

**BYLAW B-38/2024
CITY OF AIRDRIE
PROVINCE OF ALBERTA**

A bylaw of the City of Airdrie to establish rules for elections conducted by the City of Airdrie under the *Local Authorities Election Act* and for addressing matters within the discretion of elected authorities under the *Local Authorities Election Act*.

WHEREAS the *Local Authorities Election Act* provides the general rules for elections conducted by local authorities;

AND WHEREAS section 7(a) of the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS section 7(b) of the *Municipal Government Act* allows Council to pass bylaws respecting people, activities, and things in, on, or near a public place or a place that is open to the public;

AND WHEREAS there are specific matters in the *Local Authorities Election Act*, that are within the discretion of elected authorities to do by bylaw or by resolution;

AND WHEREAS section 180(3) of the *Municipal Government Act* allows Council to do something by bylaw if it is required to do something by resolution under any enactment, which includes the *Local Authorities Election Act*;

The Council of the City of Airdrie enacts as follows:

Part 1 – Title, Definitions, Purpose, Application

Title

- 1 This bylaw may be cited as the “Elections Bylaw”.

Definitions

- 2 Unless otherwise specified, the words used in this bylaw have the same meaning as defined in the *Municipal Government Act* or the Act.
- 3 In this bylaw:
- (1) “Act” means the *Local Authorities Election Act* RSA 2000, c L-21 and any regulations, as amended or replaced from time to time;
 - (2) “advance vote” means a vote taken in before an election day as defined in the Act,

- (3) “by-election” means an election other than a general election as defined in the Act,
- (4) “candidate” means an individual who has been nominated to run for election in a local jurisdiction as a councillor or school board trustee as defined in the Act;
- (5) “City of Airdrie” or “City” means the municipal corporation of the City of Airdrie, or the areas contained within the City’s municipal borders, as the context requires;
- (6) “City Clerk” means the employee of the City assigned the title of “City Clerk” or their delegate;
- (7) “City Manager” means the City’s chief administrative officer or their delegate within the meaning of the *Municipal Government Act*;
- (8) “constable” means person appointed under the Act as a constable as described in the Act;
- (9) “Council” means the municipal Council of the City of Airdrie;
- (10) “Councillor” means a City of Airdrie elected official, including the Mayor;
- (11) “deputy” means the deputy returning officer as per the Act;
- (12) “elected authority” means a council under the *Municipal Government Act* or a board of trustees under the *Education Act* as defined in the Act;
- (13) “election” means a general election, by-election, or a vote on bylaw or question as defined in the Act;
- (14) “election day” means the day fixed for voting at an election as defined in the Act;
- (15) “elector” means a person eligible to vote at an election as defined in the Act;
- (16) “elector register” means the prescribed form on which the name of a person who has registered to vote is recorded as defined in the Act;
- (17) “Mayor” means the Chief Elected Official of the City as described in the *Municipal Government Act*;
- (18) “nomination day” means the day referred to in section 25(1) of the Act;
- (19) “official agent” means a person appointed as an official agent pursuant to section 68.1 of the Act;

- (20) “prescribed form” means the appropriate form as set out in regulations as defined in the Act;
- (21) “presiding deputy” means a deputy who has been appointed as a presiding deputy pursuant to section 14 of the Act, by a returning officer;
- (22) “portable ballot box” means a container approved by the returning officer and intended for use in the collection of marked ballots of an elector assisted at home vote or special ballot;
- (23) “returning officer” means a person appointed under the Act as a returning officer and includes a person acting in the returning officer’s place;
- (24) “scrutineer” means a person recognized as a scrutineer pursuant to section 69 or appointed pursuant to section 70 of the Act;
- (25) “spoiled ballot” means a spoiled ballot as described in section 65 of the Act;
- (26) “supportive living facility” means a lodge accommodation as defined in the *Alberta Housing Act*, or a facility for adults or senior citizens that provides assisted living and accommodation but does not include a treatment centre as defined in the Act;
- (27) “treatment centre” means a hospital or a facility under the *Mental Health Act* or a facility providing medical treatment or care on an in-patient basis as defined in the Act;
- (28) “voting station” means the place where an elector votes as defined in in the Act; and
- (29) “voting subdivision” means the area of a local jurisdiction or ward designated as a voting subdivision by the elected authority or the returning officer as defined in the Act.

