



## **2022 MUNICIPAL ELECTION PROCEDURE MANUAL**

Definitions.....	3
Municipal Elections Act .....	4
Authority .....	4
Election Method for 2022 .....	5
Nomination Procedure .....	6
Acclamations .....	8
Voters' List .....	10
Candidate Campaigning and Campaign Advertising .....	12
Candidate Campaign Contributions .....	14
Candidate Campaign Expenses .....	16
Third Party Advertising .....	18
Scrutineers .....	25
Election Officials .....	26
Proxy Voting .....	27
Voting Procedure .....	27
Count Procedures .....	32
Notice of Results .....	33
Recount .....	34
Candidate Financial Statements .....	36
Third Party Financial Statements .....	37
Compliance Audit Committee .....	38
Election Records .....	38
Accessibility .....	39
Emergencies .....	39
Corrupt Practices .....	40
Procedures Subject to Change .....	43
Election Forms .....	44

## **Declaration**

In accordance with Section 12(1) of the Municipal Elections Act, 1996, I hereby certify that the attached procedures shall be followed in conducting the 2022 Municipal Election in the Township of Wellesley.

Section 42(4) states that the procedures and forms established by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and third party advertisers, as applicable.

May 31, 2022

---

Grace Kosch  
Municipal Clerk/Returning Officer

## Definitions

For the purpose of Internet and Telephone Voting the following definitions apply:

“Act” means the Municipal Elections Act, 1996, S.O., 1996, C. 32, as amended

“Auditor” means the person appointed by the Clerk who performs the prescribed combination of processes and procedures (audit duties) designed to validate a range of activities and/or functions of the internet/telephone voting system.

“Candidate” means a person who has been nominated under Section 33 of the Municipal Elections Act.

“Clerk” means the Clerk of the municipality who is responsible for conducting municipal elections under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.) for the 2022 Municipal Election. All references to Clerk’s designate shall mean the delegated duties of the R.O.

“Eligible Voter” means a person who is entitled to be a Voter at an election held in a local municipality.

“Help Centre” means a location designated by the Clerk supplied with a telephone and computer to accommodate voting during the voting period.

“Registered Third Party (Third Party Advertiser)” means an individual who is normally a resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who’s Notice of Registration for Third Party Advertiser has been certified by the Clerk.

“Regular Office Hours” means Monday to Friday, 8:30a.m. to 4:30p.m.

“Voter Information Letter” means a sealed letter envelope containing a Personal Identification Number (PIN).

“Voters’ List” means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the Municipal Elections Act, 1996.

“Voting Day” means the final day on which the vote is to be taken in an election under the provisions of Section 22 of the Municipal Elections Act.

”Voting Period” means a ten (10) day period the internet and telephone voting system is open 24 hours a day for eligible electors to cast their vote.

## Overview

The Municipal Elections Act, 1996, gives the authority to the Municipal Clerk, as Returning Officer, to establish procedures and forms for voting and vote-counting equipment within the Municipality. The Act further gives the authority to the Municipal Clerk to provide for any matter or procedure that is not provided for in the Act.

These procedures may be amended, as necessary and deemed appropriate, by the Clerk of the Township of Wellesley. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all certified candidates for the office for the Township of Wellesley and/or school boards.

## Municipal Elections Act

The Municipal Elections Act (“the Act”) applies to and governs municipal elections in the Township of Wellesley and is based on the following principles:

- The secrecy and confidentiality of individual votes is paramount
- The election should be fair and non-biased
- The election should be accessible to all eligible voters
- The integrity of the process should be maintained throughout the election
- There be certainty that the results of the election reflect the votes cast; and
- Voters and candidates should be treated fairly and consistently within a municipality

This manual has been prepared to identify processes undertaken to conduct the 2022 Municipal Election in the Township of Wellesley in accordance with the above principles.

## Authority

The clerk of a local municipality is responsible for conducting elections within that municipality, subject to the following exceptions:

1. The clerks specified in the regulations made under the Education Act are responsible for certain aspects of the elections of members of school boards, as set out in those regulations.
2. The clerks specified in section 11.1 are responsible for certain aspects of the election of members of the council of an upper-tier municipality, as provided for in that section.
3. Repealed: 2002, c. 17, Sched. F, Table.
4. The clerks specified in subsection (5) are responsible for certain aspects of the election with respect to a question an upper-tier municipality submits to its electors under clause 8 (1) (b) or (c).

Responsibility for conducting an election includes responsibility for,  
a) preparing for the election;

- b) preparing for and conducting a recount in the election;
- c) maintaining peace and order in connection with the election; and
- d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

### **Powers of Clerk**

A clerk who is responsible for conducting an election may provide for any matter or procedure that,

- a) is not otherwise provided for in an Act or regulation; and
- b) in the clerk's opinion, is necessary or desirable for conducting the election.

### **Forms**

The power conferred by this authority includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.

### **Procedures and Forms**

Section 42(4) states that the procedures and forms established by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and third party advertisers, as applicable.

## **Election Method for 2022**

The Township of Wellesley is offering Internet and Telephone voting for the 2022 Municipal Election, as authorized in By-law 18A/2021 under the provisions of Section 42 of the Municipal Elections Act, S.O. 1996, Chapter 32, as amended.

Internet and Telephone Voting will be continuously available for a 10 day period between Friday, October 14, 2022 starting at 10:00a.m until Monday, October 24, 2022 at 8:00p.m.

## **Languages**

### **English**

With respect to an election held for offices of a municipal council and an English public or separate school board, notices, forms and other information provided under this Act shall be made available in English only, unless the council of the municipality passes a by-law to authorize the use of:

- a) French, in addition to English, in the prescribed forms; and
- b) French, other languages other than English, or both, in notices, forms (other than prescribed forms) and other information provided under this Act.

### **English and French**

Section 9.1 of the Act requires notices, forms and other information provided under the Act to be made available in both English and French for the election of:

- a) Members of a French-language district school board; or

- b) Members of a school authority that,
- 1) has established, operated or maintained a French-language instructional unit within the year before Voting Day, or
  - 2) is subject to an agreement, resolution or order under Part XII of the Education Act that requires the school authority to establish, operate or maintain a French-language instructional unit.

## **Nomination Procedure**

### **Nomination Papers**

The giving of notice (Section 32) for nominations shall be placed, as a minimum, in a local newspaper(s) and in one (1) conspicuous place in the municipality and on the municipal website.

Nomination Paper for the following offices will be available at the Clerk's Office from Monday, May 2, 2022 to Thursday, August 18, 2022 during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day) and on the municipal website for the following offices:

- (1) Mayor, vote at large
- (1) Councillor, Ward 1
- (1) Councillor, Ward 2
- (1) Councillor, Ward 3
- (1) Councillor, Ward 4
- (1) Regional Chair, vote at large

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

- (1) School Board Trustee – English Public
- (2) School Board Trustee – English Separate
- (1) School Board Trustee – French Public
- (1) School Board Trustee – French Separate

Nominations must be on the prescribed form and are to be filed with the Clerk at the appropriate Municipal Office in the following manner:

- in person or through an agent
- during regular office hours at the Clerk's Office from May 2, 2022 to Thursday, August 18, 2022, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day)
- with the prescribed declaration by at least 25 persons endorsing the nomination who are eligible to vote in an election for an office within the municipality, if a regular election was held on the day that the person endorses the nomination
- with the prescribed statement of qualifications, signed by the person being nominated
- with the prescribed nomination filing fee of \$200.00 for Head of Council and \$100 for all other offices - the filing fee shall be paid by cash or debit card
- with proof of identity and residence as prescribed in O. Reg. 304/13, as amended

- no faxed or other electronically transmitted nomination paper will be accepted - original signatures are required

If a person is present at the Clerk's Office on Nomination Day at 2:00 p.m. and has not yet filed a nomination, he or she may file the nomination as soon as possible after 2:00 p.m.

\*Note: After the candidate files their "Financial Statement" Form 4, the Clerk shall refund the nomination filing fee if:

- the Candidate withdrew their nomination before Nomination Day,
- the Candidate is elected to the office, or
- the Candidate receives more than 2% of the votes cast.

The Clerk shall administer the Declaration of Qualifications on the Nomination Paper and the "Declaration of Qualifications – Municipal Candidates" Form, oath to the Candidate. The date and time of filing are to be filled in by the Clerk and initialed by the candidate or his/her agent. The Clerk will then sign the Nomination Paper and Declaration of Qualifications.

The cash or debit card payment that the Clerk specifies will be deposited with the Municipal Treasury Department.

### **Estimated Maximum Campaign Expenses**

The Clerk shall calculate the estimated maximum campaign expenses for each office on the "Estimated Maximum Campaign Expenses" Form and provide a copy to the candidate or his/her agent the day that the Nomination Paper is filed in accordance with Section 33.0.1 (1). The Clerk's calculation is final.

### **Municipal Freedom of Information & Protection of Privacy Act**

In completion of the "Nomination Paper" the candidate gives consent to the Clerk to release personal information to the public and media.

### **Unofficial List of Candidates**

The Clerk shall provide notice of the unofficial list of candidates by preparing and, at a minimum, posting in the Municipal Office and on the website an "Unofficial List of Candidates" which is to be updated as each Nomination Paper is filed. The list should be clearly marked "UNOFFICIAL".

### **Nomination Day – August 19, 2022**

Nomination Papers will be received at the Municipal Office between 9:00 a.m. and 2:00 p.m. on Nomination Day.

### **Certification of Nomination Papers**

On or before Monday, August 22, 2022, at 4:00 p.m., the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the

Municipal Elections Act, 1996. Once satisfied the candidate is qualified, complete the “Certification by Clerk” section on the “Nomination Paper”.

### **Rejection of Nomination Paper**

If the Candidate is not qualified to be nominated, or the nomination does not comply with the Municipal Elections Act, 1996, the Clerk will reject the Nomination. An email shall be made to the candidate informing him/her of the rejection, and a “Notice of Rejection of Nominations” Form WEL04 shall be sent, by Registered Mail, as soon as possible, to the person who sought to be nominated, and by regular mail to all candidates for the office.

### **Withdrawal of Nomination Papers**

Candidates may withdraw their Nomination by filing in person a withdrawal in writing on “Withdrawal of Nomination” Form with the Clerk before 2:00 p.m. on Nomination Day, Friday, August 19, 2022, if the person was nominated on or before Nomination Day; and before 2:00 p.m. on the Wednesday following Nomination Day, (August 24, 2022), if the person was nominated under Section 33(5) - Additional Nominations.

The withdrawal shall be noted on the “Unofficial List of Candidates” Form.

### **Official List of Candidates**

The final list of certified candidates will be posted at the Municipal Office and, as a minimum, on the website on or before, Friday, August 27, 2022 using the “Official List of Certified Candidates” Form.

### **Declaration of Election**

If after 4:00 p.m. on Monday, August 22, 2022 the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted.

The Clerk shall give the electors notice of the following, as a minimum, through the use of newspaper advertisements and the municipal website:

- a) under clause 42(1)(b), (alternative voting methods), the manner in which electors may use the Internet/Telephone voting method;
- b) the dates and times of the voting period;
- c) the location and hours of operation for the Help Centre.

### **Acclamations**

If after 4:00 p.m. on Monday, August 22, 2022, the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation. The Clerk shall post a “Declaration of Acclamation to Office”. In this situation there shall be no election conducted for this position(s).



### **Fewer Number of Nomination Papers Than Offices**

If at 4:00 p.m. on Monday, August 22, 2022, the number of certified nominations filed for an office is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. The Clerk shall post a “Notice of Additional Nominations” advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 p.m. on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

### **Additional Nominations - More Than Number of Offices Remaining**

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

### **Withdrawal of Additional Nominations**

Withdrawal of additional nominations must take place prior to 2:00 p.m. on Wednesday, August 24, 2022. Follow the procedure in the Withdrawal of Nomination Paper section above.

