

Candidate's Handbook
(non-financial)



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1.0 Candidate Overview

1.1 When does a candidate become a candidate under the *Elections Act*?

There are four distinct definitions for the term “**Candidate**”.

A “**nomination candidate**” means a person who is campaigning to become a registered party's candidate for election in an electoral district.

A “**prospective candidate**” means a person who self-declares, or is declared by others with the individual's consent, to be a candidate, and is not covered in this handbook.

A “**registered candidate**” means a person who has been registered pursuant to Section 203 of the *Elections Act*. An individual shall apply to be registered under this Section at the earliest of (a) the date on which the official agent of the individual accepts a contribution; (b) the date on which the official agent of the individual accepts a transfer from a registered party or an electoral district association; and (c) the date on which the official agent of the individual incurs an expense in anticipation of an election.

All registered candidates are required to complete and file an annual financial report with Elections Nova Scotia. The due date for this in a non-election year is March 31st of the year immediately after the calendar to which the report refers.

A “**candidate**” means a person who has been officially nominated as a candidate pursuant to Section 67 and for the purpose of Part II (Electoral Finance) includes a person registered pursuant to this Act.

Many of you reading this handbook have recently successfully completed the nomination process for one of the registered parties in one of the province's 51 electoral districts.

Or, you've decided to run for election in an electoral district as an independent.

Congratulations, you are now what the *Elections Act* refers to as a “prospective candidate”. You are “a person who self-declares, or is declared by others with the individual's consent, to be a candidate” 2(y). If you've self-declared you are running as an independent and all of the rules that follow will apply to you unless otherwise stated.

Up until this time you may have been a “**nomination candidate**” meaning “a person who is campaigning to become a registered party's candidate for election in an electoral district” 2(v).

You have been recognized by your peers in the electoral district association as the person chosen to represent the party in the next election. If the writ of election has **not** been issued, you must become a “registered candidate” before you can raise or spend money on your campaign. In fact, you can’t present yourself as a candidate for a registered party until the Chief Electoral Officer provides notice that your registration application has been approved. To become a registered candidate you need:

- an official agent;
- a bank account; and
- a letter from the party leader or designate endorsing you as the party’s candidate for that electoral district (without this letter you will be identified as an independent candidate by Elections Nova Scotia (ENS)).

The requirement to register is new and can be found in Section 203 of the *Elections Act*. It was introduced to help ensure a level playing field for all candidates in the lead up to an election. Any funds raised before the writ is issued are similarly tracked so no individual may contribute more than their \$5,000 contribution limit to the party, EDA and candidate combined.

The requirement for a letter from the party leader is to avoid a rogue candidate passing themselves off as the party’s candidate and confusing the local electorate.

If you become a prospective candidate after the writ is issued, you are automatically registered when you qualify as a “candidate” in the election through nomination. To be declared officially nominated by the returning officer you need to complete your nomination form and have:

- an official agent;
- a letter from the party leader or their designate endorsing you as the party’s candidate;
- \$200 deposit (cash, money order or certified cheque only);
- an auditor registered by Public Accountants Board of Nova Scotia (PABNS);
- the names and residential addresses of at least five electors in the electoral district you are representing who support the nomination; and
- a signed oath by each of them that they are eligible to vote in the electoral district.

For more detailed information on these requirements please download Form 303, Guide to Form 303, and the Official Agent's Handbook from the ENS website.

2.0 Administration of an Election

2.1 The Returning Office, Your Key Point of Contact During an Election

Each of the 51 electoral districts in Nova Scotia has a returning office strategically located within the district for the duration of the election. The five largest districts geographically also have a satellite office to accommodate electors who might otherwise have to travel unreasonable distances to get to the returning office. Satellite offices offer all the same services as the returning office except for accepting candidate nominations. Check the ENS website if you think you may be running in one of these districts.

Each office has a core staff of four election officers. The manager in each office is the returning officer who was appointed by the Chief Electoral Officer through a merit-based competition. The term of office of a returning officer typically continues for a 10-year period, starting after the electoral district boundaries are revised to reflect population shifts and growth. The returning officer is responsible for administering the election in your electoral district.

Working with the returning officer is an election clerk, the principal assistant to the returning officer. Either the returning officer or the election clerk must be in the office during its public hours (Monday through Saturday from 9:00am to 6:00pm). In the absence of the returning officer, the election clerk has full authority to act as returning officer. If a returning officer is unable to carry out their duties, the Chief Electoral Officer may appoint the election clerk as returning officer in an acting capacity for the duration of the election and thereafter, until a merit based competition can be held.

The third core staff member is a revision assistant/deputy presiding officer who assists with the management of the election. This includes: making changes to the list of electors as a result of target enumeration or elector requests, adding the names of electors who registered during the advance and election day polls, and marking the names of those who voted. Elections Nova Scotia uses this information for statistical purposes, to inform the registered parties of who voted during the election, and to

maintain the register of electors. This staff member also assists the presiding officer (the fourth core staff member) who performs the important duties of conducting the two polls offered in every returning office throughout the election, the Continuous Poll and the Out-of-District Poll. Both polls use the write-in ballot throughout the election period.

To hold these positions, the four core staff members must be qualified electors in the province. The returning officer has the additional requirement of being a qualified elector in the district they manage.

