

Directive of the Chief Electoral Officer under section 4.11(2) of the *Election Act*

The purpose of this directive is to enable out of electoral division voting at advance polls and voting at special mobile polls. This directive describes the modifications to the provisions of the *Election Act* that are necessary to enable out of electoral division voting and specifies the nature and extent to which certain provisions of the *Election Act* will not be complied with. This directive is made under the Chief Electoral Officer’s authority under sections 4.11(2), 4(3)(f) and 125.3 of the *Election Act*.

	Directive	Relevant <i>Election Act</i> section	Compliance and Modification
1.	<p>The following definitions will apply for the purposes of this directive.</p> <p>(a) Directive Ballots: Any ballot cast at an advance poll by a voter who resides in an electoral division other than the electoral division for which the advance poll is established or a ballot cast by a voter at a special mobile poll.</p> <p>(b) Tabulator: A high speed optical scan reader used for counting ballots and votes.</p>	Not applicable.	Not applicable.
2.	<p>Directive Ballots shall be</p> <p>(a) printed on an 8.5x11 sheets of paper in the prescribed format set out in Appendix “A”, With any modifications required to list more or fewer candidates, and</p> <p>(b) placed in a secrecy sleeve.</p>	<p>82(3) The printer shall deliver to the returning officer with the printed ballots a completed and executed Affidavit of Printer in the prescribed form.</p> <p>83(4) Every ballot shall include a stub and there shall be a line of perforations between the ballot and the stub.</p> <p>83(5) The ballot and stub shall be in the prescribed form and shall be bound or stitched in books in quantities that the Chief Electoral</p>	<p>Compliance Section 82(3) will not be complied with. Directive Ballots are not provided in advance, they are printed when requested by a voter.</p> <p>Sections 83(4)-(6) will not be complied with as Directive Ballots have a different format and use a secrecy sleeve instead of folding.</p>

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		Officer considers appropriate. 83(6) The ballots shall be serially numbered with the number of each ballot appearing on the back of the stub.	
3.	If the polling place is unable to print a Directive Ballot the voter will be issued the form of ballot used for a special ballot.		New This section will be added so that there is a procedure in place to deal with equipment failure. This will meet the objective of section 82(3) of making sure there are sufficient ballots for electors to cast their votes.
4.	Each Directive Ballot shall set out the name of each candidate in capital letters together with (a) the name of the registered political party for which the candidate is the candidate, or (b) the word “Independent” if the candidate is not a candidate for a registered political party	83(1) Each ballot shall set out the name of each candidate together with (a) the name of the registered political party for which the candidate is the candidate, or (b) the word “Independent” if the candidate is not a candidate for a registered political party in a type of at least 12 point capital letters.	Compliance Directive Ballots are printed on an 8.5x11 sheets of paper. Section 83(1) will be complied with except for the font size if there are a large number of candidates. Modification 83(1) Each ballot shall set out the name of each candidate in capital letters together with (a) the name of the registered political party for which the candidate is the candidate, or (b) the word “Independent” if the candidate is not a candidate for a registered political party in a type of at least 12 point capital letters.
5.	The names of the candidates shall be set out on each Directive Ballot in capital letters as follows: (a) the candidate’s (i) given name, (i.1) middle name, (ii) initials, or	83(3) The names of the candidates shall be set out on the ballot as follows: (a) the candidate’s (i) given name, (i.1) middle name, (ii) initials, or (iii) nickname, subject to subsection	Compliance Section 83(3)(a) and (b) may not be complied with to the extent that it requires ballots to be printed using a type of at least 12 point capital letters. The font size may be smaller than 12 point if there are a large number of candidates. Sections 83(c) and (d) will be complied with.