Purpose and Application

- 4 This bylaw applies to all elections in the City that are governed by the Act.
- 5 If there is any conflict between a provision of this bylaw and a provision of one or more of the following:
 - (1) the *Local Authorities Election Act*,
 - (2) the *Alberta Senate Election Act*, or
 - (3) the *Referendum Act*,

the provision of the statute prevails.

- 6 The provisions of this bylaw apply in generally the same fashion, but with all necessary modifications, to
 - (1) a by-election,
 - (2) a ballot on a bylaw or question that is put to the electors at a time other than a general election, and
 - (3) an election for school board trustees or any other election conducted in conjunction with an election for Council.

Part 2 – Authority of City Manager and Returning Officer

Joint Elections

- 7 Despite any other City bylaw, Council delegates to the City Manager, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to negotiate and enter into agreements on behalf of the City of Airdrie for conducting joint elections with other elected authorities under the Act.
- 8 When the City conducts a joint election on behalf of another elected authority under the Act:
 - (1) the City is responsible for conducting the election and ensuring compliance with the Act on behalf of the other elected authority to the extent provided for in the agreement with the other elected authority;
 - (2) the City has all the rights, powers, and duties of the other elected authority under the Act and may exercise those rights, powers, and duties on behalf of the other elected authority to the extent provided for in the agreement with the other elected authority; and
 - (3) the provisions of this bylaw apply to the election conducted by the City on behalf of the other elected authority.

City Manager Authorities

- 9 The City Manager may delegate any of their powers, duties, or functions under the Act to the returning officer.

Powers, Duties, and Appointment of the Returning Officer

- 10 Council appoints the City Clerk as the returning officer for the City.
- 11 Council appoints the Assistant City Clerk as the substitute returning officer for the City.

Returning Officer Appointments

12 The returning officer is delegated the authority to appoint the following positions:

- (1) presiding deputy;
- (2) deputy;
- (3) constables; and
- (4) other persons as required

in carrying out an election as per the Act.

Returning Officer Authorities

13 In addition to the powers in the Act, the returning officer may:

- (1) divide the City into voting subdivisions, alter the boundaries of voting subdivisions and create additional voting subdivisions pursuant to the Act;
- (2) determine the location of all voting stations;
- (3) post printed voting instructions at voting stations in languages other than English as the returning officer deems appropriate;
- (4) designate the location of one or more institutional voting stations in addition to all other voting stations;
- (5) delegate any of their powers, duties, or functions to any person appointed under section 12; and
- (6) apply to the Minister of Municipal Affairs for directions under the Act, and to the Lieutenant Governor in Council for regulations under the Act.

Part 3 – Pre-Election Procedures

Permanent Electors Register

14 The City Manager must prepare a permanent electors register of residents in the City who are entitled to vote in elections.

15 The City may:

- (1) compile or revise the permanent electors register manually or by means of any computer-based system; and

- (2) keep the permanent electors register in printed form or may store it in any computer-based system or any other information storage device that can reproduce any required information in legible printed form within a reasonable time.
- 16 The City must enter into an agreement with the Chief Electoral Officer to:
 - (1) receive from the Chief Electoral Officer information that will assist the City in compiling or revising the permanent electors register; and
 - (2) provide to the Chief Electoral Officer information that will assist the Chief Electoral Officer in preparing or revising information for the purpose of compiling or revising the permanent electors register under the *Election Act*.
- 17 In compiling and revising the permanent electors register, the City:
 - (1) must use information primarily received from the Chief Electoral Officer.
 - (2) must enter any information in the permanent electors register that is collected under the Act during an election regarding:
 - (a) the residential address, including the postal code of the residence of the person, and the mailing address, including the postal code, if the mailing address is different from the residential address,
 - (b) the surname, given name and middle initial of the person,
 - (c) the residential telephone number of the person,
 - (d) the gender of the person,
 - (e) the day, month and year of birth of the person, and
 - (f) whether the person is a public-school resident or a separate school resident.
 - (3) may use any other information obtained by or available to the City to supplement the information received from the Chief Electoral Officer.