### **Additional Nominations - Equivalent to Number of Offices**

If at 4:00 p.m. on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall cause to be posted a “Declaration of Acclamation to Office - Additional Nominations”.

### **Final Calculation of Campaign Expenses**

The Clerk shall, after determining from the number of eligible electors from the Voters’ List for each office, calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a “Certificate of Maximum Campaign Expenses” form. The certificate shall be given to each candidate in the case of a regular election, on or before September 26, 2022; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters’ List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters’ List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day. [Section 88.20 (11)]

The Clerk's calculation is final and shall be made in accordance with the prescribed formula in Ontario Regulation 101/97.

## **Voters' List**

### **Voter Qualifications**

A person is entitled to be an elector at an election held in a local municipality if, on voting day, Monday, October 24, 2022, he or she,

- a) Resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
- b) Is a Canadian citizen;
- c) Is at least 18 years old; and
- d) Is not prohibited from voting under subsection 17(3) of the Municipal Elections Act, 1996 or otherwise by law.

### **Persons Prohibited From Voting**

The following are prohibited from voting:

- a) a person who is serving a sentence of imprisonment in a penal or correctional institution.
- b) a corporation.
- c) a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
- d) a person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

### **Preliminary List of Electors (PLE)**

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation (MPAC) shall be delivered to the Clerk by July 31, 2022 if no date is agreed upon with MPAC or prescribed by the Minister.

The PLE shall contain the name and address of each person who is entitled to be an elector and any additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support.

In addition, if the local municipality is divided into voting subdivisions, the name of each resident elector shall be entered on the PLE for the voting subdivision in which he or she resides and the name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land.

The Clerk shall, to the best of his/her ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once.

Where a voter qualifies at more than one location in the municipality, the voter may vote only once for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence.

It is possible for an elector's name to appear on the Voters' List of more than one municipality. That elector may be eligible to vote in both municipalities. For example, a

person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. For example, School Board votes must be cast in the municipality where the elector resides.

### **Correction of Errors**

The Clerk shall correct any obvious errors in the PLE prior to September 1, 2022 and notify the Municipal Property Assessment Corporation (MPAC). This notification can occur when the “Final List of Changes” to the Voters’ List is sent to MPAC after the election (see the Final List of Changes section below). However, those changes affecting a ward and voting place designation, missing streets, buildings or subdivisions, should be forwarded to MPAC in time for inclusion in the September Exceptions files that MPAC provides. Notification to MPAC should be sent in an email to the municipality’s Municipal Relations Rep.

The Clerk may use any information that is in the municipality’s custody or control when correcting the PLE for obvious errors.

### **Certification of Voters’ List**

The corrected PLE becomes the Voters’ List once it is reproduced and identified with a “Voters’ List Cover Sheet” on or before September 1, 2022.

### **Requests for Copies of Voters’ List**

Upon written request, but not until September 1, the Clerk shall give every candidate a copy of the part of the Voters’ List that contains the names of the electors who are entitled to vote for that office. For example, if a candidate is running in Ward 2, they only receive the part of the Voters’ List pertaining to Ward 2, not the entire Voters’ List. Each candidate will be required to sign the “Declaration of Proper Use of the Voters’ List” Form.

### **Amendments to the Voters’ List**

#### **Application for Change of Own Name**

An elector may make an application to amend their information on the Voters’ List using the prescribed form “Application to Amend Voters’ List” and providing proof of identity and residence as prescribed in O. Reg. 304/13, between the 1st day of September, 2022 to the 24<sup>th</sup> day of October, 2022 during normal hours and on the 24<sup>th</sup> day of October until 8:00 p.m.

The “Voter – ID Requirements” Form may be posted at the Municipal Office. In addition, it may be included in information packages, posted on the municipal website, etc.

An elector can no longer remove a family member’s name from the Voters’ List, except in the case of a deceased person. See Removal of Deceased Person’s Name form.

If the elector does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

### **Removal of Deceased Person's Name**

The Clerk may remove a person's name from the Voters' List up to 8:00 p.m. on October 24, 2022 if the Clerk is satisfied the person has died.

A person may make an application requesting that a deceased person's name be removed from the Voters' List by using the form "Application for Removal of Deceased Person's Name from the Voters List" Form and providing proof of identity and residence as prescribed in O. Reg. 304/13, between the 1st day of September, 2022 to the 24<sup>th</sup> day of October, 2022 during normal hours and on the 24<sup>th</sup> day of October until 8:00 p.m.

### **Number of Electors to Determine Candidates' Expenses**

On, September 26<sup>th</sup>, 2022, determine the total number of electors on the 2018 Municipal Election Voters' List. This number will be necessary to calculate the "Estimated Maximum Campaign Expenses" Form and the total number of electors on the 2022 Voters' List will be needed to complete the "Certificate of Maximum Campaign Expenses" Form.

### **Interim List of Changes**

The Clerk shall, during the period beginning on September 15<sup>th</sup> and ending on September 26<sup>th</sup> in the year of a regular election, prepare an "Interim List of Changes" Form LC12 to the Voters' List. The Interim List of Changes shall be given to each person who received a copy of the Voters' List and to each certified candidate.

### **Final List of Changes**

The Clerk shall prepare the "Final List of Changes" Form WEL32 to the Voters' List by November 23, 2022. A certified copy of the Final List of Changes shall be sent to the MPAC together with a copy of the approved applications Form EL15.

For those who use a supplier to manage their Voters' List (ie. DataFix), the Final List of Changes shall be provided to MPAC by November 23, 2022 by the supplier upon the Clerk's authorization.

## **Candidate Campaigning and Campaign Advertising**

Campaigning, including campaign advertising, are permitted no earlier than the filing of Nomination Papers by the Candidate.

Candidate campaign advertising means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate. (Examples include, lawn signs, brochures, posters, print, radio and electronic ads, etc.)

All candidate campaign advertising shall identify the Candidate by name, as it appears on the Nomination Form.

All Candidates shall provide the following information to a broadcaster or publisher in writing:

- the name of the Candidate.
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the Candidate.

Information contained in/on all campaign material is the responsibility of the Candidate and any questions or concerns should be directed to the Candidate.

### **Communication with Candidates**

The primary method of communication between municipal staff and candidates will be email.

### **Municipally Owned Facilities**

Election campaigning or the distribution/posting of election campaign advertising at municipally-owned or leased facilities is not permitted.

The use of corporate resources is not permitted by Candidates for election purposes (ie. staff, electronic devices, supplies, candidate photos taken in/on municipal property, etc.).

Candidates are prohibited from offering electronic equipment to electors to vote (ex. cell phone, laptop).

Candidates are prohibited from verifying whether an elector appears on the Voters' List or not, to the elector or any other person. Questions should be directed to the Clerk.

### **Location of Election Signs**

Regulations regarding election signs are subject to compliance with the Region of Waterloo By-Law Number 10-030 and any amendments to the by-law.

The Township or any of its officers, employees or agents will not be responsible for damage to lawfully removed election signs. Complaints regarding vandalism to signs, posters or other campaign material should be referred to Waterloo Regional Police Service by the complainant.

### **Municipal Authority to Remove Advertisements**

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

## **Candidate Campaign Contributions**

### **Contributions to Registered Candidates**

A contribution shall not be made to or accepted by a person or an individual acting under the person's direction unless the person is a candidate.

A contribution made to or accepted by a candidate, or to an individual acting under the candidate's direction, shall only be made during the candidate's election campaign period.

Contributions shall only be made by the following:

- An individual who is normally resident in Ontario;
- The candidate and his or her spouse, subject to if the spouse of a candidate is not normally resident in Ontario, a candidate and his or her spouse may make contributions only to the candidate's election campaign.

The following shall not make a contribution:

- A federal political party registered under the Canada Elections Act or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario;
- The Crown in right of Canada or Ontario, a municipality or local board.

### **Acceptance of Contributions**

A contribution may be accepted only by a candidate or an individual acting under the direction of the candidate.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor's name and account with the payment or by money order signed by the contributor.

The listing of the phone number and email address and/or hyperlink to the candidate's website by the municipality or local board does not constitute a contribution to a candidate.

### **Maximum Contributions to Candidates**

A contributor shall not make contributions exceeding a total of:

- \$1,200 to any one candidate in an election;
- Except if a person is a candidate for more than one office a contributor's total contributions to that candidate in respect of all the offices shall not exceed \$1,200;

- \$5,000 to two or more candidates for office on the same council or local board;
- Except if the candidate is contributing to the candidates own election campaign, then the maximum contributions do not apply;
- Except if the contributor is the spouse of the candidate, then the maximum contributions do not apply.

The Clerk shall provide the “Contributions to Registered Candidates” form at the time of filing.

### **Fundraising for Candidates**

A fund-raising function shall not be held for a person who is not a candidate. Fund-raising functions may only be held during the campaign period.

### **What Constitutes a Contribution**

For the purposes of this Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the person’s direction, are contributions.

Contributions:

In addition to the statement above:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25 or less, the amount is not a contribution.
- If goods and services used in the person’s election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17 (Campaign Account Loans).

Not Contributions:

In addition to the statement above:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25 or less that is donated at a fund-raising function.
- The amount received for goods and services sold at a fund-raising function, if the amount is \$25 or less.
- The amount of a loan under section 88.17 (Campaign Account Loans).
- For a person referred to in 88.15 (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the Broadcasting Act (Canada), if,

- it is provided in accordance with that Act and the regulations and guidelines made under it, and
- it is provided equally to all candidates for office on the particular council or local board.

#### Value of Goods and Services

The value of goods and services provided as a contribution is,

- a) if the contributor is in the business of supplying these goods and services, the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time;
- b) if the contributor is not in the business of supplying these goods and services, the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.

#### **Restriction: Use of Own Money**

A contributor shall not make a contribution of money that does not belong to the contributor.

However, this does not apply to the personal representative of a deceased person whose will directs that a contribution be made to a named candidate or a registered third party, as the case may be, out of the funds of the estate.

#### **Campaign Account Loans**

A candidate and his or her spouse may obtain a loan only from a bank or other recognized lending institution in Ontario, to be paid directly into the candidate's campaign account. Only the candidate and his or her spouse may guarantee a loan.

#### **Candidate Campaign Expenses**

##### **What Constitutes an Expense**

Costs incurred for goods or services by or under the direction of a person wholly or partly for use in his or her election campaign are expenses.

Without restricting the generality of 88.19 (1), the following amounts are expenses:

- The replacement value of goods retained by the person from any previous election in the municipality and used in the current election.
- The value of contributions of goods and services.
- Audit and accounting fees.
- Interest on loans under section 88.17 (Campaign Account Loans).
- The cost of holding fund-raising functions.
- The cost of holding parties and making other expressions of appreciation after the close of voting.
- For a candidate, expenses relating to a recount or a proceeding under section 83 (Controverted Elections).
- Expenses relating to a compliance audit.



- Expenses that are incurred by a candidate with a disability, are directly related to the disability, and would not have been incurred but for the election to which the expenses relate.
- The cost of election campaign advertisements (within the meaning of section 88.3).

For greater certainty, the cost of holding fund-raising functions does not include costs related to,

- events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental; or
- promotional materials in which the soliciting of contributions is incidental.

### **Candidates' Expenses**

An expense shall not be incurred by or under the direction of a person unless he or she is a candidate.

#### *Only during campaign period*

An expense shall not be incurred by or under the direction of a candidate outside his or her election campaign period.

#### *Exception, auditor's report*

Despite 88.20 (2) (Only During Campaign Period), a candidate whose election campaign period ends as described in paragraph 2, 3 or 4 of subsection 88.24 (1) (Election Campaign Period for Candidates) may incur expenses related to the preparation of an auditor's report under section 88.25 (Candidates' Financial Statements, etc.) after the campaign period has ended.

For greater certainty, expenses, including audit and accounting fees, related to the preparation of an auditor's report after the campaign period has ended constitute campaign expenses.

#### *Who may incur expense?*

An expense may only be incurred by a candidate or an individual acting under the candidate's direction.