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	<p>(iii) nickname, subject to subsection</p> <p>or any combination of them,</p> <p>(b) the candidate's surname shall appear following the given name, initials or nickname, as the case may be,</p> <p>(c) the candidates' names shall be listed on the basis of the alphabetical order of their surnames and, where 2 or more candidates have identical surnames, those candidates' names shall be listed on the basis of the alphabetical order of their given names;</p> <p>(d) no titles, degrees, prefixes or suffixes may be included with a name</p>	<p>or any combination of them in a type of at least 12 point capital letters;</p> <p>(b) the candidate's surname shall appear following the given name, initials or nickname, as the case may be, and be in a type of at least 12 point capital letters;</p> <p>(c) the candidates' names shall be listed on the basis of the alphabetical order of their surnames and, where 2 or more candidates have identical surnames, those candidates' names shall be listed on the basis of the alphabetical order of their given names;</p> <p>(d) no titles, degrees, prefixes or suffixes may be included with a name</p>	<p>Modification</p> <p>83(3) The names of the candidates shall be set out on the ballot <u>in capital letters</u> as follows:</p> <p>(a) the candidate's</p> <ul style="list-style-type: none"> (i) given name, (i.1) middle name, (ii) initials, or (iii) nickname, subject to subsection <p>or any combination of them in a type of at least 12 point capital letters;</p> <p>(b) the candidate's surname shall appear following the given name, initials or nickname, as the case may be, and be in a type of at least 12 point capital letters;</p> <p>(c) the candidates' names shall be listed on the basis of the alphabetical order of their surnames and, where 2 or more candidates have identical surnames, those candidates' names shall be listed on the basis of the alphabetical order of their given names;</p> <p>(d) no titles, degrees, prefixes or suffixes may be included with a name</p>
6.	<p>The deputy returning officer shall maintain a record of the quantity of Directive Ballots issued.</p>	<p>84 Each returning officer shall maintain a record of</p> <p>(a) the quantity of ballots that are provided to the deputy returning officers in the electoral division, and</p> <p>(b) the serial numbers of the ballots.</p>	<p>Compliance</p> <p>Section 84 will be modified for Directive Ballots.</p> <p>Directive Ballots will be printed at the polling place on an 8.5 x 11 sheet of paper in the prescribed format set out in Appendix A. Directive Ballots will not be serially numbered and the deputy returning officer will maintain the records instead of the returning officer.</p>

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			<p>Modification 84 Each deputy returning officer shall maintain a record of</p> <p>(a) the quantity of Directive Ballots issued, that are provided to the deputy returning officers in the electoral division, and</p> <p>(b) the serial numbers of the ballots.</p>
7.	<p>The returning officer shall provide the deputy returning officer with access to the electronic poll book containing the provincial list of electors for use at the advance poll or special mobile poll.</p>	<p>List of electors for advance poll 97 The returning officer shall provide a copy of the list of electors for all assigned polling subdivisions in the electoral division for use by the deputy returning officer at the advance poll</p>	<p>Compliance Deputy returning officers for advance polls and special mobile polls will have access to an electronic poll book. Section 97 is modified to specify that the deputy returning officer will have access to a copy of the list of electors.</p> <p>Modification List of electors for advance poll and <u>special mobile poll</u> 97 The returning officer shall provide <u>the deputy returning officer with access to the electronic poll book containing the provincial list of electors</u> a copy of the list of electors for all assigned polling subdivisions in the electoral division for use by the deputy returning officer at the advance poll <u>or special mobile poll.</u></p>
8.	<p>After the opening of a polling place for an advance poll or special mobile poll, the deputy returning officer shall take all reasonable precautions to ensure that no other person except the deputy returning officer has access to the ballot box.</p>	<p>98(5) After the opening of a polling place for an advance poll the deputy returning officer shall take all reasonable precautions to ensure that no other person except the poll clerk has access to the ballot box.</p>	<p>Compliance Advance polls and special mobile polls do not have polling clerks. This role will be fulfilled by a deputy returning officer.</p> <p>Modification 98(5) After the opening of a polling place for an advance poll <u>or special mobile poll</u> the deputy returning officer shall take all reasonable precautions to ensure that no other person except the <u>deputy returning officer</u> poll clerk has access to the ballot box.</p>