Receipt of Nominations

- 18 The returning officer must receive nominations at Airdrie City Hall 400 Main Street SE, Airdrie, Alberta for the City in accordance with the Act.
- 19 The returning officer may establish locations, in addition to the local jurisdiction office identified in section 18, where a deputy may receive nominations.

- 20 The returning officer must publish on the City's website a list of all locations where nominations may be received.

Nominations

- 21 A person wishing to become a candidate must file a nomination:
- (1) in the prescribed form;
 - (2) within the period prescribed by the Act;
 - (3) with the returning officer; and
 - (4) in a location established under section 18 and section 19.
- 22 Candidate nominations must be signed by at least ten (10) electors eligible to vote in that election and resident in the City on the date of the signing the nomination.

Death of a Candidate

- 23 If a candidate dies prior to the opening of voting stations on election day or any advance vote, the returning officer will post notice of the death in a conspicuous location in all voting stations.

Nomination Deposit

- 24 Every nomination for a candidate must be accompanied with a deposit in the amount set by the *User Fees and Charges Bylaw*, and in the form of cash, certified cheque, money order, e-transfer, debit card or credit card.
- (1) Despite section 24, any method of payment subject to a transaction fee by the City is not considered part of a nomination deposit.
- 25 In the event of the death of a candidate prior to or on the day of election, the deposit will be refunded to the candidate's estate.

Part 4 – Election Day

Election Date

- 26 The date of an election for a by-election or vote on a bylaw or question is set by resolution of the elected authority.

Voting Hours

- 27 The voting stations in the City open at 9:00 a.m. on election day.

Voting Subdivisions

- 28 Each election, the returning officer determines the voting subdivisions and may alter the boundaries of the voting subdivisions.
- (1) Despite section 13(1) and section 28 of this bylaw, the returning officer may not alter voting subdivision boundaries between the time of giving notice of an election and the election day.

Form of Ballot

- 29 The returning officer must establish the form of ballot for each election.
- 30 Following nomination day, the returning officer must ensure sufficient ballots for the election are printed.
- 31 The returning officer may differentiate ballots by colour or any other means for elections occurring within the same voting subdivision for:
- (1) the office of Mayor;
- (2) the offices of Councillors;
- (3) the offices of trustees; and
- (4) the submissions of bylaws and questions to the electors
- 32 As per the Act, the names of the candidates on each ballot will be arranged alphabetically in order of the surnames and, if two or more candidates have the same surname, the names of those candidates will be arranged alphabetically in the order of their given names.
- 33 As per the Act, if there is to be a vote on a bylaw or question, the elected authority by resolution:
- (1) must determine the wording to be used on the ballot, and
- (2) may determine the form of the ballot.
- 34 If the elected authority does not determine the form of the ballot as per section 33 (2), the returning officer must do so.

Elector Assistance

- 35 Elector assistance at voting stations will be provided pursuant to the Act.

- 36 A blind elector template are made available for a general election during the advance vote and on election day.
- 37 The returning officer notifies electors of the availability of the blind elector template on the City's website.

Special ballots

- 38 An eligible elector may apply to the returning officer for a special ballot:
 - (1) in writing;
 - (2) by telephone;
 - (3) in person;
 - (4) by e-mail; or
 - (5) by secure website designated by the returning officer.
- 39 An eligible elector must submit their application for a special ballot:
 - (1) for a general election, between August 1 of the year in which the general election is held and 12:00 p.m. on election day; and
 - (2) for any other election or a vote on a bylaw or question in accordance with the application periods stated in the resolution fixing the date of the election.
- 40 The completed special ballot package must be received by a returning officer no later than:
 - (1) for a general election, 4:30 p.m. on election day; and
 - (2) for any other election or a vote on a bylaw, 4:30 p.m. on the date of the election or vote on a bylaw.

