Province of Alberta

LOCAL AUTHORITIES ELECTION ACT

EDMONTON ELECTION REGULATION

Alberta Regulation 92/2001

With amendments up to and including Alberta Regulation 141/2015

Office Consolidation

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(Consolidated up to 141/2015)

ALBERTA REGULATION 92/2001

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Definitions

1 In this Regulation,

(a) "Act" means the *Local Authorities Election Act*;

(b) "ballot transport box" means a ballot box used to transport election materials from a voting station to the returning officer;

(c) "vote tabulator" means a machine that scans and records the number of votes on each ballot inserted into the machine.

1.1 Repealed AR 175/2007 s2.

Modification of election procedure

2 The system for the conduct and procedure of an election or a vote under the Act where an automated voting system is used is modified by the City of Edmonton as follows:

(a) more than one ballot box may be used at a voting station;

(b) at the completion of the counting of the ballots, the presiding deputy may use more than one ballot transport box to pack the election documents, if each ballot transport box

(i) is sealed in accordance with section 93 of the Act, and

(ii) is marked with a number that indicates the number of boxes used at the voting station;

(c) the presiding deputy may disassemble and discard the original ballot box or boxes;

(d) if a vote incorrectly marked on a ballot clearly indicates for whom or what the elector intended to vote, a duplicate ballot may be prepared in the presence of 2 deputies to reflect the intent of the elector by marking "DUPLICATE" on the ballot, and the word "SPOILED" on the incorrectly marked ballot and inserting the duplicated ballot into a vote tabulator to be counted.

2.1 Repealed AR 175/2007 s2.

2.2 Repealed AR 179/2012 s2.

Modifications respecting voting hours at voting substations

2.3 Sections 37 and 46 of the Act are modified for use by the City of Edmonton to the extent provided as follows:

(a) where the returning officer has designated more than one voting station for a voting subdivision pursuant to section 2(b) of the *Modified Voting Procedure Regulation* (AR 5/2007), the returning officer may designate one voting station as the main voting station and the other designated voting stations as voting substations;

(b) the returning officer may designate the hours that a voting substation shall be kept open on election day.

AR 175/2007 s3

Single ballot for all offices

3 Notwithstanding section 42(1) of the Act, a single ballot card may be used for all the offices referred to in that subsection.

AR 92/2001 s3;47/2004

3.1 Repealed AR 294/2009 s3.

Modifications respecting blind and visually impaired electors

3.2(1) Sections 74 and 78 of the Act are modified for use by the City of Edmonton to the extent provided as follows:

(a) the notice referred to in section 74(1) must include a statement that an electronic ballot-marking device for the use of blind and visually impaired electors will be available only at advance voting stations and will not be available on election day;

(b) repealed AR 294/2009 s4;

(c) section 78(5) does not apply.

(2) In this section, "electronic ballot-marking device" means an electronic device that has an audio instruction and vote confirmation component and Braille-embossed voting buttons.

AR 47/2004 s3;175/2007;294/2009

Deadline for application for special ballot

3.3 Notwithstanding section 77.1(2.1) of the Act, an application for a special ballot may be made only up until 4:30 p.m. on election day.

AR 47/2004 s3;175/2007

3.4 Repealed AR 294/2009 s5.

3.5 Repealed AR 175/2007 s7.

Modification respecting special ballots

3.51 Section 77.1 of the Act is modified for use by the City of Edmonton to the extent provided as follows:

(a) subsection (2) is modified to allow for applications for a special ballot to be made through a publicly accessible secure website maintained by the City of Edmonton;

(b) subsection (4) does not apply.

AR 179/2012 s3

Modifications respecting special ballots, advance votes and institutional votes

3.6(1) Sections 77.2(6) and (7) and 82(1) of the Act are modified for use by the City of Edmonton to the extent provided in this section.

(2) On election day, after the time set by a resolution under section 77.2(3.1) of the Act has passed, the returning officer shall

(a) deliver the special ballot box used under section 77.2(6) of the Act to the deputy of the counting centre, and

(b) advise the deputy of the counting centre of the electors who have voted under section 77.2 of the Act of the names of the electors who have so voted.

(3) On election day, after the time fixed by a resolution under section 81(1) of the Act has passed, the presiding deputy of an institutional voting station shall deliver the ballot box to the deputy of the counting centre.

(4) After the holding of an advance vote under section 73 or 80(4), the presiding deputy of the voting station for that advance vote shall deliver the ballot box to the deputy of the counting centre.

(5) On election day, not sooner than the time fixed by resolution under section 77.2(3.1) of the Act, the deputy of the counting centre shall, in the presence of

(a) at least one officer and any additional officers that the deputy considers necessary, and

(b) the candidates, official agents or scrutineers, if any,

open the special ballot boxes and ensure that the votes are counted in accordance with the bylaw made under section 84(1) of the Act.

(6) Not sooner than 7:30 p.m. on election day, a deputy of the counting centre shall, in the presence of

(a) at least one officer and any additional officers that the deputy considers necessary, and

(b) the candidates, official agents or scrutineers, if any,

start the generation of vote counts held within the vote tabulators that were used to collect the votes from the institutional, advance, and special ballots under sections 73, 77.1 and 80(1) and (4) of the Act, but the results generated by those vote tabulators may not be publicly disclosed until after 8:00 p.m. on election day.

(7) The deputy shall not permit more than the candidate or the candidate's official agent or scrutineer, or more than one official agent or scrutineer of either side of a vote on any bylaw or question to be present at the same time at the counting centre during the counting of votes or generation of votes from vote tabulators.

(8) In this section, "counting centre" means a place designated by the returning officer as the counting centre for the purpose of this section.

AR 175/2007 s8;179/2012

Modifications respecting copies of voter register

3.7 Sections 90(2), 92, 93, 94 and 101 of the Act are modified for use by the City of Edmonton to the extent provided as follows:

(a) the presiding deputy shall not make a copy of the voting registers referred to in section 90(2) or deliver that copy to the returning officer under section 94(1);

(b) at the completion of the counting of the ballots, the presiding deputy shall

(i) make a packet of the voting registers on which an objection has been noted under section 54 of the Act, if any, separate from the packet made under section 91(1)(f) that contains the rest of the voting register,

(ii) seal the packet and mark it on the outside with the information referred to in section 92, and

(iii) deliver the sealed packet to the returning officer with the sealed ballot box and the ballot account under section 94;

(c) the returning officer shall open the packet prior to noon of the day after election day and shall seal the packet after making a copy of the voting registers in it for the purposes of section 90 of the Act;

(d) the secretary shall destroy the packet with the copies of the voting registers, if any, under section 101 of the Act.

AR 175/2007 s8

Expiry

4 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2019.

AR 92/2001 s4;354/2003;294/2009;179/2012; 141/2015

Schedule Repealed AR 179/2012 s6.

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