Returning officers and their staff follow direction from the operations staff at Elections Nova Scotia's head office. Under the *Elections Act*, the Chief Electoral Officer has overall responsibility for the conduct of provincial elections within Nova Scotia.

The returning office will be your key point of contact during the course of an election for the following:

- filing your Nomination Form;
- receiving tax receipts and the election calendar;
- obtaining copies of the lists of electors in your electoral district at three points in time during the election;
- information about the 12 ways electors can vote during an election;
- information on who has voted by continuous, write-in or advance polls;
- access to the documentation for electors added to the list during the election;
- location of all polling stations;
- informational pamphlets on the 12 ways to vote for door to door canvassing of electors;
- informational pamphlets on the rights and responsibilities of your agents when observing the voting process during advance and election day voting at the polls; and
- participating in the official count two days after election day.

3.0 Maps

Each nominated candidate is entitled to receive 1 hard copy of the map ENS has produced of the electoral district in which you have chosen to contest. Additional hard

copies of the maps are available from ENS headquarters at \$20.00 plus tax per copy. Digital copies of the maps are available on the Elections Nova Scotia web site at <http://electionsnovascotia.ca/content/maps-0>

4.0 List of Electors

4.1 Things you should know about the List of Electors

The elector registration system is to identify and record those who are entitled to vote and to ensure that they only vote once. The list of electors and the elector registration process serves to maintain the public's trust in the integrity of the voting process. It prevents people who are not qualified from voting, and contributes to the overall integrity of the election process.

The list of electors is created from the provincial register of electors and includes the names and addresses of people who have attested to their eligibility. The list is prepared in advance of the election and is used at the polling station to verify electors. In Canada, there are two basic methods used to prepare a list of electors. The historical method was to build the list through province-wide enumeration. The current method used in Nova Scotia is to maintain a continuous or permanent Register of Electors from which the list of electors is drawn for each electoral event.

4.2 Permanent Register of Electors

The Register is a regularly updated database of eligible electors. The Register was established in 2005 after a final province-wide enumeration. The Register contains each elector's name, civic address, mailing address, date of birth, and some additional information for linking records from the public sector data sources.

Individual elector records are updated from various official sources, such as Nova Scotia's Vital Statistics records, Registry of Motor Vehicles, Elections Canada's National Register of Electors, change of address information from Canada Post, etc. The updating of elector records involves matching information from these agencies to capture address changes, age eligibility, deaths, name changes, etc.

When you receive your copy of the list from your returning officer during an election, it will be the most current and complete list available at that time. You will be offered three different snapshots of the list during an election, the Preliminary, Revised and the Official List of Electors.

4.3 Preliminary List of Electors

Once you are officially nominated, you will be offered a copy of the certified Preliminary List of Electors no later than the 15th day before election day. It may be available earlier. When it is available depends on how much target enumeration is being done in the district and the number of revisions staff need to input before it is ready for distribution. Your returning officer will call your campaign official agent when the preliminary list is available for pick up. Electors who have taken advantage of one of the early voting opportunities up to the date the list was certified will be crossed off the list as having voted.

4.4 Revised List of Electors

The Revised List includes all revisions that have been made to the Preliminary List and is certified at the end of voting at the returning office before the Advance Poll begins on the Friday before election day. All electors who have voted up to the certification of this list will be crossed off as having voted. Your returning officer will call your campaign office when the Revised List is available for pick up. This list is used at the Advance Poll to verify electors.

4.5 Official List of Electors

The Official List is an update of the Revised List. It will include all electors who have been added during the advance poll and will identify those who have voted up to the close of the advance polls at 8:00pm on the Saturday before election day. It will also identify those who have opted to vote by write-in ballot but may not have returned their ballot as yet. It is the list that will be used at the polls on election day. Your returning officer will call your campaign office when the Official List is available.

4.6 Final List of Electors

As the name suggests, once the election is over and all election day revisions have been made to the list and all those who voted have been marked off, the final list of electors is

produced. As a candidate, you are not entitled to a copy of this list. This list is used to determine the eligible spending limit and the reimbursement amounts for your campaign.

4.7 Revision

Revision is the term used to identify the additions, deletions and changes to the lists of electors. Because all returning offices across the province will access our central data base to make these changes, the list is now referred to as a live list.

As an example, an elector who has recently moved from Sydney to Yarmouth arrives at the returning office in Yarmouth to vote at the Continuous Poll. The revision assistant moves this elector from their Sydney address to their Yarmouth address and marks them as voted. This 'move' is done instantaneously and the elector's name will no longer appear at the Sydney address. The benefits of using a live list are obvious. It provides each returning office with the most current elector information and reduces the likelihood of an elector voting more than once.

You or your agents are welcome to observe the revision process. Electors who apply to be added to the list after any target enumeration is completed must either provide identification documents, which confirm their identity and residence, or make and sign a declaration in person. A list of acceptable identification documents can be obtained from the ENS website or your local returning office.

Following release of the certified Preliminary List of Electors for each polling division, the returning officer may appoint enumerators to update the list if it is determined that the list for a particular polling division is significantly inaccurate.

If, during your canvassing, you or your agents find areas where electors are not on the list, please inform your returning officer. Should you become aware of individual electors who are not on the list, suggest that they contact the returning office to be added. It is important to know that electors who are not on the list can be added when they vote but they should be encouraged to have themselves added early to avoid queues on election day. They need only show acceptable identification, or sign a declaration without identification, before they cast their ballot.