#### *Maximum amount*

During the period that begins on the day a Candidate is nominated and ends on Voting Day, his or her expenses shall not exceed an amount calculated in accordance with the prescribed formula.

A Candidate shall be provided with the maximum campaign expenses amount upon filing of his or her Nomination Papers (see Nominations section of this manual).

*Maximum amount for parties, etc., after voting day*

The expenses of a candidate that are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

The formula that is prescribed, must be written so that the amount calculated under it varies based on the maximum amount determined under 88.20 (6) (Maximum Amount) for the office for which the candidate is nominated.

### **Duties of Candidates**

The Clerk shall provide the “Duties of Candidates” form at the time of filing.

## **Third Party Advertising**

### **Third Party Advertiser**

A Third Party Advertiser means an individual who is normally a resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who’s Notice of Registration for Third Party Advertiser has been certified by the Clerk.

### **Eligibility for Registration**

Registration shall be restricted to the following persons and entities:

- An individual who is normally a resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.

The following persons and entities are deemed ineligible to register:

- A candidate whose nomination has been filed.
- A federal political party registered under the Canada Elections Act or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
- The Crown in right of Canada or Ontario, a municipality or local board.

A Candidate whose nomination has been filed shall not direct any third party advertisements.

### **Filing the Notice of Registration**

“Notice for Registration” form shall be filed with the Clerk from May 2, 2022 (first day for filing Nominations) to Friday, October 21, 2022 (the Friday before voting day) during regular office hours in the following manner:

- in person or by an agent
- no faxed or other electronically transmitted registration notices will be accepted – original signatures required
- with proof of identity as prescribed in O. Reg. 304/13, as amended

- with the declaration of qualification, signed by the individual or by a representative of the corporation or trade union
- a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf, if applicable

The Clerk shall administer the Declaration of Qualifications on the “Notice for Registration” form and the “Declaration of Qualifications – Third Party Advertiser” form oaths to the individual or to the representative of the corporation or trade union. The date and time of filing are to be filled in by the Clerk and initialed by the individual or by a representative of the corporation or trade union. The Clerk will then sign the Notice for Registration and Declaration of Qualifications.

### **Estimated Maximum Third Party Expenses**

The Clerk shall calculate the estimated maximum third party expenses for registered third parties on the “Estimated Maximum Third Party Expenses” Form and provide a copy to the individual filing the registration. The Clerk’s calculation is final.

### **Notice of Penalties**

The Clerk shall, at least 30 days before the filing date, provide a notice of the penalties on the “Notice of Penalties – Registered Third Parties” Form to every Registered Third Party that registered in the municipality.

### **Final Calculation of Third Party Expenses**

The Clerk shall, after determining from the number of eligible electors from the Voters’ List, calculate the maximum amount of third party expenses that each registered third party may incur and prepare a “Certificate of Maximum Third Party Expenses” Form. The certificate shall be given to each individual that filed a Notice of Registration for Third Party Advertising in the case of a regular election, on or before September 26, 2022; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4) or subparagraph 3 ii of subsection 65 (5).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters’ List from the previous regular election, as it existed on Nomination Day for the 2018 election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters’ List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day.

The Clerk’s calculation is final and shall be made in accordance with the prescribed formula in Ontario Regulation 101/97.

### **Certification of Notice of Registration**

The Clerk will do a review of each notice received to determine qualification and if the notice complies with the Municipal Elections Act, 1996. Once satisfied the third party is qualified, the Clerk will complete the “Certification by Clerk” section on the “Notice for Registration” form. If not satisfied the Clerk shall reject the notice. The Clerk’s decision is final.

### **Advertisements**

#### *Restricted Period and Expenses*

The Restricted Period for Third Party Advertisements begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party and ends at the close of voting on Voting Day.

Third Parties must do the following during the Restricted Period:

- file notice of registration and have it certified by the Clerk;
- once registered, advertise; and
- once registered, incur expenses related to the advertisement.

The expenses for these advertisements cannot exceed the amount calculated under Section 88.21 (registered third parties’ expenses).

#### *Mandatory Information in Advertisements*

All Third Party Advertisements shall contain the following information:

- the name of the registered third party
- the municipality where the registered third party is registered;
- a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

#### *Mandatory Information for Broadcaster, etc.*

All Registered Third Parties shall provide the following information to a broadcaster or publisher in writing:

- the name of the registered third party;
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party;
- the municipality where the registered third party is registered.

### **Municipal Authority to Remove Advertisements**

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates’ election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

### **List of Registered Third Parties**

A list of registered third parties shall be posted using the “Official List of Registered Third Parties” Form WEL05, as a minimum, on the website and may also include the phone number and email address provided by the registered third party in the notice of registration filed and, if applicable, a hyperlink to the website of the registered third party.

### **Duties of Registered Third Parties**

The Clerk shall provide the “Duties of Registered Third Parties” form at the time of filing.

### **Contributions to Registered Third Party**

#### **Contributions to Registered Third Parties**

A contribution shall not be made in relation to third party advertisements that appear during an election in a municipality unless they are a registered third party.

A contribution to a registered third party, or to an individual acting under his, her or its direction, shall only be made during the restriction period.

Contributions shall only be made by the following:

- An individual who is normally a resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.
- The registered third party and, in the case of an individual, his or her spouse, subject to if the spouse of a registered third party is not normally registered in Ontario, the spouse may make contributions only to the registered third party.

The following shall not make a contribution:

- A federal political party registered under the Canada Elections Act or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
- The Crown in right of Canada or Ontario, a municipality or local board.

### **Acceptance of Contributions**

A contribution may be accepted only by a registered third party or an individual acting under the direction of the registered third party.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor’s name and account with the payment or by money order signed by the contributor.

### **Maximum Contributions to Registered Third Parties**

A contributor shall not make contributions in relation to third party advertisements exceeding a total of:

- \$750 to a registered third party that appears during an election in a municipality;
- \$5,000 to two or more third parties registered in the same municipality;
- Except if the third party is contributing to itself, then the maximum contributions do not apply;
- Except if the contributor is the spouse of an individual that is a registered third party, then the maximum contributions do not apply.
- The Clerk shall provide the “Contributions to Registered Third Parties’ form at the time of filing.

### **Fund-Raising for Registered Third Parties**

Only registered third parties in the municipality may hold a fund-raising function relating to third party advertisements.

Fund-raising functions may only be held during the campaign period.

### **What Constitutes a Contribution?**

Money, goods and services given to and accepted by an individual, corporation or trade union in relation to third party advertisements, or given to and accepted by another person who is acting under the direction of the individual, corporation or trade union, are contributions.

Contributions:

In addition to the statement above:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25 or less, the amount is not a contribution.
- If goods and services used in the person’s election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17 (Campaign Account Loans).

Not Contributions:

In addition to the statement above:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25 or less that is donated at a fund-raising function.

- The amount received for goods and services sold at a fund-raising function, if the amount is \$25 or less.
- The amount of a loan under section 88.17 (Campaign Account Loans).
- For a person referred to in 88.15 (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the Broadcasting Act (Canada), if,
  - it is provided in accordance with that Act and the regulations and guidelines made under it, and
  - it is provided equally to all candidates for office on the particular council or local board.

#### Value of Goods and Services

The value of goods and services provided as a contribution is,

- a) if the contributor is in the business of supplying these goods and services, the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time;
- b) if the contributor is not in the business of supplying these goods and services, the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.

#### **Restriction: Use of Own Money**

A contributor shall not make a contribution of money that does not belong to the contributor.

However, this does not apply to the personal representative of a deceased person whose will directs that a contribution be made to a named candidate or a registered third party, as the case may be, out of the funds of the estate.

#### **Campaign Account Loans**

A registered third party and, in the case of an individual, his or her spouse, may obtain a loan in relation to third party advertisements only from a bank or other recognized lending institution in Ontario, to be paid directly into the campaign account. Only the registered third party and, in the case of an individual, his or her spouse may guarantee a loan.

#### **Expenses of a Registered Third Party**

##### **What Constitutes an Expense**

Costs incurred by or under the direction of an individual, corporation or trade union for goods or services for use wholly or partly in relation to third party advertisements that appear during an election in a municipality are expenses.

Without restricting the generality of 88.19 (2), the following amounts are expenses:

- The replacement value of goods retained by the individual, corporation or trade union from any previous election in the municipality and used in the current election.
- The value of contributions of goods and services.

- Audit and accounting fees.
- Interest on loans under section 88.17 (Campaign Account Loans).
- The cost of holding fund-raising functions.
- The cost of holding parties and making other expressions of appreciation after the close of voting.
- Expenses relating to a compliance audit.
- Expenses that are incurred by a registered third party who is an individual with a disability, are directly related to the disability, and would not have been incurred but for the election to which the expenses relate.
- The cost of third party advertisements (within the meaning of section 88.3).

For greater certainty, the cost of holding fund-raising functions does not include costs related to,

- events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental; or
- promotional materials in which the soliciting of contributions is incidental.

### **Registered Third Parties' Expenses**

An expense shall not be incurred by or under the direction of an individual, corporation or trade union in relation to third party advertisements that appear during an election in a municipality unless he, she or it is a registered third party in the municipality.

#### *Only during campaign period*

An expense shall not be incurred by or under the direction of a registered third party in relation to third party advertisements outside the campaign period for the registered third party in relation to the election in the municipality.

#### *Exception, auditor's report*

Despite subsection 88.21 (2) (Only During Campaign Period), a registered third party whose campaign period in relation to an election in a municipality ends as described in paragraph 2 or 3 of section 88.28 (Campaign Period for Registered Third Parties) may incur expenses related to the preparation of an auditor's report under section 88.29 (Financial Statements, etc., of Registered Third Parties) after the campaign period has ended.

For greater certainty, expenses, including audit and accounting fees, described above constitute third party expenses.

#### *Who may incur expense*

An expense may only be incurred by a registered third party or an individual acting under the direction of the registered third party.

#### *Maximum amount*

During the campaign period for third party advertisements, the expenses of a registered third party in relation to third party advertisements that appear during an election in a



municipality shall not exceed an amount calculated in accordance with the prescribed formula.

A Third Party shall be provided with the maximum third party expenses amount upon registering as a Third Party Advertiser (see Third Party Advertising section of this manual)

*Maximum amount for parties, etc., after voting day*

The expenses of a registered third party are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

The formula that is prescribed must be written so that the amount calculated under it varies based on the maximum amount determined under 88.21 (6) (Maximum Amount).

## **Scrutineers**

A candidate may appoint scrutineers to represent him or her during the voting and at the counting of the votes, including during a recount, if required. The appointment shall be made using the "Appointment of Scrutineer by Candidate" form. The forms to appoint scrutineers must be signed by the candidate in person at the Municipal Office. The candidate shall be asked for proof of identity. The candidate shall provide the signed form to their scrutineer.

Candidates are permitted to appoint one scrutineer. Candidates who enter the Help Centre are considered to be scrutineers and the number of scrutineers who may be present is reduced by one while the candidate is present in the voting place.

Each scrutineer or candidate upon arriving at the Help Centre must present to the Returning Officer a signed Appointment of Scrutineer by Candidate and take the Oath of Secrecy.

Scrutineers may:

- (a) Enter the Help Centre fifteen (15) minutes before it opens to inspect the papers, forms and documents relating to the vote (but not so as to delay the timely opening of the Help Centre);
- (b) Remain in a Help Centre when the vote is being taken or the results are being tallied;
- (c) Sign the statement of results;

Scrutineers MAY NOT:

- (a) Speak to voters or interfere with the voting process;
- (b) Wear or display any campaign literature, signs or material inside the voting place, e.g. buttons, flyers, etc.
- (c) Display any campaign literature, signs or material on the property of the voting place
- (d) Sit at or use chairs or tables provided for election officials.

Use of a cellular telephone shall NOT BE PERMITTED within the Help Centre by any candidate or scrutineer.