Advance Vote

- 41 The returning officer must hold an advance vote in accordance with the Act.
- 42 The returning officer determines the number and location of the advance voting stations and the days and the hours during which they will operate.
- 43 The voting procedure described in this bylaw, as far as it is practicable, applies to an advance vote and may be modified as necessary upon the direction of the returning officer.

- 44 The deputy must ensure that on the completion of each day of the advance vote the ballot boxes used are sealed to prevent the insertion of additional ballots and are delivered to the location specified by the returning officer.

Elector Assistance at Home

- 45 An elector who is unable to attend a voting station or advance voting station due to physical disability may request elector assistance at home.
- 46 Despite their ability to attend a voting station or advance voting station, an elector residing in the same residence as an elector referred to in section 45 may vote at the same time as the elector using elector assistance at home.
- 47 The returning officer provides elector assistance at home during the hours an advance voting station is open.
- 48 The returning officer:
- (1) must provide for the attendance of two deputies at the residence of the elector requesting elector assistance at home; and
 - (2) may direct that portable ballot boxes be used for the collection of voted ballots of such electors assisted at home.
- 49 Any portable ballot box used in the elector assistance at home vote:
- (1) may have its seal broken to allow the deposit of ballots in each subsequent residence that is attended for the taking of votes; and
 - (2) must be closed, labelled, sealed, and signed for upon the completion of the elector assistance at home vote and then held in a secure area specified by the returning officer until opened for the counting of ballots on election day.
- 50 To maintain the secrecy of the vote, the ballots of electors requiring assistance at home who vote is combined with institutional vote ballots during the count.

Institutional Vote

- 51 The returning officer may designate any supportive living facility or treatment centre as an institutional voting station.
- 52 The returning officer must post the dates and times of the institutional vote at the institution at least two days before the vote is to be taken.
- 53 Each institutional voting station has dedicated ballot box for the institution.

- 54 At the end of each institutional vote, the presiding deputy must ensure the ballot box is labelled, sealed, signed for, and then held in a secure area specified by the returning officer until opening for the counting of ballots on election day.

Part 5 – Election Day Voting

Instruction for Electors

- 55 The returning officer must ensure that a copy of the prescribed instructions for electors are posted:

- (1) at each voting compartment in each voting station;
- (2) at a conspicuous location within the voting station; and
- (3) until the close of the voting station.

Voting Hours

- 56 The returning officer must determine the days and hours when the advance vote is to be held.
- 57 On election day, all voting stations are open continuously between 9:00 am and 8:00 pm.

Issuance of a Ballot

- 58 Before issuing a ballot, a deputy must ensure that:
- (1) the elector produces identification as required by the Act;
 - (2) the elector makes statements, as prescribed, if required by the Act;
 - (3) the elector is named on the permanent electors register;
 - (4) if the City is conducting an election for a school district, the elector is provided with a ballot for the elector's appropriate school district; and
 - (5) the ballot issued is initialed by the deputy.

Elector Voting Procedure

- 59 Upon receipt of a ballot, the elector must enter the voting compartment alone to mark the ballot, or with an assistant as permitted by the Act.
- (1) Despite section 59, the elector may bring a minor child into the voting compartment.

- 60 The elector must mark the ballot with an “X” or other eligible mark in the space designated for a vote adjacent to the candidate’s name of their choice, or if there is more than one vacancy, the candidates of the elector’s choice, and where there is a vote on a bylaw or questions, beside “yes” or “no”.
- 61 When finished marking the ballot, the elector must, without showing the markings on the ballot to anyone, provide the ballot to the deputy supervising the ballot box who must:
- (1) check the ballot for the deputy’s initials; and
 - (2) after confirming the presence of the deputy’s initials, insert the marked ballot into the ballot box.
- 62 If the deputy notes the ballot is missing a deputy’s initials, the deputy supervising the ballot box must escort the elector to the deputy who issued their ballot. The deputy then adds their initials, without exposing the elector’s markings. The elector must then return to the ballot box to have their ballot processed as set out in section 61.

Elector Assistance

- 63 At the request of an elector, the returning officer must provide elector assistance in accordance with the Act.

