

Standard Operating Procedure



Appointment and Conduct of Scrutineers

Department:	City Clerk's Office
Division:	ELE - Elections
Category:	APP – Appointments
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Purpose

To outline the role of scrutineers, including how scrutineers must be appointed and conduct at a voting location.

Application

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

Procedure

Appointment of Scrutineers

- a) In accordance with the Municipal Elections Act (the Act) candidates may appoint scrutineers in writing to represent them at the voting place.
- b) Scrutineers must show their written appointment form to election officials upon entry and upon request in accordance with Section 16 (6) of the Act.

Conduct of Scrutineers

- a) Candidates and scrutineers are not permitted to interfere or to disrupt the voting process, including discharging an election official of their duties, and handling any documents in the possession of an election official.
- b) If a scrutineer or candidate is found to be obstructive in any way, they will be removed by an election official.

Role of Scrutineers

- a) During the fifteen minutes prior to the opening of the voting place, scrutineers are permitted to inspect, without touching, the ballots, the voters' list and all other papers, forms and documents relating to the vote but shall not delay the timely opening of the voting place.
- b) One scrutineer per ballot box will be permitted to act as a witness on behalf of each candidate at a voting location. If a candidate or another scrutineer

working on behalf of the same candidate enters the voting place, the prior scrutineer will be required to leave.

- c) Candidates are only permitted to be in a voting location for the purposes of casting their ballot or serving in the capacity of a witness for their own campaign. Outside of this, no candidate shall be allowed to have more witnesses than vote tabulators in a voting location at one time.
- d) Scrutineers shall provide any necessary supplies themselves, as sitting directly at the tables provided for election officials is not permitted.
- e) Scrutineers are not allowed to access a voting screen or witness how an elector marks their ballot.

Scrutineer Objection

- a) If an elector is objected to by a scrutineer, the election official shall note the objection and require the elector to take a prescribed oath of qualification prior to the issuance of a ballot.
- b) Election officials shall have the final word as to whether an elector is qualified to cast a ballot. To uphold the secrecy of the vote, scrutineers will not be permitted to examine or object to ballots as they are being processed by the vote tabulator.

Scrutineer Seal

- a) Scrutineers may place their seal on the ballot bag after tabulation has occurred and only after the election official seals the ballot bag, in such that ballots cannot be deposited or withdrawn without breaking said seal.

Results

- a) After tabulation, the election official shall provide a candidate/scrutineer with a results tape of the results signed by the election official if requested.

Definitions

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

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

“Ballot bag” means the bag affixed on the inside of the ballot box which all ballots will be deposited into after being processed through a tabulator. After the close of voting the ballot bag is removed from the box and sealed and used to transport the ballots to a location designated by the City Clerk.

“Candidate” means a person who has been nominated under section 33 of the Elections Act.

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

“Scrutineer” means a person appointed in writing by a candidate to oversee the voting process at a specific voting place or during results tabulation.

“Vote tabulator” means a machine that digitally scans the ballots to read the votes and tabulate the results on a memory card.

“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 location” means the physical location (building) and its surrounding property which has been designated by the City Clerk under Section 45 of the Act and where voters may attend to cast their vote using a vote tabulator in the Municipal Election.

References

[Municipal Elections Act, 1996.](#)