

# GUIDE FOR SCRUTINEERS

*2023 Provincial General Election*



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## Introduction

This guide is designed to provide general information and guidance to scrutineers appointed by candidates or official agents to represent them at voting places during the 2023 Provincial General Election. Scrutineers are encouraged to familiarize themselves with the contents of this manual and the *Election Act*, particularly sections 78 to 125 inclusive, which governs all aspects of conducting an election. Copies of the *Election Act* are available online and in print from Alberta King's Printer.

## What is a Scrutineer?

Scrutineers represent candidates at voting places, to ensure fairness and transparency, and to observe election procedures during voting, the unofficial count, and official count. Scrutineers must:

- Be an elector;
- Be appointed by the candidate – in writing;
- Take an *Oath of Secrecy*; and
- Follow the *Code of Conduct*.

## Appointment of Scrutineers

A candidate may appoint Scrutineers to represent them at each voting place that is established in the electoral division. The *Appointment of Scrutineer* form must be completed and signed by the candidate or their official agent.

They may appoint:

- Up to four scrutineers at each voting station and ballot box at an advance voting place, for each day of voting;
- Up to four scrutineers at each voting station, registration station and ballot box on Election Day; and
- Up to four scrutineers at each voting station at a mobile vote.

Once appointed to the voting place, scrutineers can observe election proceedings at any voting station, registration station or the ballot box, however, only one scrutineer per candidate may, at any one time, be present at each station.

## Arriving at the Voting Place

Before observing at each station, scrutineers must present their *Appointment of Scrutineer* form to the Site Supervisor (or in the case of a mobile voting station, the Voting Officer), take the *Oath of Secrecy*, and sign the *Code of Conduct*.



Scrutineers who leave and return to the same voting place do not have to take the oath a second time.

While at a voting place, scrutineers are not permitted to wear or carry any badge, circular, card, poster, bill, ribbon or other item that might be construed as an identification of a candidate or political party. Scrutineers will receive appropriate identification from the Site Supervisor.

After taking the oath, scrutineers will be provided with a scrutineer badge by the Site Supervisor. Scrutineers must visibly display the scrutineer badge at all times while in the voting place.



## Code of Conduct

### As a Scrutineer I shall:

- Comply with the legislation and the Code of Conduct;
- Present a properly completed Appointment of Scrutineer identifying all voting places I will attend;
- Complete an Oath of Secrecy before the Site Supervisor in charge of the voting place to which I have been assigned;
- Familiarize myself with my rights and responsibilities under the law and act accordingly, after reading “A Guide for Scrutineers”;
- Perform my duties with honesty and integrity and in a manner that is helpful, respectful, and courteous; and
- Be guided at all times by the values of respect, integrity, and professionalism when dealing with members of the public, electors, Election Officers, colleagues, and all election stakeholders.

### As a Scrutineer, I shall not:

- Engage in any political campaigning or promotion for or against a candidate or political party while performing my duties at a voting place;
- Unduly interrupt the voting process or the orderly conduct of the election;
- Make or accept cell phone calls in the voting place;
- Engage in harassing<sup>1</sup> or discriminatory<sup>2</sup> behaviour; or
- Make abusive, derisive, threatening, insulting, offensive, or provocative statements or gestures to or about another person.

A Scrutineer who fails to comply with this Code of Conduct will receive a written warning concerning his or her actions.

A Scrutineer will be removed from the voting place if, in the opinion of the Site Supervisor, the Scrutineer fails to comply with the Code of Conduct after receiving such a warning.

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<sup>1</sup> Harassment is any conduct by an individual that is directed at and offensive to another person in the voting place, and that the individual knows or ought reasonably to know would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, or any act of intimidation or threat.

<sup>2</sup> Discrimination involves treating someone differently or unfairly because of a personal characteristic or distinction.



## The Role of the Scrutineer – Observing Election Procedures

Scrutineers may arrive up to 30 minutes before the voting place opens or at any time before the close of voting.

Scrutineers may:

- Verify the ballot box is empty prior to the opening of the voting place;
- Observe the election process;
- View the *Record of Electors who Voted* per hour on Election Day or at the start of each advance voting day for the previous voting day;
- View the voting record at a time that the Election Officers are not processing voters;
- Challenge an elector if the scrutineer believes the elector is not eligible to vote;
- Use cell phones, tablets, or laptops while observing the election process, if:
  - No audio or video recording occurs;
  - No pictures are taken;
  - No phone calls take place; and
  - No audible sounds are played.