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9.	<p>When a person who is an elector attends to vote at the advance poll or special mobile poll, the deputy returning officer shall</p> <p>(a) if the person’s name appears on a list of electors, enter opposite the name of that person on the list of electors in the appropriate column a check mark or other annotation indicating that the voter voted in the advance poll or special mobile poll, or</p> <p>(b) if the person’s name does not appear on any list of electors,</p> <p>(i) require the person to comply with section 95(1) or (2), and</p> <p>(ii) enter the person’s name and address on the list of electors and enter in the appropriate column in the poll book a check mark or other annotation indicating that the voter signed a declaration in accordance with section 95(1) or signed a declaration and was vouched for in accordance with section 95(2), and voted in the advance poll or special mobile poll.</p>	<p>99(1) When a person who is an elector attends to vote at the advance poll, the deputy returning officer shall</p> <p>(a) if the person’s name appears on a list of electors, enter opposite the name of that person on the list of electors in the appropriate column a check mark or other annotation indicating that the voter voted in the advance poll, or</p> <p>(b) if the person’s name does not appear on any list of electors,</p> <p>(i) require the person to comply with section 95(1) or (2), and</p> <p>(ii) enter the person’s name and address on the list of electors and enter in the appropriate column in the poll book a check mark or other annotation indicating that the voter signed a declaration in accordance with section 95(1) or signed a declaration and was vouched for in accordance with section 95(2), and voted in the advance poll.</p>	<p>Compliance / Modification This section will be complied with but will be modified so that it also applies to special mobile polls.</p> <p>99(1) When a person who is an elector attends to vote at the advance poll <u>or special mobile poll</u>, the deputy returning officer shall</p> <p>(a) if the person’s name appears on a list of electors, enter opposite the name of that person on the list of electors in the appropriate column a check mark or other annotation indicating that the voter voted in the advance poll <u>or special mobile poll</u>, or</p> <p>(b) if the person’s name does not appear on any list of electors,</p> <p>(i) require the person to comply with section 95(1) or (2), and</p> <p>(ii) enter the person’s name and address on the list of electors and enter in the appropriate column in the poll book a check mark or other annotation indicating that the voter signed a declaration in accordance with section 95(1) or signed a declaration and was vouched for in accordance with section 95(2), and voted in the advance poll <u>or special mobile poll</u>.</p>
10.	<p>The deputy returning officer shall provide to each elector recorded in the poll book and who is casting a Directive Ballot, a printed ballot containing the deputy returning officer’s initials in the prescribed place so that when the ballot is placed in the secrecy sleeve the initials can be seen without removing the ballot from the secrecy sleeve.</p>	<p>99(2) The deputy returning officer shall provide to each elector recorded in the poll book a prefolded ballot containing the deputy returning officer’s initials in the prescribed place on its back so that when the ballot is folded the initials can be seen without unfolding it.</p>	<p>Compliance Section 99(2) will not be complied with for Directive Ballots as Directive Ballots are printed on 8.5” by 11” paper. The Directive Ballot will not be folded but instead is placed inside a secrecy sleeve which allows for the deputy returning officer’s initials to be seen.</p> <p>Modification Section 99(2) will be modified as follows to accommodate the format of the Directive Ballot:</p> <p>99(2) The deputy returning officer shall provide to each elector recorded in the poll book <u>and who is casting Directive Ballot</u>, a</p>

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			<p>prefolded printed ballot containing the deputy returning officer's initials in the prescribed place on its back so that when the ballot is folded placed in the secrecy sleeve the initials can be seen without unfolding it removing the ballot from the secrecy sleeve.</p>
11.	<p>The deputy returning officer shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to</p> <p>(a) proceed to one of the polling booths and there, with the marker provided, mark his or her ballot by filling in the oval in the white space opposite the name of the candidate of his or her choice,</p> <p>(b) place the ballot in the secrecy sleeve so that the deputy returning officer's initials on the ballot can be seen without removing the ballot from the secrecy sleeve, and</p> <p>(c) hand the ballot in the secrecy sleeve to the deputy returning officer</p>	<p>101(1) The deputy returning officer shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to</p> <p>(a) proceed to one of the polling booths and there, with the marker provided, mark his or her ballot by placing an "X" in the white space opposite the name of the candidate of his or her choice,</p> <p>(b) refold the ballot so that the initials, electoral division and year of the election on the back of the ballot can be seen without unfolding it, and</p> <p>(c) hand the folded ballot to the deputy returning officer.</p>	<p>Compliance Section 101(1)(a), (b) and (c) will be modified for voting by Directive Ballot.</p> <p>Directive Ballots are printed on 8.5" by 11" paper and initialed by the deputy returning officer in the prescribed place. There is a white oval next to candidates' names. Electors will fill in the oval. The elector will then place the ballot back into the secrecy sleeve so that the deputy returning officer's initials can be seen.</p> <p>Modification Section 101(1)(a)(b) and (c) will be modified as follows to allow for the format of the Directive Ballots and the use of a secrecy sleeve:</p> <p>101(1) The deputy returning officer shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to</p> <p>(a) proceed to one of the polling booths and there, with the marker provided, mark his or her ballot by placing an "X" filling in the oval in the white space opposite the name of the candidate of his or her choice,</p> <p>(b) refold the ballot so that the initials, electoral division and year of the election on the back of place the ballot in the secrecy sleeve so that the deputy returning officer's initials on the ballot can be seen without unfolding it removing the ballot from the secrecy sleeve, and</p> <p>(c) hand the folded ballot in the secrecy sleeve to the deputy returning officer.</p>