Any person failing to abide by the above shall be directed to leave the Help Centre or any other facility designated by the Clerk/Returning Officer.

## **Election Officials**

Candidates, their spouses and children are not eligible to be appointed as election officials in any capacity.

### **Municipal Clerk/Returning Officer (RO)**

The Clerk of the Township of Wellesley is responsible for preparing for and conducting the election and maintaining peace and order in connection with the election.

The Clerk may delegate to a Deputy Returning Officer or other election official any of the Clerk's power or duties in relation to the election as he or she considers necessary. The Clerk may continue to exercise the delegated powers and duties despite the delegation. The delegation shall be in writing, "Delegation of Powers and Duties of Clerk" Form.

The Returning Officer is required to complete and sign the "Oath of Returning Officer" form prior to May 1 of an election year.

All other election staff are required to complete and sign the "Appointment and Preliminary Oath or Affirmation for Election Officials" form.

### **Deputy Returning Officer (DRO)**

The Clerk appoints necessary staff within the Clerk's Office to be designated as Deputy Returning Officer to assist in preparing for and conducting the election. The Clerk delegates to them the power and duty to:

- a) Accept but not certify Nominations Papers
- b) Accept and certify Applications to Amend Voters' List
- c) Accept but not certify Applications for Removal of Another's Name from Voters' List
- d) Accept and certify Applications for Clerk's Certificate to Amend Voters' List
- e) Correct any obvious errors in the preliminary list of voters
- f) Prepare an interim list of changes to the Voters' List
- g) Establish the location of voting places
- h) Assist in the results tabulation process

The foregoing may be expanded to include such further and other duties and powers as the Clerk may from time to time delegate.

### **Election Assistant**

The Clerk appoints other Township staff members and temporary election staff as Election Assistants and delegates to them the responsibility to:

- a) Accept but not certify Applications to Amend Voters' List

- b) Provide general information to the public in regard to the 2022 Municipal Election
- c) Undertake such other duties as the Clerk may from time to time assign

## **Proxy Voting**

The Township has chosen to use the Internet and Telephone Voting method and proxy voting will not be utilized for this method.

## **Voting Procedure**

### **Authority**

On March 30, 2021, By-law No. 18A/2021 was passed authorizing internet and telephone voting.

### **Service Provider**

The service provider for Internet and Telephone voting, determined by the Clerk, is Scytl Canada Inc.

### **System Integrity**

The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:

- a) ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
- b) ensuring that no one except the Clerk, or designate, can access PINs maintained by Scytl Canada Inc. that match each voter's name and address; and
- c) providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day, October 24<sup>th</sup>, at 8:00 p.m.

### **System Testing**

The Clerk shall test the voting system on several occasions. The test(s) shall include, but not be limited to the following:

- a) checking the wording of the script;
- b) checking the Help Centre telephones and internet access;
- c) checking Script and input timing;
- d) attempting to use a PIN more than once;
- e) balancing a predetermined number of votes with those cast;
- f) matching PINs to names and addresses;
- g) checking the system which is used for activating PINs through the revision process; and deliberately entering the wrong information.

### **Secrecy**

Ensure that all Election Officials have taken the oath and been appointed as per the "Appointment and Preliminary Oath or Affirmation for Election Officials" form.

All complaints regarding any and/or all breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant and, if deemed

appropriate, the Clerk shall submit same to the Police for further investigation and possible prosecution.

### **Preparation of Voter Information Letters**

The Voters' List, being the compilation of the Preliminary List of Electors and Interim List of Changes, shall be provided to a service provider by September 15, 2022 in electronic format in order that the service provider may print the "Voter Information Letter".

Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all eligible voters no later than ten days prior to voting day to enable them to use the Telephone/Internet Voting service.

The Voter Information Letter will contain but not be limited to the following:

- a) the elector's PIN and the telephone number to call to cast his or her vote and the designated internet address (URL) to access to cast his or her vote using the Internet;
- b) instructions on how to vote;
- c) dates and hours of voting;
- d) the location and telephone number of the Help Centre;
- e) voter eligibility criteria;
- f) office and candidate information.

A person cannot give his/her Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provisions under the Municipal Elections Act, specifically Sections 89 and 90.

### **Voting Places**

For the purposes of elections conducted with alternative voting methods, a voting place is not required. Alternatively, the Township Administration Office has been identified as a Help Centre to assist electors with the voting process.

### **Revision Centre/Help Centre**

The Voters' List shall be available to Election Officials at the Revision Centre in electronic format to accommodate the voting process.

The Revision/Help Centre shall be established at 4639 Lobsinger Line, St. Clements, Ontario N0B 2M0.

The Revision Centre/Help Centre shall be responsible for the following:

- a) Eligible voters who attend at the Revision Centre and are not on the Voters' List will be added to the list by filling out an "Application to Amend Voters' List" Form and providing proof of identity and residence as prescribed in O. Reg. 304/13. Their names will be added to the Voters' List and they will be assigned and delivered a Voter Information Letter containing a PIN; however, for additions to

the List made after September 15, 2022, the Voter Information Letter containing a PIN will be provided to the individual.

- b) Eligible voters who attend at the Revision Centre will be able to request a replacement Voter Information Letter and PIN under certain circumstances:
- 1) where a person on the Voters' List has lost/not received his or her Voter Information Letter and the PIN has not been used, he or she can attend the Revision Centre and prove to the satisfaction of the authorized Election Official that they require a new PIN. The authorized Election Official will disable the elector's assigned PIN and electronically mark it in the system as having been lost/not received. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an oath on "Application for Re-Issue of a Voter Information Letter (Lost and Unused)" form shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued.
  - 2) where a person on the Voters' List has attempted to vote and their PIN has already been used, he or she can attend the Revision Centre and prove to the satisfaction of the authorized Election Official that they did not vote the PIN and require a new PIN.
  - 3) **Prior to issuing a new PIN**, the Election Official shall advise the elector that once the new PIN has been assigned, the elector must vote immediately at the Help Centre. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an "Application for Re-Issue of a Voter Information Letter (Used by an Impersonator)" form shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued. The elector will be directed immediately to the Help Centre where telephone/internet access is available to eliminate any further misuse of the PIN.
- c) Answering election questions, and referring detailed questions to the Returning Officer or authorized Election Official.

## Voting

Voting will commence on October 14, 2022 at 10:00 am through to October 24, 2022 at 8:00 pm.

During the Voting Period, the Help Centre will be open Monday to Friday, during office hours, with extended hours of 4:30p.m. to 6:00p.m. Tuesday, October 18, and Thursday, October 20, 2022. The Help Centre will also be open Saturday, October 22, 2022 from 10:00a.m. to 2:00 p.m. and on Voting Day between the hours of 8:30 a.m. and 8:00 p.m.

At 8:00 p.m. the doors of the Help Centre shall be locked and those in the Help Centre will be permitted to cast their ballot. Touch-tone telephones and internet access will be available. Any telephone provided at the Help Centre shall delete any display options on the telephone.

Prior to the activation of the system by Scytl Canada Inc., on October 14, 2022 (10:00 a.m.), Scytl Canada Inc. shall allow access by the Clerk to the voting system at the Township Administration Office between 8:20 a.m. and 8:29 a.m. by secure ID and password, for the purposes of ensuring that all candidates' names are listed and that no votes have been cast. The system will not be activated until confirmation that all the counts associated with each of the candidate(s) names indicate a "0" total.

Eligible electors may telephone a designated 1-800 number to cast their vote by using a cellular or land line, touch-tone telephone but not a rotary dial telephone. Should the elector be unable to access the system, the interactive response system will provide an error message requesting that the eligible elector obtain assistance from an Election Official.

Alternatively, eligible electors will be able to access a designated internet address and cast their vote(s).

Scytl Canada Inc. will make available online, a list to the Clerk and any other appropriate individuals of the Township of Wellesley of all corresponding names of individuals, by order of polling wards who have voted during the open voting period. The names of individuals who have voted will be indicated as voted. A list of electors who have voted during this period will be provided or made available to the candidates or their respective scrutineer through the Clerk's office. This list shall be provided by DataFix in 'real time' or as closely as possible to real time.

### **Electors Requiring Assistance**

The Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.

### **Oral Oath to Vote with Assistance**

A voter who requires such assistance to vote may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to Vote with Assistance on the "Oral Oaths at Help Centre" form and then assist and/or vote as directed by the voter. Any other person present must remove themselves until the voter finishes instructing the Election Official.

### **Oral Oath of Friend of Elector**

In lieu of the Election Official assisting a voter, the voter may request that a friend accompany them to vote. Any friend who is permitted to vote shall be required to take the Oral Oath of Friend of Elector on the "Oral Oaths at Help Centre" form. No person shall be allowed to act as a friend of more than one voter at a Help Centre.

### **Oral Oath of Interpreter**

Where the Election Official does not understand the language of a voter, an interpreter, provided by the voter, shall take the Oral Oath of Interpreter on the “Oral Oath at Help Centre” form, and shall translate the oaths as well as any lawful questions put to the voter.

### **Duplicate Voter Information Letters**

Duplication of names on the Preliminary List of Electors shall be investigated by the Clerk and/or Election Official(s) and all obvious duplicate names of individuals shall be deleted prior to the final preparation of the Voters’ List as certified by the Clerk.

However, should an eligible voter receive more than one Voter Information Letter, the eligible voter may only vote once and must return the other Voter Information Letter(s) to the municipal Help Centre and complete an “Application to Amend Voters’ list” Form to remove the duplicate name(s). All electors who vote more than once or who improperly use the Voter Information Letter shall be reported to the Police for further investigation as to possible corrupt practices under the Municipal Elections Act, 1996.

Voter Information Letters returned to the Help Centre shall have the PIN immediately disabled in the system so that the PIN cannot be used in the voting process. The opened Voter Information Letters will then be retained in a secure fashion and destroyed in the same manner as all other municipal election material as provided for under Section 88 of the Municipal Elections Act, 1996.

The Clerk and the Election Official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:

- a) that were sent to eligible voters;
- b) that were returned from the Post Office;
  - that were returned by an elector or other individual(s) either opened, or;
  - unopened but unused for voting purposes;
- c) that were set to a status that prevented them from being used to vote;
- d) that were re-issued to an eligible elector; and
- e) that were assigned by Election Officials to eligible electors that have completed “Application to Amend Voters’ List” form.

### **PIN Procedures**

#### *Problems Accessing the System*

Where an eligible voter has tried his/her PIN and has been unsuccessful in accessing the voting system, the Election Official will determine its status, and once verified:

- shall advise the voter that the PIN is valid and has not been used. The Election Official may suggest the voter try the PIN again using an alternate method (telephone vs. internet) or attend at the Help Centre to obtain assistance in voting.
- and they have determined that it has already been used, the voter can present themselves at the Revision Centre with proof of identity and residence as prescribed in O. Reg. 04/13 and have an Election Official confirm that the

elector's PIN has been used. If this is the case, follow the procedure outlined in the section titled, Revision/Help Centre, b) 2).

*Incorrect Information on Voter Information Letter*

Where an eligible voter has received an incorrect voter PIN in terms of ward and/or school support, the voter can contact the Revision Centre and have the proper category applied to the existing PIN. The voter can then re-access the system and vote all races not yet completed.

The elector will be required to provide appropriate confirmation of eligibility and to complete "Application to Amend Voters' List" form.

*Completing a Ballot later, Timeout and Lost Connections*

If a voter logs into the voting system and wishes to complete their ballot later they may exit the system. After no action for a set time, voters will receive a notice and shortly after the system will timeout and exit automatically.

If an elector exits the voting system or a connection is lost because of a timeout or any other reason, the ballot will not be cast and the elector may log in again with the same information to restart their vote. Previous selections will not be saved to ensure secrecy.

*New PIN(s)*

New PIN(s) shall not be given out over the telephone or by mail. The voter must attend the Revision Centre with proof of identify and residence as prescribed in O. Reg. 304/13 and complete the appropriate form.