Spoiled Ballots and Rejected Ballots

- 64 If an elector has made a mistake when marking a ballot, the elector must return the ballot to the deputy from whom they received the ballot and may request a replacement ballot.
- 65 If the elector:
- (1) requests a replacement ballot, the deputy must provide a replacement ballot to the elector and mark the returned ballot as “SPOILED”; or
 - (2) declines to obtain another ballot, the deputy must mark the returned ballot as “REJECTED”.
- 66 The deputy must retain spoiled ballots and rejected ballots and keep them separately from all other ballots. The deputy does not count spoiled ballots or rejected ballots or include them in the tally of election results.

After Voting

- 67 Each elector must follow the voting procedures contained in this bylaw and as posted in the voting station. Upon the deposit of their ballot into the ballot box, the elector must leave the voting station.

Part 6 – Counting of Ballots

- 68 After the voting station closes, a deputy must not permit more than
- (1) the candidate or the candidate's official agent or scrutineer,
 - (2) or more than one official agent or scrutineer of either side of a vote on any bylaw or question
- to be present at the same time in a voting station during the counting of the votes.
- 69 Except as modified for special ballots, elector assistance at home, and institutional and advance voting stations, the presiding deputy must ensure that the following functions are performed in the presence of at least two deputies and the candidates, official agents, or scrutineers, if any:
- (1) unused ballots are counted;
 - (2) spoiled ballots and rejected ballots are counted and placed in separate, sealed packages;
 - (3) ballots are counted;
 - (4) ballot account and result of the vote are certified by at least two deputies;
 - (5) the prescribed ballot account is completed;
 - (6) the prescribed form to certify the number of persons who registered to vote at the voting station is completed;
 - (7) all election documents from the voting station, except for the ballot account and result of the vote, and elector registers, are sealed in the ballot boxes;
 - (a) Despite section 69(7) the presiding deputy makes a copy of the elector register for the purpose of revising the permanent electors register.
 - (b) The copy of the elector register is destroyed as soon as reasonably practicable.
 - (8) Election results are transmitted to the returning officer in the manner prescribed by the returning officer;

- (9) Ballot boxes are closed and sealed so that they cannot be opened without breaking the seal, and the outside is marked with the voting station name or number and initialed by at least two deputies; and
 - (10) The transfer of ballot boxes to the counting centre for the purpose of counting is permissible.
- 70 At the close of institutional, elector assistance at home, and the advance voting stations, the presiding deputy must securely transfer all ballot boxes and election materials to the counting centre for the ballot count.
- 71 If required, the secure transfer of ballot boxes as determined by the returning officer and election materials from voting stations on election day may be transported to the counting centre for the ballot count.
- (1) Candidates, the candidate's official agents and any scrutineers present at voting stations on election day are to be notified by the returning officer ballot boxes from voting stations on election day are transported to the counting centre for the count.
- 72 Ballot boxes must be opened in the presence of at least two deputies, and any candidates, scrutineers or official agents for the count of special ballots, institutional vote ballots, and advance ballots.
- 73 The returning officer must ensure that the same post-vote procedures identified in this bylaw for regular voting stations are followed for counting and recording the special ballot, institutional, elector assistance at home and advance votes at the counting centre.

Counting Centre

- 74 The returning officer may designate a single location as a counting centre for the count of special ballots, advance vote ballots, institutional vote ballots, elector assistance at home ballots and if required, election day ballots and notify all candidates, official agents and scrutineers of the location of the counting centre.
- 75 The returning officer must ensure the counting centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.
- 76 The count of special ballots, advance vote ballots, and institutional vote ballots may commence at 7:30 p.m. on election day, but the results from that count must not be disclosed before 8:00 p.m. on election day.
- 77 The returning officer must preside at the counting centre and must:
- (1) receive all sealed ballot boxes;

- (2) record receipt of ballot boxes;
- (3) verify the seal of each ballot box;
- (4) open the ballot boxes;
- (5) count the ballots;
- (6) cause a tally to be produced from each voting station; and
- (7) produce a cumulative tally from all the voting stations.

