

Referendum (General) Regulation – Summary of Changes

April 2026

Summary of amendments to the Referendum General Regulation made by Order in Council which come into force on May 1, 2026.

Definitions

- Added “proponent” to the definition.
- Added definition of an “official political party” to mean a political party with at least 4 MLAs when a referendum is ordered or the date immediately preceding writs being issued for a general election if the referendum is held in conjunction with a general election, whichever is earlier and received at least 5% of the popular vote in the most recent general election. (s.1(1.1)).

Application of the *Election Finances and Contributions Disclosure Act (EFCDA)*

- Added provision that the EFCDA does not apply to a registered party, constituency association, or MLA for a referendum. (s.6.01)

Appointment of scrutineers

- Allows each official party and the proponent (if a referendum question is the result of a successful citizen initiative petition) to appoint:
 - one scrutineer to observe in a manner that does not compromise the secrecy of voting, confirming electors’ ID address matches the list of electors and issuing ballots for each voting place for each advance voting day and referendum voting day,
 - one additional scrutineer to observe electors signing declarations to confirm their eligibility if they are not on the list of electors, and
 - one additional scrutineer at each voting station at each voting place to observe ballot counting. (s.6.2(1)(a)).
- Added matching provisions for referendums held in conjunction with a municipal general election held under the *Local Authorities Election Act (LAEA)*.(s.6.2(1)(b)).
- Official parties and proponent(s) must notify the CEO, in writing, no later than 8 weeks before referendum voting day, who the appointed scrutineer(s) are and which voting place or voting station they have been appointed to. (s.6.2(2)).
- Registered referendum third party advertisers may submit a list of scrutineer names to the CEO (s.6.2(4)) who may be appointed to observe, as above:
 - if official parties or proponents do not appoint a scrutineer, or
 - if the CEO determines additional scrutineers should be appointed, (s.6.2(3)).
- The CEO may consider if other appointed scrutineers are for or against each referendum question when determining appointment of third party scrutineers. (s.6.2(5)).

- Scrutineers must:
 - be eligible electors (s.6.2(6)),
 - have not been issued an administrative penalty or letter of reprimand or convicted of an offence under the *Election Act*, EFCDA, LAEA, or *Canada Elections Act* (Canada) in the previous 10 years (s.6.2(7)),
 - take the prescribe oath of secrecy (s.6.2(8)), and
 - produce their appointment to the returning officer, election officer, or presiding deputy of the voting place or station before being admitted (s.6.2(9)),
- The returning officer, election officer, or presiding deputy may designate the place where a scrutineer may observe. (s.6.2(10)).

Performance of duties (re: scrutineers)

- Adds the following provisions for the conduct of scrutineering.
- Scrutineers may perform their duties at more than one voting station or place (s.6.21(1)).
- No voting place will be permitted to have more than 2 total scrutineers for each official party or proponent(s) at any one time (i.e. allows a maximum of 1 each for voting stations and 1 each for place where declarations are signed). (s.6.21(2)) and provides matching restrictions for referendums held in conjunction with a municipal general election (s.6.21(3)).
- For referendums held as standalone provincial events or with a provincial general election, one scrutineer for each official party and proponent(s) may be present at each voting station when ballots are counted (s.6.21(4)).
- Official parties and proponent(s) must immediately notify the CEO in writing when a replacement scrutineer is appointed and where they are appointed. (s.6.3(5) and (6)), and allows either the returning officer or the CEO to appoint a replacement scrutineer (s.6.4(5)(b)).

Unofficial count

- Requires any question that is the result of a successful citizen initiative petition to begin being counted first at each voting location and station. (s.6.4(1)).
- Requires unofficial results to be published as the results are received from returning officers. (s.6.4(2)).
- Requires unofficial ballot count to be completed no later than:
 - 12 hours after close of voting if there are 1 or 2 questions,
 - 24 hours after close of voting if there are 3 or 4 questions,
 - 36 hours after close of voting if there are 5 or 6 questions, and
 - 48 hours after close of voting if there are 7 or more questions. (s.6.4(3)).

Exceptions to Elections Act

- Adds referendum scrutineers provisions in this regulation as described above (s.15.1(1) and (3)).
- Clarifies candidate references in s.108(2) and 111(8) of the *Election Act* refer to the name of the political party or proponent on whose behalf an objection was made or the CEO or

returning officer who appointed the scrutineer. (s.15.1(2)).

- Permits one scrutineer for each official party and proponent and one or more scrutineers appointed by the CEO for the purpose of observing a mobile voting station as described above (s.15.1(4)).
- Clarifies provision of food or beverages for referendum scrutineers is not a contravention of s.162(1) of the *Election Act* (s.15.1(5)).

Official count of returning officer

- Repeals s.23(1) allowing returning officers to publish unofficial results as they are received from voting stations.



Elections Alberta is an independent, non-partisan office of the Legislative Assembly of Alberta responsible for administering provincial elections, by-elections, and referendums.

For media inquiries, please contact:

Michelle Gurney

Media Relations

Phone: 403.431.0759

Email: media@elections.ab.ca