If concerns arise, scrutineers may report their concerns to the Site Supervisor. If the Site Supervisor is unable to resolve the concern, the scrutineer may escalate their concerns to their candidate, who can address it with the Returning Officer.

Scrutineers should not disturb the voting process to share their concerns.

## The Role of the Scrutineer – Observing the Count of Ballots

### Election Day Locations

Scrutineers must arrive at their assigned voting place before it is closed and secured for the count. Any scrutineers that have not already done so will be required to sign the *Code of Conduct* and take the *Oath of Secrecy*.

After the final electors have voted and the voting place is closed, the election officers will prepare for the count. Upon request, election officers can provide the scrutineer with a *Tally Sheet* to record the unofficial count. The election officers will then proceed to open the ballot box and count the ballots cast for each candidate.

During this process, scrutineers may request to view, but not touch, any ballot that they wish to see. Scrutineers may also object to any decision made on how a ballot is cast. Each objection will be noted on the *Notes of Objection* form.

NOTE: The Voting Officer has the final say on how a ballot is cast during this count.

When all of the *Ballots Counted for Candidate Envelopes* have been sealed and placed in the large *Valid Ballot Envelope*, scrutineers in attendance may sign across the *Valid Ballot Envelope*



flap before it is sealed in the ballot box for delivery to the Returning Officer. Scrutineers may also sign across the envelopes and flaps of the *Unused Ballot Envelope*, the *Rejected Ballot Envelope*, the *Spoiled Ballot Envelope* and the *Declined Ballot Envelope*.

Upon completion of the unofficial count, scrutineers may request a copy of the *Statement of Vote*, which is a record of the unofficial count.

#### Special Ballot & Mobile Vote Locations

The unofficial count for special ballots cast in the returning office will be counted at the returning office on election night. Mobile vote ballots will be counted at a location specified by the returning officer.

Scrutineers must arrive at either the returning office or assigned location where mobile votes will be counted, by 7:30 pm. Once voting places close at 8:00 pm and the unofficial count begins, only those present in the returning office or voting place will be permitted to observe the unofficial count. Any scrutineers that have not already done so will be required to sign the *Code of Conduct* and take the *Oath of Secrecy*.

At the close of voting on election night, the mobile vote teams and returning office staff will begin to count the mobile vote ballots and special ballots cast in the returning office. Upon request, election officers can provide the scrutineer with a *Tally Sheet* to record the unofficial count. The election officers will then proceed to open the ballot boxes and count the ballots cast for each candidate.

During this process, Scrutineers may request to view, but not touch, any ballot that they wish to see. Scrutineers may also object to any decision made on how a ballot is cast. Each objection will be noted on the *Notes of Objection* form.

NOTE: The Voting Officer has the final say on how a ballot is cast during this count.

When all of the *Ballots Counted for Candidate Envelopes* have been sealed and placed in the large *Valid Ballot Envelope*, scrutineers in attendance may sign across the *Valid Ballot Envelope* flap before it is sealed in the ballot box for delivery to the Returning Officer. Scrutineers may also sign across the envelopes and flaps of the *Unused Ballot Envelope*, the *Rejected Ballot Envelope*, the *Spoiled Ballot Envelope* and the *Declined Ballot Envelope*.

Upon completion of the unofficial count, scrutineers may request a copy of the *Statement of Vote*, which is a record of the unofficial count.

#### Advance Vote Locations

The unofficial count for advance vote locations will be completed at the returning office on election night.

For advance vote locations that used tabulators, the IT Support staff in the returning office will power on the tabulators at approximately 7:45 pm and generate a results tape after voting





places close at 8:00 pm. The results will generate for each of the 87 electoral divisions in Alberta.

As the results are printing, returning office staff will open the *Unread Ballots Envelope* for one voting location at a time and sort ballots into electoral divisions and record the candidate votes for the applicable electoral divisions.

After the results are printed, the results tape will be removed from the tabulator and a *Statement of Vote* for each electoral division completed. For locations that used two tabulators, results will be consolidated for the voting place.

Scrutineers may request a copy of the results tape from the tabulators and the returning office staff will generate a second tape.

When all results tapes have been printed and results are reported, the tabulators will be powered down. The returning office staff will place the tabulator results tapes, *Unread Ballot Envelopes*, and statement of vote into the *Advance Vote Official Verification* box. The backup USB stick from each tabulator will be removed and placed into an envelope and sealed. The sealed envelope containing the USB stick will then be placed into the *Advance Vote Official Verification* box and the box sealed. The box will be stored securely until it is picked up the following day to be transported back to the Elections Alberta Headquarters in Edmonton for the official count.