## **Count Procedures**

The Clerk, at 8:00 p.m. on Voting Day, shall arrange for the close and deactivation of the Telephone/Internet Voting service at the Help Centre.

Notwithstanding the above, the Clerk shall keep the Help Centre access open until the Clerk of the municipality confirms that all eligible voters in the Help Centre at 8:00 p.m. have completed voting.

The Clerk will then conduct a test to confirm that no votes can be cast.

The Clerk and any others present (Candidates, or their scrutineer) shall sign the Vote Count Summary Report indicating the results and votes cast.

- a) Only the Clerk, Deputy Returning Officers, Officers, appointed Election Officials, certified Candidates (an acclaimed candidate or their scrutineer is NOT permitted) and authorized Scrutineers will be permitted to remain in the Help Centre.
- b) Before being admitted to the Help Centre, upon request by the Clerk or DRO, Candidates, Scrutineers and Election Officials shall be required to show proof of identity as prescribed in O. Reg. 304/13.



- c) Before being admitted to the Help Centre, a person appointed as a scrutineer shall also produce and show his/her “Appointment of Scrutineer by Candidate” form to the Clerk for the receiving of the voting results at the Help Centre and take the “Oral Oath of Secrecy” from the Clerk before being permitted to remain at the Help Centre.
- d) Entrance to the Help Centre will not be permitted after 8:00 p.m. on Voting Day and only Election Officials will be allowed to enter thereafter. Candidate’s and scrutineers are to arrive between 7:45 p.m. and 8:00 p.m. Once admitted to the Help Centre, no one shall be permitted to leave until the results are received and the Vote Count Summary Report has been signed by all in attendance.
- e) The candidate or scrutineer shall not communicate the results to anyone until the Clerk has released the unofficial results to the general public.
- f) ANYONE who is creating a disturbance at the Help Centre will be removed as directed by the Clerk.
- g) Cell phones and other equipment SHALL be turned off upon entering the Help Centre and their use is prohibited while at the Help Centre, except by Election Officials.
- h) No campaign material will be allowed on the Help Centre property.

## **Notice of Results**

The unofficial results of each candidate by category of wards and polling subdivisions, as applicable, shall be made available by the Clerk as soon as practical after 8:00 p.m. on Monday, October 24, 2022, Voting Day, at the Township Administration Office located at 4639 Lobsinger Line, St. Clements, Ontario N0B 2M0, and the Clerk shall post the same Unofficial Results on the municipality’s website. The Clerk shall forward the ‘unofficial’ results to the Region of Waterloo via email as soon as possible.

The Clerk shall send each school board’s unofficial election results to the respective Clerk handling the school board election via email as soon as possible after the close of voting on Voting Day.

### **Declaration**

As soon as possible after Voting Day, the Clerk shall declare the Official Results using the “Declaration of Election Results” form and post the results at the Municipal Office and on the municipal website.

Separately, the Clerk responsible for school board elections shall provide the respective school board results to each Clerk using the “Declaration of Election Results” form.

### **Information to Be Made Available**

As soon as possible after Voting Day, the clerk shall make the following information available at no charge for viewing by the public on a website or in another electronic format:

- 1) The number of votes for each candidate.
- 2) The number of votes for the affirmative or negative on a by-law or question.

## **Recount**

### **Manner in Which a Recount is Conducted**

A recount shall be conducted in the same manner as the original count, whether manually or by vote counting equipment, unless ordered otherwise by a judge as per Section 60 (3).

On April 26, 2022 By-Law 15/2022 regarding procedures in the manner in which a recount is conducted in the Municipal Election, outlines when a recount be automatically required pertaining to a close vote. A close vote is defined as being the difference between the number of votes separating a candidate who was not declared elected and a candidate who was declared elected which is less than the greater of,

- 1) 10 votes; or
- 2) 0.25 per cent of the total number of votes cast for that office (rounded up or down to the nearest whole number).

### *Recount in accordance with Policies*

The Clerk shall hold a recount in accordance with any policy adopted with respect to the circumstances in which the municipality or local board requires the Clerk to hold a recount of the votes cast in an election if the by-law or resolution is passed on or before May 1 in the year of an election.

### *Time for Recount*

The recount shall be held within 15 days after the Clerk's declaration of the results of the election or resolution or order to hold a recount is passed or made.

### **Who Conducts Recount**

The Clerk shall conduct all recounts for elections for which he or she is responsible except recounts conducted by the Superior Court of Justice upon appeal.

### **Votes for Candidates to Be Included in A Recount**

All votes for all candidates in the contested race, or answers to a question or by-law will be counted.

### **Persons Entitled to Be Present At Recount**

- the Clerk and any other election official appointed to assist with the recount;
- every certified candidate for the office involved;
- the applicant, if any, who applied for the recount;
- legal counsel for any of the above;

- one scrutineer for every certified candidate for the office involved and the applicant, who applied for the recount;
- where the recount applies to a by-law or question, the scrutineers as appointed by Council, a local/school board or the Minister;
- where scrutineers are appointed under Sections 61 (3) or (4), an equal number must be appointed to represent supporters and opponents of the by-law and for each possible answer to the question;
- any other person may be present with the Clerk's permission.

### **Notification of Recount Date, Time, Place**

The Clerk shall give notice of the recount date, time and place on "Notice of Recount" Form to the following:

- all certified candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local/school board which passed the resolution;
- the Minister when an order has been made;
- the applicant in the case of a court order;
- in the case of a recount concerning an office, by-law or question in respect of which electors of another municipality are entitled to vote, the Clerk who was responsible for the conduct of the vote in the other municipality;
- notice of recount will be given by registered mail or personal service.

•

### **Process at Recount**

The following votes will be included in a recount:

- the votes for Candidates who fall within the Township's Recount Policy,
- in a recount for a council, local board or minister request or a court order, the votes for Candidates named in the resolution or order, and
- votes for any other Candidate for the office whose vote total was, in the Clerk's opinion, close enough to be affected by the recount.

The Clerk will conduct a recount in the same manner as the original count unless ordered otherwise by a judge. In the case of a court ordered recount only, ScytI Canada Inc. shall provide any additional documentation or information ordered by the court to support the integrity, security, and accuracy of the voting system. Once started the recount will continue until complete, at which time the Clerk will announce the results in front of anyone authorized to attend the recount.

Upon completion of the recount, the Clerk shall announce the results of the recount and if there are any disputed ballots:

- announce the number of them;
- announce the results if the disputed ballots were excluded;
- mark the number of the Voting Place (subdivision number) on the back of each disputed ballot and initial it; and
- place the disputed ballots in a separate envelope clearly marked as to its contents and seal the envelope.

Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.

### **Continuing Tie Vote – After Recount Procedures**

Pursuant to Section 62 (3) in a case of a tied vote following the recount the Clerk shall determine the result as follows:

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a “hat”. The Clerk shall announce, prior to the draw, that “the candidate to be elected shall be the candidate whose name is written on the first piece of paper I draw out of the hat.” The paper is pulled from the hat and the candidate elected is announced.

### **Declaration by Clerk**

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, shall declare the successful candidate or candidates elected or will declare the result of the vote with respect to a by-law or a question.

The results of the recount shall be posted, at a minimum, in the Municipal Office and on the municipal website by noon, the day following the recount being completed using the “Declaration of Recount Results” form. The Clerk will inform everyone notified of the recount, of the results of the recount in writing.

Such Declaration shall be sent to everyone previously given notice of the recount.

### **Costs of Recount**

The costs incurred by the Clerk to conduct a recount are to be paid by the municipality, local board, upper-tier municipality or the Minister as soon as possible after the Clerk has signed a certificate verifying the amount. The municipality is to be reimbursed for its reasonable costs in the following situations:

- a regular election when the recount is for:
  - a. an office on a local board or an upper tier municipality
  - b. a by-law or question submitted by an upper-tier municipality; or
  - c. a question submitted by a local board or by the Minister
- a by-election for a local board or for an upper tier municipality; or for the Minister, or a recount in such a by-election

Any expenses incurred by a candidate will be the responsibility of the candidate (ie: legal counsel in attendance on behalf of the candidate).

### **Candidates Financial Statements**

All Candidates shall file with the Clerk, the “Financial Statement – Auditor’s Report” on or before 2:00 p.m. on March 31, 2023, reflecting the Candidate’s election campaign finances as of December 31 in the year of the election. The earliest the “Financial Statement – Auditor’s Report” can be filed is the first day the Municipal Office is open in January 2023.

### **Notice of Default**

A “Notice of Default” Form shall be given to the candidate by registered mail, and if the candidate was elected, to the relevant council or local board, in the event that a candidate has not submitted the “Financial Statement – Auditor’s Report” on or before 2:00 pm on March 31, 2023.

The Clerk shall make available to the public the name of the candidate and a description of the nature of the default.

For questions regarding campaign finances, the Clerk should direct the candidate to Sections 88.22 – 88.25, 88.30 – 88.32.

### **Extension of Campaign Period**

For further information, refer to the Municipal Elections Act, 1996.

### **Refund of Nomination Filing Fee**

A candidate is entitled to receive a refund of the nomination filing fee if he or she,

- files the Financial Statement and Auditor’s Report, each in the prescribed form, on or before 2:00 p.m. as of March 31, 2023.

## **Third Party Financial Statements**

All Registered Third Parties shall file with the Clerk, the “Financial Statement – Auditor’s Report” on or before 2:00 p.m. on March 31, 2023, reflecting the Registered Third Party’s campaign finances in relation to third party advertisements as of December 31 in the year of the election. The earliest the “Financial Statement – Auditor’s Report” can be filed is the first day the Municipal Office is open in January 2023.

### **Notice of Default**

A “Notice of Default – Registered Third Party” form shall be given to the registered third party by registered mail, has not submitted the “Financial Statement – Auditor’s Report” on or before 2:00 pm on March 31, 2023.

The Clerk shall make available to the public the name of the registered third party and a description of the nature of the default.

For questions regarding third party finances, the Clerk should direct the registered third party to Sections 88.26 – 88.29, 88.30 – 88.32.

### **Extension of Campaign Period**

For further information, refer to the Municipal Elections Act, 1996.

### **Refund of Nomination Filing Fee**

A candidate is entitled to receive a refund of the nomination filing fee if he or she,

- files the Financial Statement and Auditor’s Report, each in the prescribed form, on or before 2:00 p.m. as of March 31, 2023.

## **Compliance Audit Committee**

The Township of Wellesley will participate in the Waterloo Municipal Election Compliance Audit Committee (MECAC) whose role is to consider and make decisions on:

- applications for compliance audits of Candidates and Third Party Advertisers made by an elector who believes, on reasonable grounds, that campaign finance rules contravened; and
- reports submitted to MECAC by the Clerk.

## **Election Records**

### **Public Records**

Despite anything in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), documents and materials filed with or prepared by the Clerk or any other election official under the Municipal Elections Act, 1996 are public records, and until their destruction, may be inspected by any person at the Clerk's Office at a time when the office is open.

#### *Restrictions*

No person shall use information obtained from public records described above, except for election purposes.

#### *Access to the Voters' List*

The Voters' List shall not be posted in a public place and can be used only for election purposes.

Due to MFIPPA, details about another person, other than the person an Election Official is speaking with, should not be provided, including whether or not the individual is on the Voters' List.

### **Candidate's Election Records**

Use of online, electronic and paper versions of the Voters' List, Interim List of Changes to the Voters' List, Voter Participation Status reports and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be returned same to the Clerk for destruction with other election material.

### **Municipal Election Records**

#### *Destruction of Records*

After 120 days from declaring the results of the election under Section 55, the Clerk shall destroy the ballots in the presence of two witnesses. The Clerk may also destroy any other documents and materials related to the election except those listed below under the Retention of Records section of the manual.

### *Retention of Records*

The electronic ballots and any other documents or materials shall not be destroyed if:

- a court orders that they be retained; or
- a recount has been commenced and not finally disposed of.