4.8 Use of the List of Electors

Once your nomination has been approved by the returning officer, you are entitled to receive copies of the list of electors as they become available. The returning officer is required to provide you with an electronic copy of the certified Preliminary, Revised, and the Official Lists of Electors. When a list of electors is provided, you will have to read and sign a declaration which requires you and your agents to use the list for electoral purposes only and to collect and destroy all copies of the list within 10 days after the election.

4.9 Security and Privacy

Security breaches leading to a loss of personal information or to unauthorized access, use or disclosure, may be triggered by a problem in the information technology system or, more likely, by a simple error or human negligence. ENS is working to support policy with strong procedures: senior staff accountability, control of storage devices, limited access, authentication systems, staff training and a culture of privacy and security. We have gone to great lengths to ensure that the elector information in our database cannot be downloaded to USB storage devices. Any disks with elector information we release to candidates are both encrypted and password protected.

Once we pass a file to you and it is decrypted and saved to a personal computer or storage device, we lose the ability to control its use. For this reason, each list is seeded with fictitious elector information that will permit us to trace unauthorized use of personal information to the candidate that received the list. It is your responsibility to educate the members of your campaign team about the importance of safeguarding elector files and being vigilant with their use.

5.0 Your Campaign Team and the Election Process

Although the Chief Electoral Officer and the returning officer for each electoral district have the primary responsibility for the administration of the election, the legislation provides for the participation of registered parties in the process. Also, by policy, the Chief Electoral Officer asks the returning officers to seek the input of political parties on certain issues.

A good working relationship between returning officers and registered parties and official agents is important in the electoral process, including the following matters.

5.1 Establishing Polling Division Boundaries

Returning officers are responsible for drawing polling division boundaries. However, they are asked to invite and meet with representatives of the political parties in the electoral districts to obtain their input. A priority when drawing these boundaries is to enable electors to vote in a convenient location. The maximum number of electors in a polling division is 450. This consultation takes place well before an election is called and you may not be the candidate at that time but your EDA executive will have been involved in the discussions of any changes to the polling division boundaries from the last election.

5.2 Polling Locations

Returning officers are responsible for securing polling locations. All polling locations must have level access and be handicap accessible. Some traditional polling stations may not be accessible and will not be used in the election unless there is no alternative site within a reasonable travelling distance for the local electors. If an inaccessible location is used, the returning officer will prepare a plan on how disabled electors will be accommodated and the Chief Electoral Officer will approve the plan in advance. If you know of suitable facilities in the electoral district, please make the returning officer aware of them. ENS has a policy of not using private homes as polling locations unless there is absolutely nothing else available.

6.0 Lists of Potential Workers for the Positions of: Deputy Returning Officer, Poll Clerk, Enumerator, Write-in Ballot Coordinator, and Assistant Write-in Ballot Coordinator

Political parties that endorsed candidates who finished first and second in the electoral district in the last election will nominate people for certain positions in the election. If your party finished first, you will be asked to provide names of electors to work as enumerators, write-in ballot co-ordinator and, deputy returning officers (DROs). If your

party finished second, you will be asked for names of electors who will work as enumerators, assistant write-in-ballot co-ordinators, and poll clerks. Even if your party did not finish first or second, you may still be asked to provide names of electors willing to work in any of these capacities, because quite often a party is not able to provide enough names of suitable election officers for each polling division in the electoral district. Also, extra people are needed to be trained and on stand-by in case some appointed officers are unable to work because of unforeseen circumstances.

Except in the case of an enumeration outside the election period, the names of enumerators must be provided immediately after the writ of election is issued, but preferably before. This means the registered parties must be working on these lists well before an anticipated election call.

The names of other potential election officers must be provided no later than 21 days before election day. If there are not enough names by that deadline, then the returning officer will look elsewhere to fill the positions.

The people you recommend to work in these five designated positions must be qualified electors in the province. This means that they must be:

- 18 years of age by election day;
- resident in the Province for 6 months preceding the date of the writ; and
- a Canadian citizen.

The people you recommend should be willing, able and qualified to work at the scheduled times as directed by the returning officer. They must also attend training at the times and locations specified by the returning officer. Remember also that while you can recommend an individual to work in a particular polling division or location, it is up to the returning officer to make the appointment of the election officer to a particular polling division or location.

We are grateful to party representatives who are able to find people to work during an election. Returning officers have many tasks to perform during an election, and the input of registered parties in recommending qualified election officers is of great assistance.

6.1 Non-Partisanship of Election Officers

It is critical that election officers not receive conflicting advice on how to do their jobs as assigned by Elections Nova Scotia. Once you have recommended them for work and the returning officer assigns them a position, your association with them, during the hours that they are working, must be severed. All election officers are required to be non-partisan while they are working for ENS. All the positions in a polling location have changed significantly from what you would have seen in the past. Your returning officer will be training them on their duties and responsibilities. Your campaign team is welcome to sit in on any of the training sessions to get a better understanding of how electors are processed under the new model. Please arrange for your participation in the training with the returning office in advance.

Lastly, please remember that election officers communicate with and report directly to the returning office staff while they are working. **Do not** ask deputy returning officers or poll clerks to act on your behalf as Candidate's agents at the poll or to call you if they observe problems at the poll. **This is an offence.** Your campaign team may bring meals to your candidates' agents during the day while they are working during an election but not to deputy returning officers or poll clerks. The deputy returning officers and poll clerks will be directed by the returning officer to bring their own food and drink.

