addition, any clothing featuring colours of any registered political party must not be worn at the voting location. This includes green, blue, orange and red. Neutral colours, such as black, brown, grey or white, are suggested;
- interfere with a voter when the voter is marking a ballot;
- attempt to obtain or communicate information at a voting location 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;
- touch the voting record or any other material used by election officials;
- take photographs, video or audio in a voting location; with the exception of taking a photo of the voting record when there are no voters present;
- make voice calls or use the audio function on any electronic device;
- handle any ballots; and
- post or display any campaign material that could be taken as an indication of support for a candidate or political party or group on your person, in a voting location or within 50 feet of a voting location.
- **At voting locations using electronic pollbooks:**
you may not ask the Deputy Returning Officer to look up the voting record of a particular voter using an electronic poll book.



Candidate representatives cannot wear anything featuring their party name or logo.



Candidate representatives must NOT make voice calls or use the audio function on any electronic device.



Candidate representatives must NOT post or display any campaign material.

Information Provided to Candidates' Representatives

The names of voters who have voted at an early voting opportunity, have been issued a vote by mail ballot, and those who have voted by homebound voting will be included in the extract data provided to all registered political parties and will be available to all candidates who have requested access to the candidate dashboard.

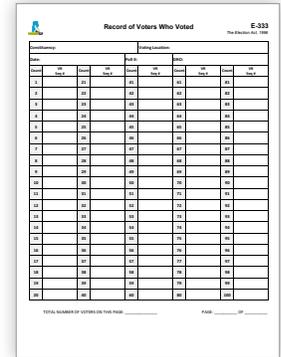


These names will also be crossed off the official voting record that is used on the last day of voting.

At voting locations NOT using electronic pollbooks:

During voting, the deputy returning officer will prepare a Record of Voters Who Voted (Form E-333). Candidates' representatives may take a photo of the E-333 during voting hours provided it does not interfere with the voting process and no voters are present, and at the close of voting.

After the ballots have been counted, candidates' representatives may take a photo of the Ballot Paper Account and Poll Statement (Form E-312).



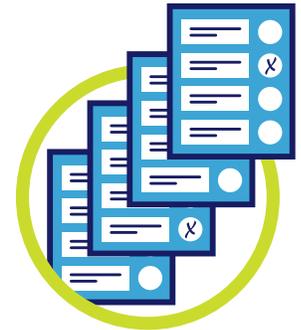
Last Day of Voting – Counting of Ballots

Candidates' representatives may be present at the voting location for the counting of ballots. You cannot enter the voting location after the doors have been closed and the count is underway, or re-enter the voting location 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.

You may share the results with your registered political party but must not make them public before they are published on Elections Saskatchewan's website.