## Election Day Voting Procedure

Electors who are registered to vote in the electoral division are listed in the voting record and will vote with the following procedure:

- The elector provides identification proving their name and current residential address to the Voting Officer.
- The Voting Officer gives the elector a folded ballot paper on which the initials of the Voting Officer are placed.
- The Voting Officer draws a line through the elector's name in the voting record and places a checkmark to indicate that a ballot has been issued.
- The elector will then proceed to the voting screen to mark the ballot.
- The elector will take their folded ballot to the ballot box.
- The Ballot Box Clerk will look at the back of the ballot paper for the initials of the Election Officer who issued the ballot to confirm that it is a ballot issued in that voting place and direct the voter to deposit their ballot in the ballot box.

## Mobile Voting Procedure

Electors who reside in a supportive living or long-term care facility, are inpatients in a treatment centre or receiving supports at an emergency shelter or community support centre may vote at



a mobile voting station established in the facility. All electors voting at a mobile voting station are deemed resident of the facility and are not required to show identification. They receive the ballot for the electoral division in which the facility is located. The voting procedure in these facilities are:

- The elector provides their name to the Voting Officer.
- The Record Clerk locates the elector in the mobile voting record or completes a *Mobile Voting Declaration* for the elector and adds them to the mobile voting record.
- The Voting Officer gives the elector a folded ballot paper on which the initials of the Voting Officer are placed.
- The elector will then proceed to the voting screen to mark the ballot.
- The elector will return their ballot to the Voting Officer, who will confirm that it is a ballot they issued and direct the voter to deposit their ballot in the ballot box.

## Advance Voting Procedure

Advance voting utilizes “Vote Anywhere” services, meaning that any elector across the province may vote at any advance vote location, regardless of whether the location is in their assigned electoral division. Electors who are registered to vote are listed in the electronic voting record and will vote with the following procedure:

- The elector provides identification proving their name and current residential address to the Voting Officer. The Voting Officer locates the elector in the voting record.
- The Voting Officer generates and prints on-demand the ballot for the elector’s electoral division. The ballot is then placed inside a secrecy sleeve, on which the initials of the Voting Officer are placed and issued to the elector.
- The Voting Officer records in the electronic voting record that the elector was issued a ballot.
- The elector will then proceed to the voting screen to mark the ballot.
- After marking the ballot, the elector will place the ballot paper back inside the secrecy sleeve and take the ballot to the ballot box.
- The Ballot Box Clerk, in the presence of the elector, shall, without removing the ballot from the secrecy sleeve, look at the top-right corner of the ballot paper for the initials of the Voting Officer who issued the ballot to confirm that it is a ballot issued in that voting place.
- The Ballot Box Clerk will ask the elector to feed the ballot through the tabulator, which will then be deposited into the ballot box. The Ballot Box Clerk may also assist the elector in feeding their ballot through the tabulator. The tabulator will display a “Thank you for voting. Your ballot has been counted” message, once the ballot has been cast.
- Ballots that are unable to be read by the tabulator will be returned to the voter for correction or placed in the *Unread Ballot Envelope* to be hand-counted on election night.



## Declaration Process

A person who is entitled to vote, but whose name is not included in the voting record, must produce proof of their identity and current residence. The person must then sign the *Declaration of Elector* before the Voting Officer or Registration Officer, stating that they qualify as an elector and ordinarily reside in that voting area.

Once the *Declaration of Elector* is signed, the elector is added to the voting record and the voting procedure as noted in the previous sections is followed.

## Process to Challenge an Elector

A scrutineer may, in good faith, if the eligibility of any elector is in doubt, request the election officer to administer the *Declaration of Elector* to that elector even though the elector's name appears in the voting record. An elector who has taken the prescribed declaration before the Voting Officer or Registration Officer because their name was not in the voting record cannot be required to take another declaration.

## Vouching Process

If an elector is unable to produce identification when required, another elector who is in the voting record in the same voting area may vouch for them by completing the *Vouching Declaration*. The elector must also take the *Declaration of Elector* to be added to the voting record, if necessary.

A scrutineer cannot vouch for an elector.