At the end of the day, once they have completed their duties and responsibilities their non-partisanship ends.

7.0 Advertising and Campaign Materials

7.1 Authorization

All advertising relating to an election, whether printed, broadcast, published or distributed, either electronically or in hard copy, which promotes or opposes any candidate or registered party shall bear the words "authorized by the official agent for [name of candidate or registered party]". The official agent should review all materials of an advertising nature and confirm compliance with the *Elections Act* before those materials are distributed.

7.2 Advertising Blackout Period

The *Elections Act* prohibits advertising on election day and some specific activities, including parades. However, this prohibition does not include the distribution of pamphlets or the posting of messages on signs, posters or banners.

7.3 Signs

60 Metre Rule for Signage

It is an offence to have a sign placed in contravention of sections 303 and 304 of the Act. Signs and posters as well as clothing such as flags, ribbons, emblems, badges or other items identifying a candidate or party cannot be placed within 60 metres of the entrance to a polling location.

This rule applies throughout the election so you could never have a sign or poster within 60 metres of the entrance to a returning office since there is always a poll being conducted there. The same goes for advance poll and election day poll locations. You will be asked to remove any signs that fall within this radius. The returning officer does not have authority to remove signs on private property.

If you have questions on these sections, please contact your local returning officer, your party headquarters or Elections Nova Scotia.

Posting of Signs

The *Elections Act* allows a tenant or owner in a multiple-unit residence or a condominium residence to post election signs within their own premises. The size and type of poster may be subject to reasonable regulation by the landlord or condominium corporation. However, if the sign is within 60 metres of an entrance to a poll, the signs must be removed.

Signs in Public Places

The placement of signs is not a subject of the *Elections Act*, however may be subject to provincial and municipal laws and regulations. Aliant Telecom and Nova Scotia Power do not permit the unauthorized installation of signs, banners, or posters on telephone poles. These attachments, as well as the associated means of fastening the signage to the pole, pose a safety hazard to all utility technicians who climb the poles. TIR has

policies which prohibit the placement of election advertising material on provincial road rights of way and utility poles (see Appendix B).

In general, signs may not be placed in the municipal right of way of a street and highway. The signs must be sufficiently removed from the traveled portion of the roadway so that they are not a traffic hazard, by obstructing visibility or causing distraction.

You should check with each municipal office where signs are intended to be posted about any policies or by-laws within their boundaries. It is up to your election campaign team to abide by any laws, regulations or policies affecting the placement of these signs.

Signage Complaints

It is important to recognize that the returning officer does not have enforcement capability under the *Elections Act*. The most common complaints in the past have been:

- signage or brochures that lack proper visible notice of authorization;
- campaign signs on road rights-of-way or placed too close to a polling location on election day;
- signs placed on or inside locked vehicles near a polling location;
- campaign literature in the elevators or hall ways of buildings with a poll on election day; and
- signs that are confusing to the elector.

The returning officer may contact the campaign concerned to notify them about the sign, but it is not their responsibility to have the signs removed or to call the police on election day.

7.4 Campaigning in Secured Multiple-unit Buildings

As a registered candidate, you and/or your representatives are entitled to gain access to secured multiple unit buildings for the purpose of campaigning both during an election and in anticipation of a writ being issued. In the Appendix A, you will find a copy of the letter to present to the building administration which, along with a copy of your letter of confirmation of registration from the Chief Electoral Officer, should provide access to campaign door-to-door. If you do not have a copy of the CEO letter, contact Elections Nova Scotia's head office and they will provide you with a copy. If you are having

trouble gaining access to the building with these documents in hand, contact your returning officer or Elections Nova Scotia with the name and number of the building's administrator and we will intervene on your behalf.

8.0 Candidate Agents

8.1 Official Agent of a Registered Candidate

All candidates must have an official agent (s.167 (c)). At a minimum, a candidate must have an official agent at the time they file their registration with ENS or nomination paper with the returning officer. An official agent can be appointed prior to the filing of the nomination paper through the registration process (s.203(5)(a)). In order to accept political contributions, a candidate **must first** be registered and have appointed an official agent since contributions may only be accepted by the official agent.

An official agent must be the age of majority (19 years of age), and an elector (s.169).

Please download the Handbook for Official Agents for an in depth review of the responsibilities of the candidate's official agent. The official agent is generally responsible for:

- all candidate's campaign finance obligations;
- signing certain documents in lieu of the candidate; and
- receiving and accounting for the official receipts for campaign donations to the candidate.

Like the candidate, the official agent is permitted to enter all polling locations to observe the voting process once they make and sign a declaration of secrecy before the returning officer. This Poll Entry Certificate must be shown to the deputy returning officer, presiding officer or supervising deputy returning officer at each polling location in order to be admitted.

8.2 Candidate Agents at the Polls

Each candidate is allowed to have two agents, sometimes referred to as 'scrutineers', per polling station at any given time. *Note: this includes the candidate and the official*

agent. If either enters a poll where there are two agents already present one of the agents must leave the premises.

Each candidate's agent appointed to a particular poll must have an appointment specifically for that polling location. Agents must present their Appointment of Poll Agent to the SDRO, DRO or presiding officer and take the Declaration of Agent or Elector Representing a Candidate in the Poll Book at each polling station in the polling locations they are observing.

