

The Scrutineer – Information Sheet

Election Officials - the Scrutineer

- A "Scrutineer" plays an important and recognized part in every Municipal Election.
- He or she is stationed at one or more Voting Places to represent a Candidate.
- He or she is there to see that Ballots are given only to the persons whose names are on the Voters' List.

The suggested procedures for a Scrutineer are as follows:

- 1) Before being admitted to a Voting Place, a person appointed as Scrutineer shall produce and show his or her Appointment (Form 022) to the Site Supervisor or a Deputy Returning Officer for the Voting Place and take the oral Oath of Secrecy (Form 015) from the Site Supervisor before being permitted to remain in the Voting Place. See Section 13 below for the wording of the Oath of Secrecy.

NOTE: This Oath prevents a Scrutineer from telling anyone the name of any person who has voted.

- 2) The Candidate or his or her Scrutineer has the right to place their own seal on the Ballot Box immediately before the opening of the Voting Place so that Ballots can be deposited in the Ballot Box but cannot be withdrawn without breaking the seal; **and** immediately after the close of each of the Advance Voting Day and Voting Day so that Ballots cannot be deposited or withdrawn without breaking the seal. The seal **MUST NOT** contain any writing that could be considered "election campaigning", therefore, the name of the Candidate is **NOT** permitted on the seal.

HOWEVER, if a Candidate or Scrutineer should include their seal on a Ballot Box, please note that subsection 55 (5) of the *Municipal Elections Act, 1996*, states:

"Despite subsection 88 (6.1), the clerk may, if he or she considers it necessary in order to interpret the statement of results, examine any of the documents and materials in a ballot box in the presence of the relevant deputy returning officer."

In other words, if the Deputy Returning Officer Statement of Election Results is **NOT** complete or contains an error, the Ballot Box will be opened in the presence of the Clerk and the Deputy Returning Officer in order to resolve the discrepancy. It is **NOT** a requirement that Candidates and / or Scrutineers be notified or present when this takes place.

- 3) The Site Supervisor is responsible for the conduct of the Voting Place and no Candidate or Scrutineer has the right to interfere with any Designated Election Official in the discharge of his or her duties.
- 4) During the fifteen minutes before the opening of the Voting Place, a Candidate or his or her



Form 024, 2018
Page 2

Scrutineer who are entitled to be present in a Voting Place during voting hours, are entitled to **visually** inspect the Ballots and all other papers, forms and documents, but not so as to delay the timely opening of the Voting Place. Scrutineers or Candidates are permitted to listen to discussions between the Designated Election Officials and an Elector but they are **NOT** permitted to observe how an Elector votes. Scrutineers or Candidates are **NOT** allowed to speak to Electors, touch the Ballots or interfere with the voting process. They are simply there to observe. Scrutineers or Candidates may be present for the printing of the totals of the memory card before the opening of the Voting Place on each Voting Day. Scrutineers may wish to sign the blank print out that remains on the Optical Scan Vote Tabulator until the close of voting for that particular Voting Day.

- 5) Only one Scrutineer per Candidate is allowed at any given time at each Voting Place. The Candidate and his or her Scrutineer **ARE NOT** permitted to be present at the Voting Place at the same time.
- 6) No campaign material or literature of any kind whatsoever shall be displayed within the Voting Place. The boundaries of the Voting Place are the boundaries of the property where the Voting Place is located and **includes** the parking lot and any place in the immediate vicinity of the Voting Place. Candidates, supporters and Scrutineers are **NOT** permitted to wear campaign material, hand-out campaign material, or park a vehicle displaying campaign material in the parking lot of the Voting Place or in the immediate vicinity of the Voting Place. Anyone breaking these rules will be asked to remove the campaign material immediately.
- 7) Scrutineers or Candidates are not allowed to sit at the tables provided for the Deputy Returning Officer(s) and Site Supervisor.
- 8) Scrutineers or Candidates may examine the Voters' List periodically to determine who has voted or to count how many Electors have voted. However, this periodic examination should not interfere with the voting process.
- 9) Scrutineers or Candidates wishing to observe the closing of the Voting Place **MUST** be inside the Voting Place prior to the established closing time of the Voting Place for that particular Voting Day. No one will be admitted to the Voting Place after the Voting Place has been declared closed by the Site Supervisor.
- 10) Scrutineers may obtain from the Candidate they represent, a copy of the Voter's List for the Voting Place(s) where they will perform their duties. A Scrutineer may request that the Deputy Returning Officer administer to an Elector the Oath of Qualification (Form 106) should the Scrutineer have any reason to doubt the qualifications of an Elector.



Form 024, 2018
Page 3

- 11) **Neither** A Candidate **Nor Any** Scrutineer may be present while an Elector who is unable to mark his or her own Ballot has the Site Supervisor mark the Ballot for him or her.
- 12) The absence of a Candidate or a Scrutineer during the voting or during the tabulation of votes does not invalidate the proceedings.
- 13) The wording for the Oral Oath of Secrecy (Form 015) is as follows:
“I, (name) , do swear or solemnly affirm
 1. **That** I will maintain and aid in maintaining the secrecy of the voting; and
 2. **That** I will not nor attempt to:
 - interfere with an Elector when he or she is marking his or her Ballot paper; or
 - obtain or communicate any information as to how an Elector is about to vote or has voted; or
 - directly or indirectly induce an Elector to show his or her marked Ballot paper to any person.”