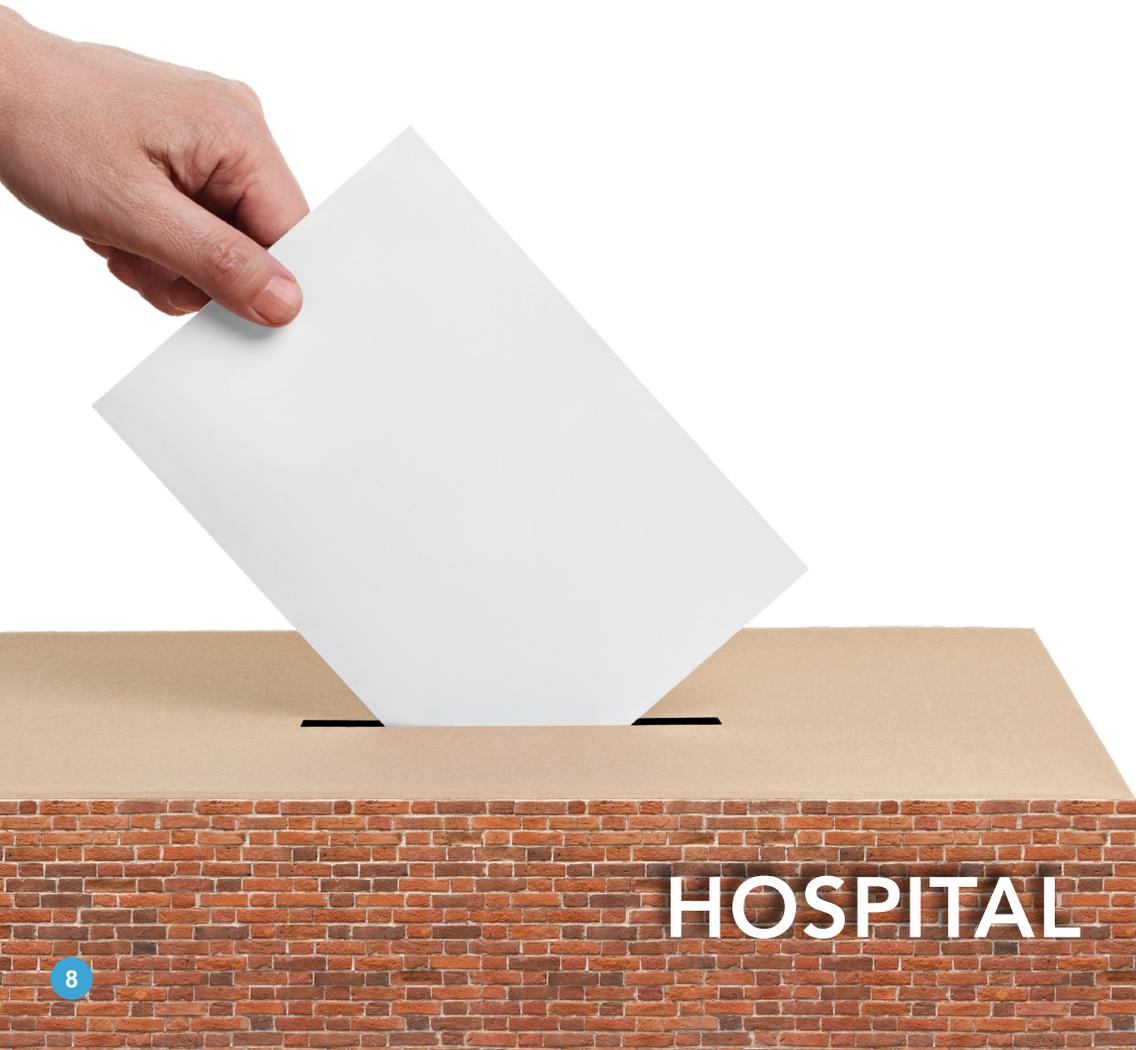
You also have the option of attending the returning office to observe the calling in and recording of results for the constituency. If you choose this option, you will require an Appointment of a Candidate's Representative (E-417) form authorizing you to be at the returning office even if you were issued E-417(s) to attend any other voting locations.





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. These ballots will then be counted centrally along with vote by mail ballots at the final count.





The Final Count

Not more than two candidates' representatives per candidate may be present at any one time during the final count held in the returning office. You will require an Appointment of a Candidate's Representative (E-417) form authorizing you to be at the returning office even if you were previously issued E-417(s) to attend other voting locations. The returning officer will refuse to allow any candidate's representative to be present until he or she produces a written appointment.

The final count is conducted in full view of any candidates' representatives present. At the final count you will be given the opportunity to inspect each voting record 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 in the presence of candidates' representatives. 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.

Counting Vote by Mail Ballots

Ballots cast by voters who have voted by mail are counted centrally in two stages. Candidates' representatives may observe this process but must complete a new Appointment of a Candidate's Representative (E-417) form and present it to the Chief Electoral Officer.

The Preliminary Count occurs two days after the last day of voting. All vote by mail ballots received up to the end of the day that is two days before the last day of voting will be counted at the Preliminary Count. The remaining vote by mail ballots received up to the deadline will be counted at the final count.

All ballots cast at hospitals and remand centres will also be counted centrally at the final count after all vote by mail ballots have been counted.

Additional Information

If you have questions about your role, please contact the Returning Officer for your constituency.