An agent can leave and return to the polling station or polling location. If asked, the agent must show their appointment on return, but need not take the Declaration of Agent again.

8.3 Responsibilities of the Candidate Agents

You can download the brochure "the Role of the Candidate's Agents" from the ENS website at <http://electionsnovascotia.ca/about/brochures>. There is also a short video available outlining their rights and responsibilities at <http://electionsnovascotia.ca/candidates-and-parties/candidates>.

Candidate Agents May:

- witness the setting up, opening and closing;
- observe the voting process (from the agents' table):
 - at the deputy returning officer's or presiding officer's table
 - at the poll clerk's or the deputy presiding officer's table;
- have access to Agent's Voter Tracking Sheets to see who has voted at the advance poll and on election day;
- have access to copies of Elector Information Forms, which identify additions and changes to the list of electors;
- challenge an elector, who must then take a Declaration of Qualification;
- observe the marking of a ballot, if the DRO is acting as the friend of an elector requiring assistance;
- observe the counting of the ballots, with the ability to raise an objection to the acceptance or rejection of a ballot and have the objection recorded;
- sign the Statement of Poll and keep a copy of the Statement of Poll; and
- sign seals used to secure election materials.

Candidate's Agents May not:

- prevent an elector from voting;
- stop or disrupt the voting process;
- engage in partisan activity at the polling location;
- wear badges, pins, emblems, etc. identifying them as supporters of a particular candidate or party;
- use a communication device in a polling location;
- prevent a ballot from being counted if the deputy returning officer accepts it;
- approach electors entering or leaving the polling location; and
- re-enter a polling location once the doors have been closed and the count has started.

9.0 Opportunities to Vote

There have been significant advancements in providing early voting opportunities to Nova Scotia electors since the 2009 general election. The following is a summary of those opportunities. More details on each are available from your local returning officer, from the ENS web site or from Elections Nova Scotia head office. A brochure called "12 Ways to Vote" has been published for your reference.

9.1 Write-in Ballot

Voting by write-in ballot is the only opportunity to vote for an elector who cannot make it to a polling location in person. It also provides an opportunity for electors to vote who are away from their home electoral district during the election. It is different from voting at the continuous or advance or election day polls because:

- completed ballots are placed in security envelopes, and the procedure for verifying and counting ballots at the write-in ballot poll differs from the other voting opportunities;
- once a ballot has been issued to an elector, the elector is deemed to have voted even if the elector doesn't return the ballot; and
- electors can vote:
 - by mail or other form of delivery to the returning office;

- by an elector's agent who will be able to pick up and deliver the write-in ballot; or
- by write-in ballot coordinator team (WIBC team) who will visit an elector at home at scheduled times in residences, residential centres and hospitals.

Deadlines for Write-in Ballots

There are different deadlines that must be met when making an application:

- Day 10 - is the deadline for the presiding officer to receive an application from an elector (by mail, email or fax) if the ballot is to be mailed to the elector. This allows enough time for the ballot to be returned by 8:00 pm on election day
- Day 5 - (the day before the advance poll) is the "out-of-district" deadline to apply and vote by elector's agent or by WIBC team
- Day 3 - (up to the close of the advance poll) is the "in-district" deadline:
 - to apply by agent
 - to apply and vote by WIBC team

Note: the deadlines for making an application are different for an "in-district" elector and an "out-of-district" elector because of the time required to deliver the ballot to the returning office in the electoral district where the elector resides in time for the ballot to be counted after the polls close on election day.

Candidates are welcome to have agents present to observe the voting process under this initiative.

9.2 Continuous Poll (New)

The continuous poll takes place in the returning office and begins no later than the 5th day after the Writ and closes at the end of Day 5. This poll provides an opportunity for electors to vote from the time the returning office opens up to the day before the advance poll begins during the hours the returning office is open to the public.

The ballots printed for use at the continuous poll are similar to those used for the write-in ballot poll. The elector writes the name of the candidate or registered party of their choice in the space indicated on the ballot. Writing in the name of the registered party allows an elector to vote before nominations close.

You will be invited to have observers present for the emptying of the continuous poll ballot box whenever it reaches its capacity (450 ballots cast). The ballots will be transferred from the plastic ballot box to a cardboard ballot box which is sealed, signed and stored securely until the count after the polls close on election day.

The presiding officer of the continuous poll is responsible for the count of the continuous poll ballots on election day. If there is more than one ballot box to be counted additional presiding officers and deputy presiding officers must be appointed to count those ballots at the same time.

At the close of the polls on election day the presiding officer(s) and deputy presiding officer(s) will count the ballots from the continuous poll. Candidates may have agents present to witness the count. If there are no candidate representatives present, the returning officer will assign (and pay) two members of the public to witness the count.

Candidates are welcome to have agents attend to observe the voting process under this initiative.