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12.	The deputy returning officer shall, without removing the ballot from the secrecy sleeve, and in full view of the voter and all present, ascertain by examining the initials that it is the same ballot the deputy returning officer provided to the voter, and return the ballot to the voter so that the voter may place the ballot in the ballot box.	101(2) The deputy returning officer shall, without unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that it is the same ballot the deputy returning officer provided to the voter, and return the ballot to the voter so that the voter may place the ballot in the ballot box.	<p>Compliance Section 101(2) will not be complied because Directive Ballots will be put in a secrecy sleeve instead of folding them. The deputy returning officer will view the initials on the ballot that is in the secrecy sleeve without removing the ballot from the secrecy sleeve.</p> <p>Modification Section 101(2) will be modified as follows to allow for the format of the Directive Ballots and the use of a secrecy sleeve:</p> <p>101(2) The deputy returning officer shall, without removing the ballot from the secrecy sleeve unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that it is the same ballot the deputy returning officer provided to the voter, and return the ballot to the voter so that the voter may place the ballot in the ballot box.</p>
13.	After the opening of a polling place for an advance poll or special mobile poll the deputy returning officer shall take all reasonable precautions to ensure that no other person except the deputy returning officer has access to the ballot box.	98(5) After the opening of a polling place for an advance poll the deputy returning officer shall take all reasonable precautions to ensure that no other person except the poll clerk has access to the ballot box.	<p>Compliance Section 98(5) will be modified to reflect that the staffing of advance polls and special mobile polls will not include a poll clerk; this role will be filled by a deputy returning officer.</p> <p>Modification Section 98(5) will be modified as follows to enable the deputy returning officer to take the place of the polling clerk contemplated by section 98(5) access the ballot box:</p> <p>98(5) After the opening of a polling place for an advance poll or special mobile poll the deputy returning officer shall take all reasonable precautions to ensure that no other person except the deputy returning officer the poll clerk has access to the ballot box.</p>

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14.	<p>Each day at the close of the polling place for an advance poll or special mobile poll the:</p> <p>(a) deputy returning officer assigned to the poll book</p> <p style="padding-left: 20px;">(i) shall immediately count the number of spoiled and declined ballots and record the total on the form as prescribed by the Chief Electoral Officer;</p> <p style="padding-left: 20px;">(ii) place the ballots into envelopes which shall be sealed by the deputy returning officer;</p> <p>(b) Directive Ballot Box deputy returning officer shall break the seals and open the Directive Ballot Box and:</p> <p style="padding-left: 20px;">(i) remove and place the marked ballots into a ballot transfer envelope along with the declined and spoiled ballot envelopes and the prescribed form;</p> <p style="padding-left: 20px;">(i) seal and initial the ballot transfer envelope</p> <p style="padding-left: 20px;">(ii) break seals on the ballot transfer container, if necessary;</p> <p style="padding-left: 20px;">(iii) place the ballot transfer envelope into the ballot transfer container; and</p> <p style="padding-left: 20px;">(iv) seal the ballot transfer container so that it cannot be opened and no ballots can be deposited without breaking those seals.</p>	<p>98(6) Each day at the close of the polling place for an advance poll the ballot box</p> <p style="padding-left: 40px;">(a) shall be sealed by the deputy returning officer and poll clerk, and</p> <p style="padding-left: 40px;">(b) may be sealed by any candidate, official agent or scrutineer so desiring,</p> <p>so that it cannot be opened and no ballots can be deposited without breaking those seals.</p>	<p>Compliance</p> <p>Section 98(6) will not be complied with. Each day at the close of the polling place for an advance poll or special mobile poll, the deputy returning officer assigned to the electronic poll book will count the declined and spoiled ballots, record on the prescribed form, place these ballots in envelopes, and seal the envelopes.</p> <p>The Directive Ballot Box deputy returning officer will break the seals and open the Directive Ballot Box, remove and place the marked ballots into the ballot transfer envelope along with the declined and spoiled ballot envelopes and the completed prescribed form.</p> <p>The Directive Ballot Box deputy returning officer will seal the ballot transfer envelope, initial the seal and place in the ballot transfer container. The deputy returning officer will seal the ballot transfer container.</p> <p>The ballot transfer container will remain sealed until the close of the polling place for the following day when the seals will be broken such that the following days ballots may be deposited.</p> <p>Modification</p> <p>Section 98(6) will be replaced with the following text:</p> <p>98(6) Each day at the close of the polling place for an advance poll or special mobile poll the:</p> <p>(a) deputy returning officer assigned to the poll book</p> <p style="padding-left: 20px;">(i) shall immediately count the number of spoiled and declined ballots and record the total on the form as prescribed by the Chief Electoral Officer;</p> <p style="padding-left: 20px;">(ii) place the ballots into envelopes which shall be sealed by the deputy returning officer;</p> <p>(b) Directive Ballot Box deputy returning officer shall break the seals and open the Directive Ballot Box and:</p>