Recount

- 78 If, in accordance with section 98(1) of the Act, the returning officer directs a recount, the following procedure will be followed:
- (1) In the presence of the returning officer, and as many deputies that the returning officer considers necessary to assist in the recount, scrutineers, candidates and official agents, ballots cast for the voting station being recounted will be removed from the ballot box and recounted using the process for counting set out in the Act.
 - (2) After the recount has been completed, the returning officer must seal the ballot box and sign across the ballot box seals; and
 - (3) The returning officer considers the number of votes to which an objection was noted and declare the result in accordance with the provisions of the Act.

Mandatory Recount

- 79 The returning officer must make a recount of the votes cast at one or more voting stations if the returning officer receives an application for a recount under section 98(1.1) of the Act and the returning officer is satisfied that the requirements to make an application for a recount have been satisfied.
- 80 On a recount required under section 98(1.1) of the Act, the returning officer must follow the procedure for recount set out in the Act.

Part 7 – Vote on a Bylaw / Question

Date of Vote on Bylaw or Question

- 81 Wherever practical, and unless otherwise provided for by a resolution of Council, the date for a vote of the electors on a question on which the opinion of the electors is to be obtained or on a bylaw must be the date of the general election.

- 82 Unless otherwise specified by legislation or decided by Council, a vote on any question or bylaw will be held in conjunction with a general election.

Part 8 – Scrutineers

Appointment of Scrutineers

- 83 A person who wishes to be recognized as a scrutineer must complete the statement prescribed by the Act.

Acceptable Conduct

- 84 Scrutineers must comply with the Standards for Conduct of Scrutineers set out in Schedule “A”.
- 85 Any candidate or official agent who undertakes the duties that the candidate’s scrutineer may undertake and attends any place that the candidate’s scrutineer is authorized to attend must comply with the Standards for Conduct of Scrutineers set out in Schedule “A”.

Written Warning

- 86 If a scrutineer fails to comply with the Standards for Conduct of Scrutineers set out in Schedule “A”, the deputy may issue the scrutineer a written warning concerning their actions in a form determined by the returning officer.

Removal of Scrutineer from Voting Place

- 87 The deputy may remove a scrutineer from the voting place if, in the opinion of the deputy, the scrutineer fails to comply with Schedule “A” Standards for Conduct of Scrutineers.
- 88 A presiding deputy must not allow more than one candidate, or their official agent or scrutineer, or more than one official agent, or one scrutineer of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

Part 9 - General

Disposition of Elected Materials

- 89 The returning officer must ensure all election materials are disposed of in accordance with the Act.

Interpretation

- 90 Each provision of this bylaw is independent of all other provisions. If any provision or part of this bylaw is declared invalid by a court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.
- 91 Nothing in this bylaw relieves a person or organization from complying with any provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order, or licence.
- 92 Any headings, sub-headings, or tables of contents in this bylaw are included for guidance purposes and convenience only and do not form part of this bylaw.
- 93 Where this bylaw refers to another act, bylaw, regulation, or agency, it includes reference to any act, bylaw, regulation, or agency that may be substituted for it.

Transitional or Effective date

- 94 Bylaw B-51/2020 is repealed upon this bylaw coming into force.
- 95 This bylaw comes into force and effect when it receives third reading and is signed by the Mayor and the City Clerk or designate, in accordance with the *Municipal Government Act*.

Read a first time this 3rd day of December, 2024.

Read a second time this 3rd day of December, 2024.

Read a third time this 3rd day of December, 2024.

This bylaw was signed as of the latest date shown below.