## Voter Assistance

If an elector is unable to read the ballot or has a physical disability, they may receive voter assistance, as follows:

- When accompanied by a friend, they are permitted to have that friend assist in marking the ballot, provided that the friend takes the appropriate oath.
- The election officer may assist that elector to mark the ballot in the presence of another election officer.
- If an elector is unable to access a voting place, two election officers shall bring the ballot to some other place on the site on which the voting place is located. Before doing so, any scrutineers observing the voting station will be advised, so that they may accompany the election officers.
- An elector may be assisted by an interpreter, provided that the interpreter takes the appropriate oath.



During advance voting, voter assist terminals will be provided in at least one advance voting location in each electoral division. The voter assist terminal enables electors with physical impairments and language barriers to mark their ballot independently using features such as a touch screen with a zoom and contrast feature, multiple language translation, a keypad marked with braille, a puff-sip interface, as well as an audio ballot feature.

The voter assist terminal uses the same ballot style as all other advance vote locations and is a ballot marking tool to assist electors. The ballots marked using the voter assist terminal are fed through the tabulator in the same way as all other ballots marked by electors during advance voting.

## **Record of Electors Who Voted**

On Election Day, the election officer responsible for the voting record at a voting station will advise the scrutineer of the electors who have voted by calling out the elector's sequence number from the voting record and/or providing a Record of Electors who have Voted. A scrutineer may also view the voting record at a time that will not inconvenience electors.

For advance voting, candidates will have electronic access to the list of the electors who have voted. The Site Supervisor will also maintain a daily record of electors who have voted. This record can be obtained by scrutineers on the day following the voting day it applies to (on Wednesday for Tuesday's voters, on Thursday for Wednesday's voters, etc.).

## **Scrutineers at Mobile Voting Facilities**

Scrutineers may be present at mobile voting places located in treatment centres, supportive living facilities, emergency shelters and community support centres. These voting stations may be set-up in a stationary location or may move from bed-to-bed. In some cases, the facility representative will decide whether the scrutineers may accompany the Voting Officer and Record Clerk during the conduct of a mobile vote.

## **Voting Options for Scrutineers**

Scrutineers may vote at any advance voting location or at the voting place that they are observing at on Election Day if it is their assigned location. Scrutineers that are observing at a voting place other than the voting place that they are assigned to vote at may vote during the advance vote or by special ballot prior to Election Day.



## Glossary of Terms

### Advance Vote

A voting opportunity that provides electors with five additional days to vote in advance of Election Day. Advance voting is legislated to be held in the full week preceding Election Day on the Tuesday, Wednesday, Thursday, Friday, and Saturday, from 9:00 am - 8:00 pm.

### Election Day

The day fixed for voting in an election, also known as a voting day.

### Elector

A person who is eligible to vote in an election or by-election.

#### An elector must be:

- A Canadian citizen,
- At least 18 years of age, and
- Ordinarily resident in Alberta.

### Electoral Division

The province has been divided into 87 geographic areas each known as electoral divisions. Determination of the boundaries of each division is done by the Electoral Boundaries Commission and boundaries are primarily based on population. Other factors used to determine electoral divisions include geographic area, natural boundaries, county lines, city limits and common community interests.

### IT Support Staff

An individual appointed by the Returning Officer to work in the returning office during the election period to provide information technology support.

### Mobile Voting Station

A voting station established to serve electors in supportive living facilities, treatment centres, shelters, and community support centres. Mobile voting stations can be operated on any advance voting day, in addition to Election Day.

### Official Agent

An elector appointed by a candidate under the Act to assist the candidate during the campaign.

### Rejected Ballot

A ballot rejected by an election officer during the unofficial count where the voter's intention is unclear, or a Special Ballot received after the close of voting on Election Day.



**Returning Officer (RO)**

An elector, appointed by the Chief Electoral Officer, responsible for the conduct of an electoral event in an electoral division.

**Special Ballot**

A ballot available to persons who are unable to vote during advance voting or on Election Day. Voters either cast their ballot in person at the returning office or at Elections Alberta, have their package picked up by a designated representative or complete the ballot by mail.

**Voting Area**

Administrative subdivisions of the electoral divisions used to assign electors to a voting station at Election Day voting places.

**Voting Place**

A location (school, community league, church, etc.) where one or more voting stations are provided to vote at during an election.

**Voting Record**

The list used at the Voting Place for each voting area that contains all the names in the List of Electors of eligible voters for that particular voting area.

**Voting Screen**

A place within a voting place where voters mark their ballots without interference or observation.

**Voting Station**

Managed by one or more election officers, a voting station is part of a voting place. It is provided for electors residing in a specific voting area for voting purposes.







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