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			<ul style="list-style-type: none"> (i) remove and place the marked ballots into a ballot transfer envelope along with the declined and spoiled ballot envelopes and the prescribed form; (ii) seal and initial the ballot transfer envelope (iii) break seals on the ballot transfer container, if necessary; (iv) place the ballot transfer envelope into the ballot transfer container; and (v) seal the ballot transfer container so that it cannot be opened and no ballots can be deposited without breaking those seals.
15.	Sealing material applied to a ballot transfer container shall not be broken from the time it is applied until after the close of the polling places on polling day, except as may be necessary at the close of the polling place for the advance poll or special mobile poll on the Wednesday, Thursday, Friday and Saturday to permit the deposit of ballots.	98(7) Sealing material applied to a ballot box shall not be broken from the time it is applied until the close of the polling places on polling day, except as may be necessary at the opening of the polling place for the advance poll on the Wednesday, Thursday, Friday and Saturday to permit the deposit of ballots.	<p>Compliance The ballot transfer container will be sealed each night after the ballot envelopes are placed in the ballot transfer container.</p> <p>This section will be complied with for ballot transfer containers except insofar as the seals on the ballot transfer container will be broken at night to permit the deposit of ballots.</p> <p>Modification Section 98(7) is modified as follows for ballot transfer containers:</p> <p>98(7) Sealing material applied to a ballot box transfer container shall not be broken from the time it is applied until after the close of the polling places on polling day, except as may be necessary at the close opening of the polling place for the advance poll or special mobile poll on the Wednesday, Thursday, Friday and Saturday to permit the deposit of ballots.</p>
16.	At the close of the polling place for the advance poll or special mobile poll on the final day the deputy returning officer shall, after the seal has been applied pursuant to subsection (6), return the ballot transfer containers to the returning officer or to the Elections Alberta offices in Edmonton at the direction of the returning officer.	98(8) At the close of the polling place for the advance poll on the final day the deputy returning officer shall, after the seal has been applied pursuant to subsection (6), take charge of and safely keep the ballot box until the close of polls on polling day, when the ballots shall be counted in accordance with section 111.	<p>Modification Section 98(8) is modified so that at the close of the polling place for an advance poll or special mobile poll on the final day, the deputy returning officer shall return the ballot transfer container to the returning officer:</p>

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			<p>98(8) At the close of the polling place for the advance poll <u>or special mobile poll</u> on the final day the deputy returning officer shall, after the seal has been applied pursuant to subsection (6), take charge of and safely keep the ballot box until the close of polls on polling day, when the ballots shall be counted in accordance with section 111 <u>return the ballot transfer containers to the returning officer or to the Elections Alberta offices in Edmonton at the direction of the returning officer.</u></p>
17.	<p>The returning officer shall ensure that the ballot transfer container is returned to the Elections Alberta Edmonton Office in a sealed courier bag by a means approved of by the Chief Electoral Officer.</p>	<p>114(1) The deputy returning officer is responsible for returning the ballot box to the returning officer as soon as possible after the conclusion of the unofficial count of the votes.</p> <p>(2) If the deputy returning officer does not personally return the ballot box to the returning officer, the deputy returning officer shall ensure that the ballot box is returned to the returning officer by a means approved of by the returning officer.</p>	<p>Compliance There will be no unofficial count of Directive Ballots cast at advance polls or special mobile poll; Directive Ballots will be securely transported to Elections Alberta offices in Edmonton where they will be counted. Accordingly, sections 111 to 113 do not apply to Directive Ballots. Section 114(2) will be complied with.</p> <p>The returning officer shall ensure that the ballot transfer container is sent to the Election Alberta Edmonton Office in a sealed courier bag by a means approved of by the Chief Electoral Officer.</p> <p>Modification Section 114(1) is (modified) by replacing them with the following:</p> <p>114(1) The returning officer shall ensure that the ballot transfer container is returned to the Elections Alberta Edmonton Office in a sealed courier bag by a means approved of by the Chief Electoral Officer.</p>
18.	<p>The Chief Electoral Officer shall provide adequate quarters and facilities for receiving and conducting the official count of the Directive Ballots received.</p>	<p>136 The returning officer for each electoral division shall provide adequate quarters and facilities for receiving and conducting the official count of the ballots received from all the deputy returning officers of the returning officer's electoral division</p>	<p>Modification This section shall be modified for the purpose of the official count of the Directive Ballots which will be held at the Elections Alberta Edmonton Office.</p>

