

ELECTIONS SASKATCHEWAN



Saskatoon Meewasin By-Election Communique for Chief Official Agents Issue Nine: March 9, 2017

This communique offers details on the Final Count, to be held on Tuesday, March 14, along with a number of other items related to the close of the election process.

Final Count

As you know, there are still votes left to be counted before the results of the constituency of Saskatoon Meewasin by-election become final. By legislation, the final count is held 12 days after by-election day at the returning office (219 Primrose Drive). The final count will begin at 9 a.m. and candidates and up to two representatives per candidate are able to attend.

At the final count:

- The Returning Officer counts any votes cast using special voting procedures that have not yet been counted and records them. In this by-election these will be absentee votes and votes from the Saskatoon City hospital poll;
- Results from by-election night are reviewed but these ballots are not counted again;
- Final results are entered into our election management system.

Any candidate representatives who attend must be able to produce an E-417 appointment form – a copy of which can be found on our website at <http://www.elections.sk.ca/candidates-political-parties/forms-and-guides/>. Every person in attendance for the counting of ballots will need to complete an oath of secrecy as well. The final count will begin promptly at 9 a.m. but candidates and/or their representatives do not need to be in attendance at the beginning nor are they required to stay for the entire duration.

You may not know that *The Election Act, 1996* sets out, in detail, the process, and the order in which, the returning officer conducts the final count. The first ballot boxes opened will be those from election night (with the exception of the homebound ballot box) which are then confirmed against the results reported from election night. Only after this process is finished, will the absentee and hospital votes be counted. By legislation, the homebound ballot box is the last one opened.

Results Reporting

One small note in relation to how the results will be publicly reported after the final count. On March 1, 2017 in my communique to you I indicated that there would be 50 election day ballot boxes in the preliminary count and our reporting that night reflected this. I went on to say that during the final count, we would count ballots from two more ballot boxes, the absentee ballot box and the HRT ballot box (Saskatoon City Hospital poll).

I wanted to let all of you know that due to a small number of votes that were cast at the hospital poll, all ballots from that poll will be combined with absentee votes for the purposes of reporting. A note to this effect has been added to our results webpage - <http://results.elections.sk.ca/>.

Recount Processes

Once the final count ends, we enter a period of time whereby candidates and/or their business managers can request or apply for recounts.

The ability to request or apply for a recount is an important part of the electoral process that helps to preserve the integrity of the process. While I recognize that the margin of victory in this by-election may make a recount unlikely, I wanted to issue similar instructions to what I offered during the general election.

A recount will be automatically granted if a request is made by a candidate or their business manager under the following two circumstances:

- If the two candidates with the most votes have the same number of votes following the Final Count;
- If, after the Final Count, the margin of victory of the candidate declared elected is less than the total number of all unopened ballot envelopes, rejected ballots and ballots objected to.

The Election Act, 1996 refers to the two above scenarios as “automatic” recounts – see section 155 of the Act for more information. A request for an automatic recount is made to the returning officer and must be made within four days of the final count, or Saturday, March 18.

There are also circumstances where a candidate or business manager can apply to a judge of the Court of Queen’s Bench for a recount or addition. These are:

- The candidate or business manager is not entitled to request a recount or an addition pursuant to section 155; or
- The candidate or business manager has made a request for a recount or an addition and the returning officer failed to comply with section 155.

In circumstances where a candidate is not entitled to request an automatic recount, the application must be made to the Court of Queen’s Bench within ten days of the returning officer declaring a candidate to be elected, or by Friday, March 24. Refer to section 156 for more information.

Security of the Voters List

Throughout my time as Chief Electoral Officer, I have stressed that, by legislation, I am required to take all reasonable steps to protect against unauthorized use of a voters list. Whether your

party acquired the voters list through an Information Sharing Agreement between your party and Elections Saskatchewan or through a signed declaration, you agreed to certain responsibilities regarding the privacy and security of that information. I would ask that you review the agreement or declaration that you signed and review how this information needs to be treated. Please know that I take this commitment very seriously and I ask that you do as well. If you have any questions on this, please contact my office.

I would also ask you to remind your candidates of their responsibility to collect and destroy any copies of the voters list used throughout the campaign. Anyone who picked up a voters list was required to sign a declaration to protect, secure and/or destroy the list provided to them. This responsibility extends to campaign workers and volunteers who may have used the list for canvassing. Thank you for your attention to this.

Return of Election Expenses

Just a friendly reminder of two important dates.

The candidate return of election expenses is due on Friday, June 2. The registered political party return of election expenses is due on Tuesday, September 5 (extended from Saturday, September 2 due to the Labour Day long weekend). If you have any questions about either of these processes, please contact Jennifer Colin, Deputy Chief Electoral Officer, Corporate Services and Electoral Finance, at Jennifer.Colin@elections.sk.ca.



Dr. Michael Boda
Chief Electoral Officer
Province of Saskatchewan

For additional information on the Saskatoon Meewasin by-election, including a link to all CEO Communiques, visit <http://www.elections.sk.ca/voters/meewasin-by-election/>.