In addition, documents filed under Sections 88.25 (candidates' financial statements, etc.), 88.29 (financial statements, etc. of registered third parties) and 88.32 (return of surplus for subsequent expenses) until the members of the council or local board elected at the next regular election have taken office.

## **Accessibility**

The Clerk is committed to conducting an election that accommodates, encourages participation, and inspires confidence of persons with a disability.

The Election Accessibility Plan supports full and equal access to electoral services for persons with disabilities and pro-actively addresses accessibility barriers for the 2022 Municipal Election. This plan will be monitored and improved or updated as best practices are identified and new opportunities for improvement arise to respond to feedback from the community.

### Legislative Requirements (s. 12.1, 45)

The Act requires the Clerk to:

- consider the needs of electors and candidates with disabilities;
- ensure that each voting place, which includes Election Help Centres, is accessible to electors with disabilities;
- prepare a plan for the identification, removal and prevention of barriers that affect voters and Candidates with disabilities and make the plan available to the public; and
- submit a report to council about the identification, removal and prevention of barriers that affect voters and Candidates with disabilities before Monday, January 23, 2023.

### **Input and Feedback**

The Clerk encourages input and feedback to further enhance election accessibility. If you feel you have identified a barrier, have a recommendation to improve accessibility for the upcoming election or any other election feedback, please contact us:

Email: [gkosch@wellesley.ca](mailto:gkosch@wellesley.ca)

Phone: 519-699-3946

## **Emergencies**

The Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act.

On declaring an emergency, the Clerk shall make such arrangements as he or she considers advisable for the conduct of the election.

The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended.

If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

It shall be the policy that in the event of an emergency, as determined by the Clerk, that the Clerk shall to the best of their ability provide notice of such emergency. All information pertaining to the emergency shall be communicated via the website and social media accounts, if possible.

In the event of an emergency, ScytI Canada Inc. will take direction from the Clerk as to what actions will be taken, shall stop the ScytI Canada Inc. from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.

## **Corrupt Practices**

No person shall, directly or indirectly:

- offer, give, lend, or promise or agree to give or lend any valuable consideration, in connection with the exercise or the non-exercise of an electors vote;
- advance, pay or caused to be paid money intending that it be used to commit an offence referred to in the bullet above, or knowing that it will be used to repay money used in that way;
- give, procure or promise or agree to procure an office or employment in connection with the exercise or non-exercise of an elector's vote;
- apply for, accept or agree to accept any valuable consideration or office or employment in connection with the exercise or non-exercise of elector's vote;
- give, procure or promise or agree to procure an office or employment to induce a person to become a candidate, refrain from becoming a candidate or withdraw his or her candidacy;
- offer, give, lend, or promise or agree to give or lend any valuable consideration in order to induce a person to become a candidate, refrain from becoming a candidate or withdraw his or her candidacy.

## **Reporting Corrupt Practices**

All valid complaints or knowledge of an offence shall be reported immediately to the Police for investigation of corrupt practices.

In addition, although many provisions of the Municipal Elections Act also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably



with the alternative forms of voting since the principles of the Act must be maintained and is therefore enforceable and subject to penalties.

As such, the Clerk has agreed to the following:

- that all complaints about actions which may contravene the provisions of the Municipal Elections Act, either verbally or written, will be reviewed by the Clerk and, if viewed by the Clerk to be valid and not frivolous, will be reported to the Police.
- the most senior officer of the Police will be advised that all such valid complaints will be turned over to his/her office for further investigation.

### **Offences**

A person is guilty of an offence if he or she:

- votes without being entitled to do so;
- votes more times than this Act allows;
- votes in a Voting Place in which he or she is not entitled to vote;
- induces or procures a person to vote when that person is not entitled to do so;
- before or during an election, publishes a false statement of a candidate's withdrawal;
- furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- without authority, supplies a PIN/ballot to anyone;
- no person(s) shall solicit a Voter Information Letter, containing a PIN, from an eligible elector;
- a person who contravenes any provision of the Act or a regulation under the Act or a by-law passed by a municipality under the Act;
- attempts to do something described above.

The following are guilty of an offence that constitutes a corrupt practice:

- A Deputy Returning Officer or other Election Official who knowingly miscounts the votes or knowingly prepares a false statement of the votes;
- A Clerk or other Election Official who willfully fails to perform a duty imposed by the Act.

### **Penalties**

#### *Elector*

An offence described above under Corrupt Practices [Section 90 (3)] constitutes a corrupt practice and a person who commits it is, on conviction, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in the Act.

#### *Candidate*

If a person is convicted of a corrupt practice under the Act, or of an offence under the Criminal Code (Canada) in connection with an act or omission that relates to an election to which the Act applies, then, in addition to any other penalty provided for in the Act:

- a) any office to which the person was elected is forfeited and becomes vacant; and
- b) the person is ineligible to be nominated for or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.

However, if the presiding judge finds that the person committed the corrupt practice or offence under the Criminal Code (Canada) without any intent of causing or contributing to a false outcome of the election, clause b) does not apply.

#### *Individual*

An individual who is convicted of an offence is liable to the following penalties in addition to any other penalty provided for:

- for any offence, a fine not more than \$25,000;
- for any offence other than a corrupt practice, the penalties described in Subsection 88.23 (2) – Effect of Default by Candidate and 88.27 (1) – Effect of Default by Registered Third Party.
- for an offence under Section 90 (Corrupt Practices: Certain Offences Committed Knowingly), imprisonment for a term of not more than 6 (six) months;
- for any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than 6 (six) months.

#### *Trade Unions*

A corporation or trade union that is convicted of an offence is liable to a fine of not more than \$50,000 in addition to any other penalty provided for.

### **Mail Tampering - Criminal Offence and Prosecution**

Notification of the voting process and how electors can vote will be provided in the Voter Information Letter to electors by first class mail.

The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Clerk has agreed that all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, either verbally or written will be reported to the Police.

**Procedures Subject to Change**

These procedures are subject to change by the Clerk for any reason including clarification or interpretation and changes to the Act or regulations or forms.

The Clerk will summarize changes to these procedures below, post updated procedures online and email all Candidates and Third party Advertisers.

**List of Changes – (this chart will be updated as updates occur)**

Subject Area	Nature of the Change	Date

## ELECTION FORMS

<b>FORM NO.</b>	<b>DESCRIPTION</b>
Form1*	Nomination Paper
Form 2*	Endorsement of Nomination
Form 4*	Financial Statement - Auditor's Report
Form 5*	Financial Statement – Subsequent Expenses
Form 6*	Notice of Extension of Campaign Period
Form 7*	Notice of Registration - Third Party Advertising
Form 8*	Financial Statement – Auditor's Report Third Party
Form 9*	Declaration of Identity
WEL10	Consent To Release Personal Information
WEL11	Declaration Of Qualifications - Municipal Candidates
WEL12	Estimated Maximum Campaign Expenses
WEL13	Official List of Certified Candidates
WEL14	Notice Of Rejection of Nomination
WEL15	Declaration Of Acclamation to Office
WEL16	Declaration Of Acclamation to Office - Additional Nominations
WEL17	Withdrawal Of Nomination
WEL18	Voters' List Cover Sheet
WEL19	Declaration Of Proper Use of The Voters' List
WEL20	Application To Amend Voters' List
WEL21	Application For Re-Issue of a Voter Information Letter (Lost Or Unused)
WEL22	Declaration Of Qualifications - Third Party Advertiser
WEL23	Official List of Registered Third Parties
WEL24**	Certificate of Maximum Campaign Expenses
WEL25	Notice To Registered Third Party of Filing Requirements
WEL26	Activation of ScytI Canada Inc. Voting System
WEL27	Oral Oaths at Help Centre
WEL28	Oral Oath of Secrecy
WEL29	Appointment Of Scrutineer by Candidate

<b>FORM NO.</b>	<b>DESCRIPTION</b>
WEL30	Declaration Of Election Results
WEL31	Notice Of Recount
WEL32	Final List of Changes

\* Indicates a provincial form available online or from the Clerk's Office.

\*\* Form WEL24 will be prepared on or before September 26, 2022.

## Consent to Release Personal Information

*(Municipal Freedom of Information and Protection of Privacy Act)*

---

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of the 2022 Municipal Election. Questions regarding this collection should be forwarded to the Clerk, 4639 Lobsinger Line, St. Clements, Ontario N0B 2M0, 519-699-3946.

---

Name of Candidate: \_\_\_\_\_

Candidate for the office of:

- Mayor
- Councillor, Ward 1.
- Councillor, Ward 2.
- Councillor, Ward 3.
- Councillor, Ward 4.

I acknowledge that the Nomination Form filed by me contains personal information and I am aware that the Clerk will disclose all or part of it to the general public.

\_\_\_\_\_  
Candidate Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

**Declaration of Qualifications**  
**Municipal Candidates**  
*Municipal Elections Act, 1996*

---

I, \_\_\_\_\_, a nominated candidate for the office of:

- Mayor
- Councillor, Ward \_\_\_\_\_

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* and the *Municipal Act, 2001* to be elected to and to hold the office of:
  - Mayor
  - Councillor, Ward \_\_\_\_\_
2. Without limiting the generality of paragraph 1, I am at least eighteen (18) years of age, a Canadian citizen, a resident of the Township of Wellesley or the owner or tenant of land in the Township of Wellesley or the spouse of such owner or tenant.
3. I am not ineligible, disqualified or prohibited under the *Municipal Elections Act, 1996*, the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* or any other *Act* to be elected to or hold the above-mentioned office.
4. Without limiting the generality of paragraph 3,
  - I am not an employee of the Township of Wellesley, or if I am an employee of the Township of Wellesley, I am on an unpaid leave of absence as provided for by section 30 of the *Municipal Elections Act, 1996*.
  - I am not a judge of any court.
  - I am not a member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the Township of Wellesley prior to 2:00 p.m. on Nomination Day, July 27, 2022. I understand that the Clerk of the Township of Wellesley will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.
  - I am not a public servant within the meaning of the *Public Service of Ontario Act, 2006*, or if I am a public servant, I have followed and will continue to

follow all the relevant provisions of Part V of such *Act*.

- I am not a Federal employee within the meaning of the *Public Service Employment Act*, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of Part 5 of such *Act*.
5. I am not prohibited from voting at the municipal election under section 17 (3) of the *Municipal Elections Act, 1996*.
- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
  - I am not a corporation.
  - I am not a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
  - I am not prohibited because of a conviction of a corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which I was convicted
6. I am not a person who was convicted of a corrupt practice under the *Municipal Elections Act, 1996* or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to an election to which this Act applies and I am not a person who is ineligible to be nominated for, any office until the next two regular elections have taken place after the election to which the offence relates (Section 91 (1)).
7. I am not ineligible from being elected to or holding office by reason of any violations of the election campaign financial requirements, violations for not filing the financial statement or any other violations pursuant to the *Municipal Elections Act, 1996*. (Section 88.23)

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Township of Wellesley

This \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
(Signature of Candidate)



## Estimated Maximum Campaign Expenses

*Municipal Elections Act, 1996 [s. 33.0.1(1)]*

In accordance with sections 33.0.1 and 88.21 (15) of the Municipal Elections Act, 1996, as amended, (the Act), the following is a calculation of the applicable preliminary maximum amount of expenses for each office.

Please note that, in accordance with sections 88.9.1 (4), 88.20 (13) and 88.21 (14) of the Act, a further calculation will be provided on or before September 26, 2022. The higher amount of both calculations will apply.