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			<p>Compliance Section 136 is modified in the following manner:</p> <p>136 The Chief Electoral Officer returning officer for each electoral division shall provide adequate quarters and facilities for receiving and conducting the official count of the Directive Ballots received from all the deputy returning officers of the returning officer's electoral division.</p>
19.	The Chief Electoral Officer shall give written notice to each registered party and each independent candidate of the place, date and time of commencement of the official count of the Directive Ballots.	137(1) The returning officer shall give written notice to each candidate or each candidate's official agent of the place, date and time of commencement of the official count.	<p>Compliance This section will be modified for the purpose of the official count of the Directive Ballots which will be carried out at the Elections Alberta Edmonton Office.</p> <p>The Chief Electoral Officer will notify each registered party and each independent candidate of the place, date, and time of commencement of the official count of Directive Ballots.</p> <p>Modification Section 137(1) is modified:</p> <p>137(1) The returning officer Chief Electoral Officer shall give written notice to each registered party and each independent candidate or each candidate's official agent of the place, date and time of commencement of the official count of the Directive Ballots.</p>
20.	No person may be allowed in the room where an official count of the Directive Ballots is being conducted except (a) the returning officer and election clerk, and any other election officers authorized by the returning officer to assist with the counting of the ballots,	137(2) No person may be allowed in the room where an official count is being conducted except (a) the returning officer and election clerk, and any other election officers authorized by the returning officer to assist with the counting of the ballots,	<p>Compliance This section will be modified for the purpose of the official count of the Directive Ballots which will be held at the Elections Alberta Edmonton Office. In order for the official count to proceed in an orderly fashion, registered political parties may send no more than six representatives at a given time.</p>

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	<p>(b) deputy returning officers in the discharge of their duties,</p> <p>(c) Up to 6 representatives from each Registered Party at any given time,</p> <p>(d) Independent candidates, their official agent or electors of the electoral division the independent candidate is running in appointed in writing by independent candidates, and</p> <p>(e) the Chief Electoral Officer or designates or both.</p>	<p>(b) deputy returning officers in the discharge of their duties,</p> <p>(c) the candidates for the electoral division, their official agents or electors of the electoral division appointed in writing by the candidates, or all of them, and</p> <p>(d) the Chief Electoral Officer or a designate or both.</p>	<p>Replacement Section 137(2) is replaced in the following manner:</p> <p>137(2) No person may be allowed in the room where an official count of the Directive Ballots is being conducted except (a) the returning officer and election clerk, and any other election officers authorized by the returning officer to assist with the counting of the ballots,</p> <p>(b) deputy returning officers in the discharge of their duties,</p> <p><u>(c) Up to 6 representatives from each Registered Party at any given time,</u></p> <p><u>(d) Independent candidates, their official agent or electors of the electoral division the independent candidate is running in appointed in writing by independent candidates, and</u></p> <p><u>(e) the Chief Electoral Officer or designates or both.</u></p>
21.	<p>In conducting the official count, the returning officer, with the assistance of the election clerk and any other election officers authorized by the returning officer to assist with the counting of the ballots, shall open each ballot transfer container box and remove the deputy returning officer's form listing the total number of Directive Ballots, the number spoiled ballots and the number of declined ballots and the envelopes containing the ballots.</p>	<p>137(3) In conducting the official count, the returning officer, with the assistance of the election clerk and any other election officers authorized by the returning officer to assist with the counting of the ballots, shall open each ballot box and remove the deputy returning officer's Statement of Poll and the envelopes containing the ballots.</p>	<p>Compliance This section is modified to apply to the ballot transfer containers instead of ballot boxes and the deputy returning officer's form instead of statement of poll.</p> <p>Modification Subsection 137(3) is modified in the following manner:</p> <p>137(3) In conducting the official count, the returning officer, with the assistance of the election clerk and any other election officers authorized by the returning officer to assist with the counting of the ballots, shall open each ballot transfer container box and remove the deputy returning officer's form listing the total number of Directive Ballots, the number spoiled ballots and the number of</p>

