

# Standard Operating Procedure



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## Appointment of a Voting Proxy

Department:	City Clerk's Office
Division:	ELE - Elections
Category:	APP – Appointments
SOP Number:	011
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Last Revision Date:	May 31, 2022

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### Purpose

To outline procedures related to appointment and voting by proxy.

### Application

This procedure applies to all eligible electors, candidates, scrutineers and election officials.

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### Procedure

#### Appointing a Voting Proxy

- a) In accordance with the Municipal Elections Act, an elector may appoint another person to vote by proxy on their behalf if they are unable, for any reason, to vote on any of the available voting days or using an alternative voting method.
- b) A proxy must be appointed using the prescribed form. A person shall not appoint more than one (1) voting proxy to vote on their behalf.
- c) An elector is allowed to act as a proxy only once for a non-related person or is allowed to act as a proxy more than once if they are voting on behalf of immediate family members (spouse, sibling, parent, children, grandparent, and grandchild). However, they cannot act as a proxy for both family members and a non-related person for the same election.
- d) A person who votes as a voting proxy is also entitled to vote in his or her own right.

#### Issuing and Certifying Proxy Forms

- a) Proxy forms will be available and certified starting on August 22, 2022. This will be done during regular business hours until the advanced voting period begins.
- b) On advanced voting days, proxy forms will be issued and certified between noon and 5:00 p.m. in accordance with Section 44 (6) of the Act.

- c) Forms will not be issued or certified on voting day.

### **Appointing a Proxy**

- a) A proxy must be someone who is eligible to vote in the City of Guelph.
- b) To be appointed as a proxy a person shall complete an application in the prescribed form at City Hall with the City Clerk or designate, including the statutory declaration that they are the person appointed as a voting proxy.
- c) If the City Clerk or designate is satisfied that the person who appointed the voting proxy is a qualified elector and that the person appointed is a qualified elector to act as the voting proxy, the City Clerk or designate shall certify the document.
- d) The City Clerk or designate shall provide a certified copy of the original document to the voting proxy. The voting proxy will be required to present the certified copy at a voting location.
- e) When a proxy has been certified by the City Clerk or designate, this shall be indicated on the voters' list.

### **Requirements of the Proxy Voter at the Voting Location**

- a) A person acting as a voting proxy must present the certified document and acceptable identification to an election official distributing ballots at a voting location.
- b) Once the voting proxy provides acceptable identification, they will be required to take the oath on the proxy application affirming they are the appointed voting proxy. They will then be provided with a ballot and can proceed to vote.
- c) If the voting proxy does not provide acceptable identification, they will not be issued a ballot. The voting proxy must return to the voting location with acceptable identification.

### **Requirements of the Election Official at Voting Location**

- a) The election official at a voting location will confirm that the elector is indicated as a proxy on the voters' list and review the certified proxy document before issuing the ballot.
- b) The election official at a voting location will add a note to confirm that the elector has cast a ballot by proxy.

### **Definitions**

**"Act"** means the [Municipal Elections Act, 1996, S.O. c 32](#) as amended.

**"Acceptable identification"** means

**"Ballot"** means a ballot prepared under subsections 41(1), 41(2) and 41(6) of the Act.

**"City Clerk"** means the Clerk of the municipality, responsible for conducting election duties as outlined in the Elections Act.

**“Election official”** means any individual appointed by the City Clerk, where powers and duties in relation to an election are delegated.

**“Elector”** means a person who meets the qualifications as determined under the [Act](#) and appears on the voters’ list or is added to the list during the revision period.

**“Proxy voter”** means an appointed voter who casts a ballot on behalf of another voter who is unable to vote. A person is allowed to act as a proxy only once for a non-related person. A person is allowed to act as a proxy more than once if they are voting on behalf of immediate family members (spouse, sibling, parent, children, grandparent, and grandchild). However, they cannot act as a proxy for both family members and a non-related person for the same election. A voting proxy is appointed using a proxy form that is certified and approved by the City Clerk’s Office.

**“Voters’ list”** means information prepared by the City Clerk, enumerating the names and voting entitlement of voters as provided by the Municipal Property Assessment Corporation (MPAC) and as amended in accordance with the Act.

**“Voting day”** means the day on which the final votes will be taken in accordance with Section 5 of the Act. This Municipal Election voting day will be October 24, 2022.

## **References**

[Municipal Elections Act, 1996.](#)