9.3 Out-of-District Poll (New)

The administration, hours of operation and availability of this poll mirrors that of the continuous poll described above. There are several distinctions worth noting:

- a. Any eligible elector can vote in any returning office or satellite office in the province for the party or candidate of their choice running in their home electoral district.
- b. The elector's ballot is sealed in a Ballot Envelope; then the Ballot Envelope is sealed in the Declaration Envelope. The elector signs the Declaration Envelope and the presiding officer deposits this envelope along with a copy of the application into another envelope and then the elector deposits the ballot into the Out-of-District Ballot Box. The three envelope process was designed to reduce confusion and to save time in the home electoral district by keeping the ballot envelope with the elector's application for processing.
- c. You will be invited to have observers present for the emptying of the out-of-district poll ballot box on two occasions (Day 12 and Day 5 on the Election Calendar) when the ballot envelopes are sorted into courier packages to be delivered to their home district for counting on election night after the polls close

and whenever the plastic ballot box reaches its capacity (100 ballots cast). In this case, the ballot envelopes will be transferred from the plastic ballot box to a plastic envelope which is sealed, signed and stored securely until Day 12 and Day 5 on the Election Calendar when they will be sorted to be sent to their home electoral district for counting.

- d. Electors who vote using the out-of-district poll are struck off the list of electors in real time and appear as having voted on the list of electors in their home electoral district.

Candidates are welcome to have agents present to observe the voting process under this initiative.

9.4 Variations on the Continuous and Out-of-District Polls

ENS has undertaken a number of outreach programs to make the registration and voting process more accessible to all Nova Scotia electors by removing obstacles. This has culminated in programs for targeting four groups.

9.5 Campus Polls (New)

At the discretion of the Chief Electoral Officer, Continuous and Out-of-District polls will be set up at various university and community college campuses across Nova Scotia for all students registered at the university and others (e.g. faculty, administration, etc.) who are qualified to vote. These polls will be held prior to the start of the advance polls and will take place over 2 to 5 days depending on the number of students attending the university or community college.

If you have a post-secondary institution located in your district check with the returning officer for whether and when the polls will be offered.

Candidates are welcome to have agents present to observe the voting process under this initiative.

9.6 Community Polls (New)

At the discretion of the Chief Electoral Officer, a community poll may be established in electoral districts where a significant number of electors must travel more than 30 minutes to reach a returning office. This poll is a continuous poll for those electors

residing in the electoral district, as well as an out-of-district poll for those electors residing in other electoral districts. This poll would be held for a set number of days and be open the same hours as the returning office is open to the public. Check with the returning officer to determine whether and when the polls will be offered.

Candidates are welcome to have agents present to observe the voting process under this initiative.

9.7 Aboriginal Outreach (New)

Voter turnout on reserves historically has been low for provincial elections. This may be due to a number of issues including lack of information regarding registration and the voting options available. These issues will be addressed through an outreach program for Aboriginal electors which will promote the options they have for registering and voting and by locating polls on reserves.

The overall objective of this program is to facilitate Aboriginal participation in the electoral process.

Returning officers and enumerators will work with Aboriginal leaders to review the voters list and plan additional enumeration where it would be useful.

Where there are more than 100 eligible electors on the reserve, the returning officer will establish a polling station on the reserve. If there are more than 450 eligible electors on the reserve, the returning officer may choose to have more than one poll on the reserve, or split an existing poll, per Elections Nova Scotia protocol. If there are less than 100 eligible electors, the returning officer may consider using a community poll sometime prior to the election date.

9.8 Electors in Hospitals

During an election period, electors unexpectedly admitted to hospital may find themselves unable to vote at any polling location. Therefore, ENS has developed a procedure to allow hospitalized electors in an acute care facility to vote before election day.

Once an election is called, each returning officer who has a hospital within their electoral district will meet with hospital administrators to discuss arrangements to facilitate voting within their facilities.

Each returning officer is responsible for ensuring that all acute care patients in hospitals in their electoral district are given the opportunity to vote. The returning officer will designate one Hospital Write-in Ballot Coordinator Team for every group of 100 acute care beds.

It is difficult to estimate the number of electors who will vote while hospitalized. Some may have voted in advance at the returning office, and some will be discharged and able to vote at the advance poll or on election day.

Candidates are welcome to have agents present to observe the voting process under this initiative.

9.9 Write-in Ballot Coordinator Teams

These teams of two are made up from the lists of potential election officers provided to the returning officer by the candidates of the parties that came first and second in the last provincial election. These teams are an important element of the ENS outreach initiatives. They take the voting process to the homes of electors requiring special assistance, to hospitals or to special care homes with fewer than 10 residents. Unlike agents who can only assist one elector to vote, the teams can assist any number of electors to vote throughout the writ period. A media campaign will encourage those who can't make it to the polls to contact the returning office for in-home assistance.

If during your door-to-door canvassing you encounter electors who would like to vote but likely won't be able to get to a poll, have them contact the returning office for assistance.

Due to privacy concerns with the team visiting electors in their homes, candidates cannot have agents present to observe the voting process under this initiative. Since both members of the team must be present at all times during the voting process and each are chosen from the parties that came first and second in the last provincial election, the integrity of the voting process is maintained at all times.

9.10 Mobile Polls

Mobile polls are assigned to all residential centres with 10 or more electors. A residential centre is defined in the Act as:

“...a nursing home, special care home, assisted living facility, residential unit in a public hospital or any other residential facility operated for the purpose of the care and treatment of senior citizens or persons having a physical or mental disability.”

Each location will have been enumerated in advance of election day. New eligible residents will be added to the list on election day. The administrators of these facilities are notified in advance when to expect the election officers to arrive. Each mobile polling station is staffed by a deputy returning officer and a poll clerk. The duration of a mobile poll at a location is at least 2 hours, after which time the ballot box may be taken from room-to room (if there are bedridden patients at the mobile poll location).