Mayor

Date

City Clerk

Date

SCHEDULE “A”

Standards for Conduct of Scrutineers

- 1 Before a person is recognized or appointed as a scrutineer and before they may perform the duties of a scrutineer, the person must:
 - (1) provide the returning officer or deputy with:
 - (a) the written notice required by the Act; or
 - (b) the written request required by the Act for a vote on a bylaw or question; and
 - (2) make and subscribe to a statement in the prescribed form as required by the Act.
- 2 When performing the duties of a scrutineer, scrutineers must:
 - (1) comply with the requirements of the Act and this bylaw;
 - (2) comply with the direction of the returning officer or deputy; and
 - (3) perform their duties with integrity and respect and in a manner that is helpful and courteous to electors, election workers, other scrutineers, the public, and anyone else involved in the election.
- 3 Scrutineers may:
 - (1) observe the conduct of an election from the location designated within a voting station by the returning officer or a deputy pursuant to the Act;
 - (2) observe the sealing of ballot boxes at the opening of voting stations to ensure that ballot boxes are empty prior to the start of the voting process and observe the opening of ballot boxes after the close of voting stations to ensure that all ballots are removed from the ballot boxes prior to the counting process;
 - (3) observe that each ballot box is opened and that the ballots are counted as provided for in the Act from the location designated by the returning officer or deputy;
 - (4) observe that each special ballot box, advance vote ballot box, and institutional vote ballot box is opened and that all ballots are counted at the counting centre as provided for in the Act from the location designated by the returning officer or deputy;

- (5) observe recounts conducted by the returning officer pursuant to this bylaw, the Act or observe a judicial recount pursuant the Act;
 - (6) request to view individual elector registers when election workers are not assisting electors;
 - (7) request to view the names and addresses of electors who have applied for and were provided special ballot packages pursuant to the Act when election workers are not assisting electors;
 - (8) request a copy of the ballot account as provided for in of the Act and, if the scrutineer desires, sign the ballot account as provided for in of the Act; and
 - (9) use cellphones, laptops, and other electronic devices within a voting station or the counting centre are permitted so long as no audio or video recordings are taken, no photographs are taken, and no phone calls are made or taken.
 - (a) Despite section 3(9) scrutineers may take a photograph of the final ballot account in fulfilling section 3(8).
- 4 Despite section 3 of this Standard of Conduct for Scrutineers, a scrutineer must not:
- (1) interfere with the orderly conduct of an election, including interfering with the voting process or the counting process;
 - (2) view an elector completing their ballot, assist an elector with completing their ballots, vouch for an elector as per the Act, or prevent an elector from completing their ballot;
 - (3) take photographs within a voting station or the counting centre, including photographs of the permanent electors register, individual elector registers, or the special ballot elector register;
 - (4) make copies of, transcribe, or interfere with election materials in a voting station or the counting centre, including the permanent electors register, individual elector registers, and the special ballot elector register;
 - (5) make or take phone calls in a voting station or the counting centre while they are within a voting station or the counting centre, including for the exchange of information between a scrutineer and a candidate or official agent;
 - (6) engage in political campaigning or promotion for or against any candidate, or for or against any position on a vote on a bylaw or question, within or outside of voting stations or the counting centre, including wearing campaign materials such as (but not limited to) buttons, hats, and t-shirts; or

- (7) engage in harassing or discriminatory behaviour or make abusive, derisive, threatening or insulting statements or gestures to or about another person.
- 5 If a scrutineer fails to comply with this Standards for Conduct of Scrutineers, the presiding deputy may:
 - (1) issue the scrutineer a written warning concerning their actions; or
 - (2) remove a scrutineer from the voting station or counting centre.
- 6 The returning officer and deputy must not:
 - (1) for a general election or by-election, allow a candidate to have a scrutineer or official agent present in a voting station or the counting centre while the candidate is present in the voting station or counting centre pursuant to the Act;
 - (2) for a general election or by-election, allow a candidate to have both an official agent and a scrutineer present in a voting station or in the counting centre at the same time pursuant to the Act;
 - (3) for a vote on a bylaw or question, allow more than one scrutineer for each side of the bylaw or question to be present in the voting station or the counting centre at the same time pursuant to the Act; or
 - (4) permit more than one of the candidate, the candidate's official agent, the candidate's scrutineer, or more than one scrutineer for either side of a vote on any bylaw or question, to be present during the counting of ballots pursuant to the Act.
- 7 No person may impede a scrutineer from performing the duties of a scrutineer pursuant to the Act so long as the scrutineer is complying with the requirements of this bylaw and the Act.