	Directive	Relevant <i>Election Act</i> section	Compliance and Modification
			<p>declined ballots Statement of Poll and the envelopes containing the ballots.</p>
22.	<p>Official count The returning officer shall</p> <ul style="list-style-type: none"> (a) check the deputy returning officer’s form listing the total number of Directive Ballots, the spoiled ballots and the declined ballots, (b) make a note in the poll book of every objection to a ballot or ballot envelope made on behalf of a registered political party or independent candidate and the name of any registered political party or independent candidate by or on whose behalf an objection was made, (c) number each objection to a ballot or ballot envelope in the poll book, place a corresponding number on the back of the ballot or back of ballot envelope and initial the back of the ballot or ballot envelope, (d) record objections to ballot envelopes only if the ballot envelope has been tampered with, (e) decide any questions arising out of an objection, (f) supervise election officers in conducting the official count of the valid votes, (g) supervise election officers in reconciling the number of issued, spoiled and declined ballots, and (h) complete an official count of the valid votes using tabulators. 	<p>137(3.1) The returning officer shall</p> <ul style="list-style-type: none"> (a) check the deputy returning officer’s Statement of Poll, (b) make a note in the poll book of every objection to a ballot made by or on behalf of a candidate and the name of any candidate by or on whose behalf an objection was made, (c) number each objection to a ballot in the poll book, place a corresponding number on the back of the ballot and initial the back of the ballot, (d) decide any questions arising out of an objection regardless of whether a decision was made by the deputy returning officer in the first instance, (e) inspect all rejected ballots and decide on the validity of each ballot regardless of the previous rejection by the deputy returning officer, (f) supervise election officers in conducting the official count of the valid votes, (g) supervise election officers in reconciling the number of spoiled and declined ballots, and (h) complete an official count of the valid votes. 	<p>Compliance This section is modified to apply to the processing of Directive Ballots at the Elections Alberta Edmonton office using tabulators.</p> <p>137(3.1)(e) will not be complied / it is not applicable as there is no unofficial count of Directive Ballots in advance of the official count so there are no “previous decisions of a deputy returning officer.</p> <p>The ballot transfer containers and ballot transfer envelopes will be opened in front of the representatives of a registered political party, independent candidate or independent candidate’s representative, if present.</p> <p>Modification Subsection 137(3.1) is modified in the following manner:</p> <p>137 (3.1) The returning officer shall</p> <ul style="list-style-type: none"> (a) check the deputy returning officer’s form listing the total number of Directive Ballots, the spoiled ballots and the declined ballots Statement of Poll, (b) make a note in the poll book of every objection to a ballot made on behalf of a registered political party or independent candidate and the name of any registered political party or independent candidate and the name of any candidate by or on whose behalf an objection was made. (c) number each objection to a ballot in the poll book, place a corresponding number on the back of the ballot and initial the back of the ballot, (d) decide any questions arising out of an objection,

	Directive	Relevant <i>Election Act</i> section	Compliance and Modification
			<p>(e) inspect all rejected ballots and decide on the validity of each ballot regardless of the previous rejection by the deputy returning officer,</p> <p>(f) supervise election officers in conducting the official count of the valid votes,</p> <p>(g) supervise election officers in reconciling the number of issued, spoiled and declined ballots, and</p> <p>(h) complete an official count of the valid votes <u>using tabulators.</u></p>
23.	<p>NEW The following applies to Directive Ballots:</p> <p>(a) A ballot which cannot be processed by the tabulator will be replaced by an election officer with a ballot which can be processed by the tabulator. Replacement ballots will be numbered in chronological order.</p> <p>(b) The replacement ballot will be marked with the intended vote of the elector on the ballot to be replaced.</p> <p>(c) The election officer will make a note in the poll book of an objection made to a replacement ballot made on or behalf of a registered political party or independent candidate and the name of any registered political party or independent candidate by or on whose behalf an objection was made.</p> <p>(d) The election officer will number each objection to a replacement ballot in the poll book and place a corresponding number on the back of the replaced ballot and replacement ballot and initial the back of the replaced ballot and the replacement ballot.</p>	<p>NEW The use of tabulators is not currently addressed in the <i>Elections Act</i>.</p>	<p>A ballot which cannot be processed by the tabulator will be replaced by an election officer with a ballot which can be processed by the tabulator. Replacement ballots will be numbered in chronological order.</p> <p>The replacement ballot will be marked with the intended vote of the elector on the ballot to be replaced.</p> <p>The election officer will make a note in the poll book of an objection to a replacement ballot made on behalf of a registered political party or independent candidate and the name of any registered political party or independent candidate by or on whose behalf an objection was made.</p> <p>The election officer will number each objection to a replacement ballot in the poll book and place a corresponding number on the back of the replaced ballot and replacement ballot and initial the back of the replaced ballot and the replacement ballot.</p> <p>The returning officer shall decide any questions arising out of an objection to a replacement ballot.</p>

	Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	(e) The returning officer shall decide any questions arising out of an objection to a replacement ballot.		
24.	<p>Official Count of Directive Ballots On completion of the official count of the Directive Ballots, the returning officer shall provide to each registered political party or independent candidate or each independent candidate's official agent, a statement of results indicating the number of Directive Ballot votes counted for each candidate in each electoral division.</p>	<p>137 (5) On completion of the official count of the polls, the returning officer shall provide to each candidate or each candidate's official agent a Certificate and Return in the prescribed form indicating</p> <p>(a) the number of votes counted for each candidate under this section,</p> <p>(b) unless clause (c) applies, the name of the candidate to be declared elected pursuant to section 138, and</p> <p>(c) if no candidate can be declared elected because there is an equality of votes for 2 or more candidates, that the results of the election will be subject to a judicial recount under this Part.</p>	<p>Compliance Subsection 137(5)(b)-(c) do not apply and will not be complied with for the official count of the Directive Ballots.</p> <p>Section 137(5)(a) is modified as at the completion of the official count of the Directive Ballots the returning officer will not declare a candidate elected. The returning officer conducting the official count of the Directive Ballots will provide the returning officer in each electoral division a Statement of results</p> <p>Modification Subsection 137(5) (a) is modified in the following manner</p> <p>137(5) On completion of the official count of the polls Directive Ballots, the returning officer shall provide to each registered political party or independent candidate or each independent candidate's official agent a statement of results¹ a Certificate and Return indicating the number of Directive Ballots containing votes counted for each candidate in each electoral division. (b) unless clause (c) applies, the name of the candidate to be declared elected pursuant to section 138, and</p> <p>(c) if no candidate can be declared elected because there is an equality of votes for 2 or more candidates, that the results of the election will be subject to a judicial recount under this Part.</p>
25.	On completion of the official count of the Directive Ballots,:	137(6) On complying with subsection (5), the returning officer shall prepare the prescribed Statement of Official Results and submit it	<p>Compliance Section 137(6) is replaced as at the completion of the official count of the Directive Ballots the returning office will not declare a</p>

¹ Not to be confused with the "Statement of Official Results" which are compiled for each electoral division.

	Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	<p>(a) the returning officer shall provide to all returning officers a statement of results indicating the number of Directive Ballots containing votes counted for each candidate.</p> <p>(b) The returning officer for each electoral division shall include in their official count the vote totals for each candidate, the total rejected spoiled and declined ballots as stated in the statement of results provided in subsection (6).</p>	<p>to the Chief Electoral Officer.</p>	<p>candidate elected or prepare a Statement of Official Results. The returning officer conducting the official count of the Directive Ballots will provide the returning officer in each electoral division a Statement of Results which the returning officer in each electoral division will include in their official count and Statement of Official Results.</p> <p>Modification Subsection 137(6) is replaced with the following provisions</p> <p>(6) On completion of the official count of the Directive Ballots, the returning officer shall provide to all returning officers a statement of results for the Directive Ballots cast for the returning officer’s electoral division complying with subsection (5), the returning officer shall prepare the prescribed Statement of Official Results and submit it to the Chief Electoral Officer.</p> <p>(6.1) The returning officer for each electoral division shall include in their official count the vote totals for each candidate, the total rejected spoiled and declined ballots as stated in the statement of results provided in subsection (6).</p>
26.	<p>137(7) The returning officer for each electoral division shall retain a copy of the Statement of Results for the Directive Ballots for a period of 7 days after submitting it to the Chief Electoral Officer to allow for a possible judicial recount under this Part.</p>	<p>137(7) The returning officer shall retain a copy of the Statement of Official Results for a period of 7 days after submitting it to the Chief Electoral Officer to allow for a possible judicial recount under this Part.</p>	<p>Compliance Section 137(7) will be modified to specify that the statement is for out of electoral division votes:</p> <p>Modification 137(7) The returning officer for each electoral division shall retain a copy of the Statement of Official Results for the Directive Ballots for a period of 7 days after submitting it to the Chief Electoral Officer to allow for a possible judicial recount under this Part.</p>

APPENDIX A

11		ED 99 - Western Alberta 2019 Provincial General Election	
21	TO VOTE, FILL IN THE OVAL LIKE THIS		
40		JABBA HUTT CENTREPOINT PARTY	<input type="radio"/>
41		BEN KENOBI CITIZENS RIGHTS PARTY	<input type="radio"/>
42		LEIA ORGANA LEGISLATURISTS	<input type="radio"/>
43		HARRY POTTER FORUM PARTY OF ALBERTA	<input type="radio"/>
51		PETER QUILL INDEPENDENT	<input type="radio"/>
		BART STEVEN SIMPSON ALBERTA STRONG	<input type="radio"/>
		LUKE SKYWALKER LOYALISTS	<input type="radio"/>
		HAN SOLO SENTIENCE PARTY	<input type="radio"/>
		TONY STARK UNITED PEOPLES OF ALBERTA	<input type="radio"/>
		BRUCE WAYNE FIRST PARTY OF ALBERTA	<input type="radio"/>