Candidates are welcome to have agents present to observe the voting process under this initiative and to be present to witness the count after the closing of the polls on election day. The election officers managing the polls may have several locations to visit throughout the day. You can find out from your local returning officer how many mobile polls will be offered and at what times of the day on election day.

9.11 Advance Polls

Advance polls are held from 10:00am till 8:00pm on the Friday and Saturday before election day at two or more locations. Electors must vote at the location assigned to them. There are several ways an elector can find out their advance poll location:

- on their Voter Information Card received in the mail;
- in print media advertisements;
- by calling their returning office;
- by calling the Elections Nova Scotia toll-free number; or
- by visiting the ENS web site and using the “where do I vote” service.

Candidates are welcome to have agents present to observe the voting process at advance polls. Agents that arrive 15 minutes before the polls open on both days may observe the assembly of the ballot box and may sign the seals on the ballot box.

As well, Voter Tracking Sheets will be provided each hour throughout both days for each candidate. Upon displaying their credentials to the election officers, your agent will be free to take your tracking sheet(s) from the poll.

In this poll, electors use the traditional-style ballot to vote, placing a check mark or an x beside the name of the candidate of their choice. You will be invited to have agents present to witness the count after closing of the polls on election day.

9.12 Election Day Polls

Held from 8:00am till 8:00pm on election day (new).

Electors must vote at the location assigned to them. There are several ways an elector can find out their election day poll location:

- on their Voter Information Card received in the mail;
- by calling their returning office;
- by calling the Elections Nova Scotia toll-free number; or
- visiting the ENS web site and using the “where do I vote” service.

Candidates are welcome to have agents present to observe the voting process and to be present to witness the count after the closing of the polls. Agents arriving 15 minutes before the polls open may observe the assembly of the ballot box and may sign the seals on the ballot box.

Voter Tracking Sheets will be provided each hour for each candidate. Upon displaying their credentials to the election officers, your agent will be free to take your tracking sheet(s) from the poll.

In this poll, electors use the traditional-style ballot to vote, placing a check mark or an x beside the name of the candidate of their choice.

10.0 Official Addition of Ballots

The official addition of the ballots verifies the number of votes cast for each candidate at each polling station. The count that is done on election night and reported is known as the unofficial result. It is not uncommon for small changes to occur in the count between what is reported on election night and the count determined at the official addition. The official addition of the votes is conducted at the returning office by the returning officer at 10:00 AM on Thursday, the 2nd day after election day.

At the official addition, the returning officer examines and adds the counts which are recorded on the Statements of Poll received from the deputy returning officer or supervising deputy returning officer for each polling station on election night. If the statement of poll for a polling station is not available, there are procedures in the *Elections Act*, which can be followed to determine the official result. As soon as the official poll-by-poll results are determined, the numbers are entered into the Statement of Official Results, which is signed by the returning officer. The Statement of Official Results represents the official results of the election in the electoral district. Each candidate will receive a copy of the Statement of Official Results.

11.0 Automatic Recount

Once the Statement of Official Results is signed by the returning officer, the returning officer will apply for a recount if there are fewer than 10 votes between the first and second place finishers on the ballot.

12.0 Judicial Recount

If there isn't an automatic recount, it is up to the candidate and his/her campaign team to determine if they believe there are grounds to petition the Supreme Court for a judicial recount. Form 112, Petition for Recount, can be used for this purpose. The petition must be filed within 4 days after the recapitulation sheet is completed and be accompanied by a \$100 security deposit.

13.0 Recount by Chief Electoral Officer

If the official addition results in the candidate receiving less than 10% of the valid votes cast, the candidate or their official agent may make a request, in writing to the chief electoral officer, that a recount be conducted of all of the votes cast in the electoral district for the purpose of verifying whether the candidate received the required percentage of the valid votes cast in order to be eligible for reimbursement of election expenses.

14.0 Return of the Writ

The last step in the election process requires the returning officer to “return the writ.” The returning officer returns the writ by entering the official addition of the votes on the writ of election that was issued at the beginning of the election process, declaring the winning candidate. The writ is returned 10 days after the election if there is no judicial recount in the electoral district. In the event of a judicial recount, the writ is returned as soon as the recapitulation sheet is received from the judge. The writ is returned to the chief electoral officer. Writs must be presented to the House of Assembly prior to the swearing in of the new members after the election.

15.0 Controverted Election

If the candidate is of the view that there are sufficient irregularities in the vote that a petition to controvert the election is warranted, the procedures in the Controverted Elections Act must be followed. The challenge starts with a petition to the Supreme Court, which must be filed within 5 weeks from the time that the writ is returned by the returning officer. A security deposit of \$400 must accompany the petition. If the petition to controvert the election is successful, the election is declared void by the court and there must be a by-election in the electoral district to fill the seat.

16.0 Election Night

Candidates are welcome to have agents present to witness the count after the close of polls on election day night (8:00 PM).

Ballots from all other voting opportunities held during the election period are counted at this same time. These counts are usually done at the returning office, or, in the case of advance polls, most likely at the location where the advance polls were held. Two election officers are responsible for the count of each ballot box and two witnesses must observe the process. In addition, each candidate is permitted to have two agents present.