Office	Preliminary Maximum Campaign Expenses	Maximum Contributions to Candidates Own Campaign
Mayor	<b>\$14,210.75</b>	<b>\$9,079.00</b>
Ward 1 Councillor	<b>\$6,091.40</b>	<b>\$5,256.80</b>
Ward 2 Councillor	<b>\$6,352.35</b>	<b>\$5,318.20</b>
Ward 3 Councillor	<b>\$7,456.95</b>	<b>\$5,577.40</b>
Ward 4 Councillor	<b>\$6,813.05</b>	<b>\$5,426.60</b>
Third Party Advertiser	<b>\$5,394.75</b>	N/A

Grace Kosch, Clerk

**Official List of Certified Candidates**  
*Municipal Elections Act, 1996 [Section 33 (5) to 37]*

**NOTICE** is hereby given to the Municipal Electors that during the period commencing May 2<sup>nd</sup>, 2022 and completed on Nomination Day, August 19<sup>th</sup>, 2022, the following persons filed all necessary papers, endorsement of nominations, declarations and fees and as Clerk, I am satisfied that such persons are qualified and that their Nomination satisfies the requirements of the *Municipal Elections Act, 1996*. I have, therefore, certified such candidates for the office which follows their respective name:

NAME OF CANDIDATE	OFFICE	QUALIFYING ADDRESS

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

## Notice of Rejection of Nomination

*Municipal Elections Act, 1996 [s. 35 (3), (4), (5)]*

---

_____ / _____ (Name of Candidate) (Office)
_____ _____ (Address) (Postal Code)

**TAKE NOTICE** that the nomination you filed has been examined and has been rejected for the following reasons:

<input type="checkbox"/> I am not “ <i>satisfied</i> ” that you are a “ <i>person qualified to be nominated</i> ” as required by the <i>Municipal Elections Act, 1996</i> or by the relevant legislation which sets out qualification for the office for which you filed your nomination.
---

OR

<input type="checkbox"/> I am not “ <i>satisfied</i> ” that your “ <i>nomination complies with</i> ” the requirements of the <i>Municipal Elections Act, 1996</i> .
---

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

## Declaration of Acclamation to Office

*Municipal Elections Act, 1996 [s. 37(1)]*

---

I hereby declare the certified candidates listed below to be acclaimed to the office that follows their respective names pursuant to Section 37 of the *Municipal Elections Act, 1996*:

NAME OF CERTIFIED CANDIDATE	OFFICE	QUALIFYING ADDRESS

\_\_\_\_\_ Date

\_\_\_\_\_ Municipal Clerk or designate

**Declaration of Acclamation to Office**

**Additional Nominations**

*Municipal Elections Act, 1996 [s. 37 (2)]*

---

I hereby declare the certified candidates listed below to be acclaimed to the office that follows their respective names pursuant to Section 37 of the *Municipal Elections Act, 1996*:

<b>NAME OF CERTIFIED CANDIDATE</b>	<b>OFFICE</b>	<b>QUALIFYING ADDRESS</b>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

**Withdrawal of Nomination**

*Municipal Elections Act, 1996 (s. 36)*

---

I, \_\_\_\_\_, hereby withdraw my name as a candidate  
(Name of Candidate)

for the office of \_\_\_\_\_.  
(Name of Elected Office)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

-----

This withdrawal delivered to me at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2022.  
(time)

\_\_\_\_\_  
Municipal Clerk or designate

---

## Voters' List Cover Sheet

---

**FOR THE YEAR  
2022**

This Voters' List was prepared in accordance with Section 23 of the *Municipal Elections Act, 1996*, S.O. 1996, C.32, as amended. In accordance with Section 88 (11), the Voters' List shall not be posted in a public place or made available to the public in any other manner.

Electors should ensure that their names and relevant information are correctly shown on the Voters' List.

A person may make an application to the Clerk requesting that their name be added to or removed from the Voters' List or that information on the Voters' List relating to them be amended by completing and filing the prescribed form available at the Office of the Clerk during regular office hours between September 1 to October 23, 2022 and to the close of voting on October 24, 2022. The application shall be in writing and shall be filed in person, or by mail, email or fax by the applicant or his/her agent. Proof of identity and residence as prescribed in *O. Reg. 304/13* will be required of the applicant. If the applicant does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

**NO PERSON SHALL USE ANY INFORMATION OBTAINED FROM THE VOTERS'  
LIST EXCEPT FOR ELECTION PURPOSES**

**Grace Kosch  
Returning Officer  
TOWNSHIP OF WELLESLEY**

## Declaration of Proper Use of the Voters' List

*Municipal Elections Act, 1996 [s. 23 (3), (4) and (5)]*

---

I, \_\_\_\_\_, being a:  
(Name)

Candidate for the office of \_\_\_\_\_

OR

a person entitled to a copy of the Voters' List pursuant to section 23 (3) of the *Municipal Elections Act*, namely

\_\_\_\_\_

hereby request the Clerk to provide me with the following information when it becomes available:

a copy of the Voters' List;  Hard Copy  Memory Stick

a copy of the Revisions made to the Voters' List after the preparation of the Interim List of Changes between September 15 to 26, 2022.

**I, the undersigned, do hereby agree to use the Voters' List for election purposes only and I understand that I am prohibited by the *Municipal Elections Act* from using the Voters' List for commercial purposes.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate



## Application to Amend Voters' List

*Municipal Elections Act, 1996 (s.17, s.24)*

- Check only one  **add** applicant's name to list  
 **correct** applicant's information on list  
 **delete** applicant's name from list ( moved  other)

<b>Name of applicant</b>	date of birth	year	month	day
last	First	middle		

<b>Qualifying address on voting day</b>	<input type="checkbox"/> commercial property	<b>At qualifying address, applicant is:</b>		
		<input type="checkbox"/> owner <i>since</i> _____ <input type="checkbox"/> tenant <i>since</i> _____ <input type="checkbox"/> other <i>since</i> _____ <div style="text-align: right; margin-right: 20px;">date</div> <input type="checkbox"/> spouse _____ <input type="checkbox"/> unqualified(delete name only)		
street number & name	apt. #	roll number	ward number	voting subdiv.
city	postal code	(if house apartment, indicate floor level e.g. basement, 1 <sup>st</sup> floor etc.)		

<b>Previous qualifying address (if applicable)</b>	<b>At qualifying address, applicant is:</b>			
	<input type="checkbox"/> owner <input type="checkbox"/> tenant <input type="checkbox"/> other <input type="checkbox"/> spouse			
street number & name	apt. #	roll number	ward number	voting subdiv.
city	postal code	(if house apartment, indicate floor level e.g. basement, 1 <sup>st</sup> floor etc.)		

<b>Current mailing address of applicant (if different than Qualifying address above)</b>	<b>At mailing address, applicant is:</b>		
	<input type="checkbox"/> owner <input type="checkbox"/> tenant <input type="checkbox"/> other <input type="checkbox"/> spouse		
street number & name	apt. /unit #	city	postal code

**School Support**

Applicant is Roman Catholic (includes Greek & Ukrainian Catholics)

Applicant has French Language Education Rights

**Applicant wishes to be an elector for the following school board**

English-Public (anyone can support English-public)

English-Separate (must be Roman Catholic)

French-Public (must have French Language Education Rights)

French-Separate (must be roman Catholic & have French Language Education Rights)

I, the undersigned, hereby declare that I am a Canadian citizen, that I have attained the age of eighteen (18) on or before Voting Day, and that on Voting Day, I am entitled to be an elector in accordance with the facts or information submitted on this form, and that I understand the effect thereof. I hereby apply to have my name corrected on the Voters' List in accordance with such facts or information.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

This information is collected under authority of s.17, s.24 and s.25 of the *Municipal elections Act* and s.15 and s.16 of the *Assessment Act* and will be used to determine voter eligibility.

<p><b>Certificate of Approval</b> (to be completed by Clerk or designate)</p> <p><input type="checkbox"/> Approved</p> <p>I hereby certify that the Voter's List for said voting subdivision in this municipality shall be amended in accordance with the statement of facts or information contained herein.</p> <p>_____ Signature of Clerk or delegate</p> <p>_____ Date</p>	<p><input type="checkbox"/> Refused (state reason)</p> <p>_____</p> <p>_____</p> <p>_____</p>
---	---

**INSTRUCTIONS TO COMPLETE**  
**Application to Amend Voters' List – Form EL15**

**Please check only ONE box to indicate the purpose of the form:**

**ADD** applicant's name to list,  
**CORRECT** applicant's name on list, or  
**DELETE** applicant's name from list (moved, other)

**Ensure the Applicant Completes the Following Information:**

- Full name (last, first, middle)
- Date of birth (year, month, day)
- Indicate if it is a commercial property (check box if yes)
- Qualifying address on voting day (**including apt # if applicable**)
  - this is the property address where the person wants to be added on the voters' list
- Previous qualifying address (if the person has moved in the past 4 years)
- ensures their name was removed from their previous property
- Indicate if applicant is occupying **only a portion of a house** (i.e.: basement apartment, 2nd floor, rear apartment etc.)
  - these properties tend to have multiple units / households
- Current mailing address of applicant (if different from the qualifying address)
- Indicate whether the applicant is an owner, tenant, spouse of an owner / tenant, other (i.e.: child) or the name is unqualified (for removal of a name)
- Ward number, voting subdivision (i.e.: polling station)
- School support & school board
- Sign & date the form

**School Support:**

A person **must be** Roman Catholic to support the Separate School Board

- Includes Greek and Ukrainian Catholics

A person **must have** French Language Education Rights to support a French School Board

If a person does not indicate they are Roman Catholic or have French Language Education rights **the only school board they can support is English-Public.**

**Important Reminders:**

All addresses for apartments need the unit number or apartment location (i.e.: basement, upper, rear, 2nd floor etc.) or the name cannot be added to the property.

All forms must be signed and dated by the applicant.

**Items to be completed by Municipal Staff:**

**Roll Number:**

The roll number **must** be included on every EL15 form submitted to MPAC.

A roll number is a unique identifier of a property / unit. It consists of 19 digits and should look like 1234-567-890-1234-0000.

- the first 4 digits are the municipality;
- the next 10 digits describe the location of the property and;
- the last 4 digits indicate the unit on the property (i.e. an apartment unit will be something other than '0000').

**THE FINAL STEP PRIOR TO SUBMITTING FORM TO MPAC:**

Please ensure all forms are signed and dated by the applicant.

CERTIFICATE OF APPROVAL (to be completed by Clerk or designate)

Please check APPROVED or REFUSED

Sign and date the form.

## Application for Re-Issue of a Voter Information Letter

Surname:	Given Name(s):	
Qualifying Address:	City:	Postal Code:
Mailing Address (if different):		

I, the above-named individual, having provided proof of identity and residence as prescribed in O. Reg. 304/13, to the Election Official, do hereby make the following declaration:

1. That I am an eligible elector for the municipality and that I am on the Voters' List or have made an application to be included on the Voters' List;
2. That I have not voted or have not personally used the voting credentials or provided them to another person for voting purposes.
3. That I:
  - have **not received** a Voter Information Letter by mail from the Township.
  - have **lost or misplaced** the Voter Information Letter provided by the Township.
  - am **unable to vote** because my voter credentials have been used by an imposter and I understand and agree that should a new Voter Information Letter be issued to me, as a condition of re-issuing the letter, I will be required to vote immediately at the Election Help Center and:
    - I currently have no knowledge of who has used my Voter Information Letter but if I obtain additional information as to who has used my Voter Information Letter I will provide such knowledge to the police for further investigation and prosecution, or
    - I have personal knowledge of who has used my Voter Information Letter and will provide such knowledge to the police for further investigation and prosecution.
4. That I understand that should the Voter Information Letter be received by mail or found, I shall immediately return the letter to an Election Official of the Township and I shall not attempt to use or give the letter to another person for voting purposes.

I, \_\_\_\_\_, solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act and I further understand that making a false statement is an offence subject to prosecution and penalties under the Municipal Elections Act, 1996.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Election Official

Personal information on the Nomination Paper is collected under the authority of the Municipal Elections Act and will be used to assist the Clerk in the administration of the 2022 Municipal Election. Questions regarding this collection should be forwarded to the Clerk, 4639 Lobsinger Line, St. Clements, Ontario N0B 2M0, 519-699-3946.

