

Excerpts from the *Local Government Act*

Mail ballot voting

110 (1) Subject to this section and any regulations under section 168 [*election regulations*], a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.

(2) and (3) [Repealed 2021-16-5.]

(4) A bylaw under subsection (1) may

(a) establish procedures for voting and registration that differ from those established under other provisions of this Part, and

(b) establish, or authorize the chief election officer to establish, time limits in relation to voting by mail ballot.

(5) The chief election officer must give notice of an opportunity to vote by mail ballot in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote by this means.

(6) The procedures for voting by mail ballot must require the chief election officer to keep sufficient records so that challenges of an elector's right to vote may be made in accordance with the intent of section 126 [*challenge of elector*].

(7) Mail ballot packages must contain the following:

(a) the ballot or ballots to which an elector is entitled;

(b) a secrecy envelope that has no identifying marks, in which the ballots are to be returned;

(c) a certification envelope on which is printed the information referred to in subsection (8) for completion by the person voting, in which the secrecy envelope is to be placed;

(d) an outer envelope on which is printed the address of the chief election officer at the local government offices and in which the envelopes under paragraphs (b) and (c) and, if applicable, the registration application under paragraph (e) are to be returned;

(e) if permitted by the bylaw under subsection (1), an application for registration as an elector, to be completed if necessary and returned in the outer envelope;

(f) instructions as to how to vote by mail ballot.

(8) The certification envelope must be printed

(a) with spaces in which the person voting is to record his or her full name and residential address, and

(b) with a statement to be signed by the person voting declaring that the person

(i) is entitled to be registered as an elector for the election,

(ii) is entitled to vote by mail ballot, and

(iii) has not previously voted in the election and will not afterwards vote again in the election.

(9) In order to be counted for an election, a mail ballot must be received by the chief election officer before the close of voting on general voting day and it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the chief election officer within this time limit.

Requirements before elector may be given a ballot

125 (1) A person must meet the following basic requirements in order to obtain a ballot:

(a) if the person is not shown on the list of registered electors as having registered in advance, the person must register in accordance with section 72 [*resident electors*] or 73 [*non-resident property electors*];

(b) if the person is shown on the list of registered electors as having registered in advance, the person must sign a written declaration that he or she

(i) is entitled to vote in the election, and

(ii) has not voted before in the same election;

(c) the person must sign the list of registered electors or the voting book, as directed by the presiding election official, giving

(i) the person's name,

(ii) the person's present residential address, and

(iii) if the person is a non-resident property elector, the address of the real property in relation to which the person is voting.

(2) As applicable, the following additional requirements must be met in order for a person to obtain a ballot:

(a) at a special voting opportunity, the person must also sign a written declaration that he or she is entitled to vote at that time and stating the circumstances that entitle the person to vote;

(b) if the person is challenged under section 126, the person must also meet the requirements of subsection (3) of that section;

(c) if it appears that another person has already voted in that person's name, the person must also meet the requirements of section 127 (2) [*evidence or solemn declaration required*];

(d) if the person requires assistance to mark the ballot, the requirements of section 131 (3) [*written statement and other requirements*] must also be met.

(3) Once the requirements of subsections (1) and (2) have been met, the election official must give the elector the ballot or ballots to which that elector is entitled.

(4) A person who does not meet the requirements of subsections (1) and (2) is not entitled to vote and must not be given a ballot.

(5) A voting book or list of registered electors may be prepared in such a manner that all the applicable requirements of subsection (1) or (2), or both, may be met by entries on the voting book or list of registered electors.