17.0 Commonly Used Acronyms

- **ENS** **Elections Nova Scotia**
 - **CEO** **Chief Electoral Officer**
 - **ACEO** **Assistant Chief Electoral Officer**
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- **A/P** **Accounts Payable**
 - **AVP** **Advance Poll Districts**
 - **AWIBC** **Assistant write-in ballot coordinator**
 - **CBRM** **Cape Breton Regional Municipality**
 - **CPP** **Canada Pension Plan**
 - **CR** **Central Registry**
 - **CRA** **Canada Revenue Agency**
 - **DPO/RA** **Deputy Presiding Officer/Revision Assistant**
 - **DRO** **Deputy Returning Officer**
 - **EBC** **Electoral Boundaries Commission**
 - **EBT** **Electoral Boundary Tool**
 - **ED** **Electoral District**
 - **EDH** **Election Day Handbook**
 - **EI** **Employment Insurance**
 - **EMS** **Election Management System**
 - **FOIPOP** **Freedom of Information and Protection of Privacy**
 - **GIS** **Geographical Information System**
 - **HRM** **Halifax Regional Municipality**
 - **IT** **Information Technology**

- **LMS** **Learning Management System**
- **PC** **Poll Clerk**
- **PO** **Presiding Officer**
- **RO** **Returning Officer**
- **ROE** **Record of Employment**
- **SAP** **software – for processing accounts payable**
- **SDRO** **Supervising Deputy Returning Officer**
- **SLT** **Senior Leadership Team**
- **WIB** **Write-in ballot**
- **WIBC** **Write-in ballot coordinator**

Contacting Elections Nova Scotia

To request documents or to make general enquiries, please contact:

Elections Nova Scotia

7037 Mumford Road, Suite 6
P.O. Box 2246
Halifax, Nova Scotia
B3J 3C8

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Toll Free 1.800.565.1504
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E-mail: elections@gov.ns.ca

Website: www.electionsnovascotia.ns.ca

Appendix A

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Email elections@gov.ns.ca

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June, 2013

NOTICE

Section 308 of the Nova Scotia *Elections Act* (the “Act”) states:

308 Every person is guilty of an offence who obstructs a candidate or a candidate’s representative in lawfully campaigning. 2011, c. 5, s. 308.

This provision in the Act supports the right of Registered Candidates to have access to apartment buildings, condominiums and other multiple resident dwellings for campaigning purposes whether or not an election has been called.

This letter has been prepared by Elections Nova Scotia to inform you of the right of a registered candidate or an agent of a registered candidate to have access and of your obligations under the Act.

The candidate or agent will also have been provided a letter from the Chief Electoral Officer confirming their registration with Elections Nova Scotia. This letter should be used in association with this Notice to evidence eligibility to gain access to apartment buildings, condominiums and other multiple resident dwelling buildings.

Richard P. Temporale
Chief Electoral Officer

Appendix B

Placement of Election Signs near Provincial Highways

Purpose

The Department of Transportation and Infrastructure Renewal (TIR) will allow the placement of election related signage near provincial highways. This procedure outlines the constraints that apply when erecting the signs, and the enforcement process which TIR staff follow to ensure adherence to this procedure.

Procedure(s)

1 Controlled Access Highways

Election signs are not permitted within 1000 metres of the centre line of a controlled access highway, or within 60 metres of the end of ramps or controlled access connectors onto connector/non-controlled access highways.

2 Non-Controlled Access Highways (most Provincial roads)

The following constraints apply:

- 2.1 Signs must not cause a hazard by obstructing sight distance at intersections, parking lots, driveways and to posted TIR signs.
- 2.2 Signs must be behind the ditch line, or a minimum of three (3) metres behind the curb.
- 2.3 Signs are not permitted to be attached to TIR signs, guard rail posts or guide posts.
- 2.4 Sign erectors should have approval of the adjacent property owner.

3 Enforcement by TIR staff

- 3.1 If a large sign (1.2 x 1.2 metres or larger) is found to be in violation of policy, contact will be made with the candidate's office to advise that the sign is in violation and has to be removed.
- 3.2 For signs 1.2 x 1.2 metres or larger, the candidate's office will be advised that if the sign is not relocated within 24 hours TIR staff will

remove the sign. The sign will be taken down with as little damage as possible and stored at the local TIR Base for retrieval by the appropriate person.

- 3.3 For signs smaller than 1.2 x 1.2 metres, the candidate's office will not be contacted. The sign will be removed and stored at the TIR Base until the end of the election period or the appropriate person contacts the Base in regard to collecting signs which may have been taken down.
- 3.4 Signs must be removed within the time stipulated by Municipal by-laws, or no later than seven (7) days following the election.

Accountability

Operations Supervisors, Area Managers and District Directors are responsible for ensuring that this procedure is adhered to.

Monitoring

Maintenance and Operations staff, in conjunction with field staff, will periodically audit this procedure's effectiveness and make modifications as required.

References

None

Appendices

None

Enquiries

Highway Programs

Disclaimer:

The views expressed in this information sheet are not law and are not intended to replace the official text of the Act. How the Act applies to any particular case will depend on the individual circumstances of that case. Elections Nova Scotia reserves the right to reconsider any interpretations expressed in information sheets, either generally or in light of the actual circumstances of any case, and in accordance with continuing legislative and judicial developments.