**Election Official Use Only**

**Procedure:**

1. Deactivate the Voter's Personal Identification Number (PIN) or verify that it has already been used.
2. Issue a new Voter Information Letter and activate the new PIN

I, an Election Official for the Township of Wellesley, hereby acknowledge that I have provided a **new** Voter Information Letter to the applicant and have followed the procedures identified above.

\_\_\_\_\_  
Signature of Election Official

\_\_\_\_\_  
Date

I, the above-named individual, hereby acknowledge receipt of a new Voter Information Letter provided by the Election Official.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Declaration of Qualifications**  
**Third Party Advertiser**  
*Municipal Elections Act, 1996 (Section 88.6)*

---

I, \_\_\_\_\_, am:  
(individual or corporation or trade union name)

- An individual who is normally resident in Ontario
- A corporation that carries on business in Ontario
- A trade union that holds bargaining rights for employees in Ontario

I, \_\_\_\_\_, am:  
(person or agents name)

- A person
- An agent

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* to file a notice of registration to be a registered third party advertiser for the election.
2. I am not:
  - A Candidate whose nomination has been filed.
  - A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
  - A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
3. I am not under the direction of a Candidate whose nomination has been filed.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Township of Wellesley.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of individual or representative  
designate  
of the corporation or trade union

\_\_\_\_\_  
Signature of Municipal Clerk or

**Note:** Each individual or representative of the corporation or trade union may be asked for ID and each person or agent filing on behalf of a corporation or trade union may be requested to provide a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf.

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the registration of third party advertisers for the municipal election and will be available for public inspection in the office of the Clerk, of the Township of Wellesley until the next municipal election. Questions about this collection of personal information should be directed to Grace Kosch, Clerk.

**Official List of Registered Third Parties**

*Municipal Elections Act, 1996 [Section 88.12 (9) and (10)]*

---

**NOTICE** is hereby given that during the period commencing May 2<sup>nd</sup>, 2022 and ending on October 21<sup>st</sup>, 2022, the following third parties have filed all the necessary papers and declarations and as Clerk, I am satisfied that such third parties are qualified and that their Notice complies with the requirements of the *Municipal Elections Act, 1996*. I have, therefore, certified the following third parties:

NAME OF THIRD PARTY	CONTACT PERSON	EMAIL ADDRESS	PHONE NUMBER

\_\_\_\_\_ Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate



## Notice to Registered Third Party of Filing Requirements

*Municipal Elections Act, 1996 (Section 88.29)*

---

_____ / _____	
Name of Individual, Corporation or Trade Union registration	Name of Individual who filed
_____	
Address	Postal Code

The Clerk or designated election official of
_____
Township of Wellesley

TAKE NOTICE EVERY REGISTERED THIRD PARTY SHALL FILE the “Financial Statement – Auditor’s Report” on or before 2:00 pm on **March 31, 2023**, with the Clerk, a financial statement and auditor's report in accordance with section 88.29 of the *Municipal Elections Act, 1996* reflecting the Registered Third Party’s campaign finances in relation to third party advertisements as of December 31 in the year of the election.

- (1) *On or before 2 p.m. on the filing date, a registered third party shall file with the clerk of the municipality in which he, she or it registered a financial statement and auditor’s report, each in the prescribed form, reflecting the registered third party’s campaign finances in relation to third party advertisements,*
  - (a) *in the case of a regular election, as of December 31 in the year of the election;*
  - and
  - (b) *in the case of a by-election, as of the 45<sup>th</sup> day after voting day.*

*Note: The earliest the “Financial Statement – Auditor’s Report” can be filed is the first day the Municipal Office is open in January 2023.*

- (2) *If an error is identified in a filed financial statement, the registered third party may withdraw the statement and, at the same time, file a corrected financial statement and auditor’s report on or before the applicable filing date under section 88.30.*
- (3) *If the campaign period for the registered third party in relation to an election in the municipality continues during all or part of the supplementary reporting period, the registered third party shall, before 2 p.m. on the supplementary filing date, file a supplementary financial statement and auditor’s report for the supplementary reporting period.*

- (4) *A supplementary financial statement or auditor's report shall include all the information contained in the initial statement or report filed under subsection (1), updated to reflect the changes to the registered third party's campaign finances during the supplementary reporting period.*
- (5) *An auditor's report shall be prepared by an auditor licensed under the Public Accounting Act, 2004.*
- (6) *No auditor's report is required if the total contributions received and total expenses incurred in the registered third party's campaign in relation to third party advertisements during an election in the municipality up to the end of the relevant period are each equal to or less than \$10,000.*
- (10) *If the documents required to be filed under this section are not filed by 2 p.m. on the day that is 30 days after the applicable day for filing the documents, the clerk shall accept the documents only for the purpose of making the documents available under subsection 88 (9.1).*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

## Activation of Scytl Canada Inc. Voting System

---

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

I, Grace Kosch, do certify that:

1. On the date above, I conducted logic and accuracy testing of the internet and telephone voting system supplied by Scytl Canada Inc. for the 2022 Municipal Election; and
2. The test showed that all Candidates' names are listed, that no votes have been cast and the voting system has otherwise achieved an errorless test.

\_\_\_\_\_  
Signature of Municipal Clerk or designate

The following candidates and scrutineers were present during the logic and accuracy testing of the voting system and, by signing opposite their name, attest that the system was functioning as certified by the Clerk:

Candidate or Scrutineer	Signature

---

## Oral Oaths at Help Centre

---

### ORAL OATH TO VOTE WITH ASSISTANCE

I, (name), being an elector entitled to vote in the Township of Wellesley, swear or solemnly affirm I require assistance to mark my ballot.

---

### ORAL OATH OF FRIEND OF ELECTOR

I, (name of friend), a friend of (name of elector), an elector who requires assistance to vote and who is entitled to vote in the Township of Wellesley, swear and solemnly affirm:

- that I will mark the ballot as directed by the elector, and
  - that I will keep secret the manner in which this elector voted.
- 

### ORAL OATH OF INTERPRETER

I, (name of interpreter), acting as interpreter for (name of elector), an elector entitled to vote in the Township of Wellesley, swear or solemnly affirm:

- that I will faithfully translate the necessary oaths as well as any lawful questions necessarily
  - put to the elector and his/her answers at this voting place.
-

## Oral Oath of Secrecy

I, \_\_\_\_\_ (*state name*) \_\_\_\_\_, do solemnly swear (or affirm):

- I will maintain and aid in maintaining the secrecy of the voting; and
- I will not interfere or attempt to interfere with an elector who is voting;
- I will not obtain or attempt to obtain, at a Help Centre, information about how an elector intends to vote or has voted; or
- I will not communicate any information obtained at a Help Centre about how an elector intends to vote or has voted.

**TO BE DECLARED BY ANY SCRUTINEER, CANDIDATE, OR ELECTOR (IN THE CASE OF A RECOUNT) WISHING TO REMAIN AT THE HELP CENTRE**

SIGNATURE (of person taking the oath)	CANDIDATE YOU ARE REPRESENTING Candidate <u>or</u> Scrutineer for ( <i>Candidate's name</i> )

## Appointment of Scrutineer by Candidate

*Municipal Elections Act, 1996*

---

TAKE NOTICE that I, \_\_\_\_\_  
(Name of Candidate)

a candidate for the office of \_\_\_\_\_  
(office to which election is being sought)

hereby appoint \_\_\_\_\_ to represent me and attend:

- the activation of the Scytl Canada Inc. Voting System (“0” count audit)
- at the receipt of the voting results
- at a recount (if such becomes necessary)

for the following Ward No.(s) \_\_\_\_\_ in the Township of Wellesley in respect of the Municipal Election to be held on Monday, October 24, 2022 under the *Municipal Elections Act, 1996*.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

### CONDUCT OF SCRUTINEERS

- 1) ANYONE who is creating a disturbance at the Help Centre or receipt of voting results will be removed as directed by the Clerk.
- 2) Before being admitted to the Help Centre or receipt of voting results, a person appointed as scrutineer shall produce and show his/her Form WEL29 to the Clerk for the Help Centre or receipt of voting results and take the “Oral Oath of Secrecy” Form WEL28 from the Clerk before being permitted to remain in the Help Centre or receipt of voting results. The Clerk shall require proof of identity and residence of the scrutineer, as prescribed in *O. Reg. 304/13*.
- 3) **Cell phones SHALL be turned off** upon entering the Help Centre or receipt of voting results and their use is prohibited while in the Help Centre or receipt of voting results.
- 4) The Clerk is responsible for conduct in the Help Centre or receipt of voting results and no candidate or scrutineer has the right to interfere with the Clerk in the discharge of his/her duties.
- 5) Scrutineers are prohibited from sitting at the table which is provided exclusively for the Election Officials.
- 6) Scrutineers/candidates wishing to observe the receipt of the voting results MUST be at the Help Centre prior to 8:00 p.m. No one will be admitted to the Help Centre after 8:00 p.m. Once admitted to the Help Centre, no one shall be permitted to leave until

- the voting results have been received and the Vote Count Summary Report (supplied by the provider) has been signed by all in attendance.
- 7) The candidate or scrutineer shall not communicate the results to anyone until the Clerk has released the unofficial results to the general public.
  - 8) The total of votes cast for each candidate as tabulated by the system is final. At this point, the Clerk is not required to do a recount/second count.

**Rights of Scrutineers (includes Candidates, except Candidates elected by acclamation)**

- to be present to verify and ensure that all totals of votes cast are at “0” and shall be required to sign the “Activation of ScytI Canada Inc. Voting System” Form WEL26 that attests to this fact.
- to observe the receipt of the voting results at the Help Centre, but shall not interfere with the process
- to sign the Vote Count Summary Report (supplied by the provider)
- in the event of a recount, Section 61 of the *Act* prescribes the number of scrutineers entitled to be present and their rights

**Scrutineers and Candidates are prohibited from the following:**

- from attempting, directly or indirectly, to influence or interfere with how an elector votes
- attempting to campaign or persuade an elector to vote for a particular candidate
- displaying a candidate's election campaign material or literature in the Help Centre or on Municipal Property
- compromising the secrecy of the voting
- interfering or attempting to interfere with an elector who is voting
- obtaining or attempting to obtain, any information about how an elector intends to vote or has voted
- communicating any information obtained about how an elector intends to vote or has voted

Any person failing to abide by the above rights and prohibitions shall be directed to leave the Help Centre or receipt of the voting results.

## Declaration of Election Results

*Municipal Elections Act, 1996 (s. 55(4(a))*

---

I, \_\_\_\_\_, Clerk of the Corporation of the Township of Wellesley in the Region of Waterloo declare the following candidate or candidates elected as a result of the Municipal Election held October 24<sup>th</sup>, 2022.

	OFFICE	ELECTED CANDIDATE
1.		
2.		
3.		
4.		
5.		

\_\_\_\_\_ Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate



## Notice of Recount

*Municipal Elections Act, 1996 (Sections 56-58) and O. Reg. 101/97*

---

I, \_\_\_\_\_, Clerk of the Corporation of the Township of Wellesley in the Region of Waterloo hereby declare that a recount of the votes cast in the Municipal Election held October 24<sup>th</sup>, 2022 for \_\_\_\_\_ (state office) shall be held commencing at \_\_\_\_\_ on \_\_\_\_\_ (time) (date) at \_\_\_\_\_ (location).

THE RECOUNT IS BEING CONDUCTED PURSUANT TO SECTION \_\_\_\_\_ OF THE *MUNICIPAL ELECTIONS ACT, 1996*.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Municipal Clerk or designate

**Final List of Changes**  
*Municipal Elections Act, 1996 [s. 27(2)]*

---

<b>Township of Wellesley</b>
------------------------------

Ward No. (if any)	Voting Subdivision (one or more)
-------------------	----------------------------------

**I hereby certify that the following additions were made to the Voters' List for this Municipality.**

C = correction D = deletion A = addition	ELECTOR	ELECTOR STATUS			QUALIFYING ADDRESS	MAILING ADDRESS

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Municipal Clerk or designate