



Government  
— of —  
Saskatchewan

Minister of  
Government Relations  
Legislative Building  
Regina, SK Canada S4S 0B3

**MINISTER'S ORDER  
UNDER**

***THE NORTHERN MUNICIPALITIES ACT, 2010***

**WHEREAS**, by virtue of *The Northern Municipalities Act, 2010*, the Minister of Government Relations is empowered to act as the council of the Northern Saskatchewan Administration District and, in so doing, may enact Bylaws on behalf of the District in the form of Minister's Orders;

**AND WHEREAS**, the Northern Saskatchewan Administration District is established as a Northern Municipality under *The Northern Municipalities Act, 2010*;

**AND WHEREAS**, the ability to vote is desirable and essential for good government in the Northern Saskatchewan Administration District that the Minister enact a bylaw providing for a Mail-In Ballot voting process.

**NOW THEREFORE, I**, Warren Kaeding, Minister of Government Relations, do hereby order that pursuant to the authority vested in me by *The Northern Municipalities Act*, s.s. 2010 C. N-5.2:

1. Bylaw No. NS 1/2019 as contained in Schedule 1, as attached hereto, shall be read, applied and enforced as a bylaw of the Northern Saskatchewan Administration District effective as and from the date established by section 34 of the Schedule.

Dated at Regina, Saskatchewan this 3<sup>rd</sup> day of April, 2019.

Warren Kaeding  
Minister of Government Relations and  
Minister Responsible for First Nations, Métis and Northern Affairs

## **Schedule 1**

### **NORTHERN SASKATCHEWAN ADMINISTRATION DISTRICT MAIL-IN BALLOT BYLAW**

---

#### **BYLAW NO 1/2019**

#### **A BYLAW TO ESTABLISH A MAIL-IN BALLOT VOTING SYSTEM FOR ELECTORS LOCATED WITHIN THE NORTHERN SASKATCHEWAN ADMINISTRATION DISTRICT**

The Minister of Government Relations, on behalf of the electors located within the Northern Saskatchewan Administration District, under the provision of Section 5(4), enacts as follows:

1. The purpose of this bylaw is to establish a Mail-In Ballot voting process for the purpose of receiving ballots in an election and/or for a bylaw, resolution or question, shall be referred to as the “Mail-in Ballot Bylaw”.
2. Any elector who anticipates being unable to vote on an advanced poll or on election day may apply to vote using a Mail-In Ballot.
3. In this bylaw:
  - a) “Act” means *The Local Government Election Act, 2015*;
  - b) “Administrator” means the Administrator of the District;
  - c) “Municipality” means the Northern Saskatchewan Administration District;
  - d) “District” means the Northern Saskatchewan Administration District;
  - e) “Regulations” means *The Local Government Election Regulations, 2015*;
  - f) “Returning officer” means the administrator for the Northern Saskatchewan Administration District or a person appointed by the Council of the Northern Saskatchewan Administration District pursuant to Section 47 of *The Local Government Election Act, 2015*; and
  - g) “Voter’s registration form” means the Voter’s Registration Form and Poll Book, Form R of the Regulations modified as provided for within this bylaw.

#### **APPLICATION PROCESS**

4. A voter who desires to vote by mail shall apply in person, by phone, email, fax or mail to the administrator no less than 10 working days before Election Day to be added to the Mail-In Ballot Register.
5. Before being issued a Mail-In Ballot a voter shall:

- a) complete the Declaration of Person Requesting Mail-in Ballot, Form C;
  - b) complete a Voters Registration Form;
  - c) subject to Section 18 (b) of the Regulations, the voter shall establish his or her identity and residence to the satisfaction of the Returning Officer or Designated Election Official as per Appendix D, Table 1; and
  - d) If the application is approved, the Returning Officer or other Designated Election Official shall enter the elector's applicable details in the Main-In Ballot Register.
6. A Mail-in Ballot Register shall be kept by the Returning Officer and shall include the following information:
- a) the name and residential address of the voter;
  - b) the temporary address of the voter (i.e. where the Mail-In Ballot is to be sent);
  - c) the telephone number and email address of the voter;
  - d) the date the Mail-In Ballot application is approved;
  - e) the date the completed Mail-In Ballot is sent to the voter;
  - f) the date the completed Mail-In Ballot is received by the Returning Officer or other Designated Election Official;
  - g) a notation whether the Mail-In Ballot was accepted, not accepted or spoiled; and
  - h) any other information considered appropriate by the Returning Officer.
7. Upon acceptance of the voter's application for a Mail-In Ballot, the Returning Officer shall:
- a) affix his or her signature to the voter's declaration form; and
  - b) note the date of approval in the appropriate area of the poll book.

## **PROVIDING BALLOT TO VOTERS**

8. As soon as reasonably possible after nomination day, the Returning Officer or other Designated Election Official shall mail or otherwise deliver to each elector whose name appears in the Mail-In Ballot Register a ballot kit.
9. Notwithstanding Section 41 of the Regulations, the returning officer may authorize the use of blank ballots if, in his opinion, the expected delivery date of printed ballots will adversely affect the ability of voters to vote by mail.
10. The blank ballot form is subject to Section 91 of the Act.
11. All ballots issued to persons voting by mail shall be identical.
12. A ballot kit shall consist of:
- a) the ballots to which the voter is entitled;
  - b) a ballot security envelope, bearing the information described in Schedule "A", appended hereto and forming a part of this bylaw;
  - c) a voter confirmation envelope, bearing the information described in Schedule "B", appended hereto and forming a part of this bylaw;



- d) an outer postage paid envelope, addressed to the returning officer, bearing the words "Mail-In Ballot" on its face;
  - e) appropriate directions to voters; and
  - f) a list of candidates who are seeking election if a blank ballot is used.
13. The returning officer shall:
- a) ensure the outer postage paid envelope is addressed to the returning officer at the correct postal address; and
  - b) on the voter confirmation envelope:
    - i. print the name of the voter; and
    - ii. identify the ballots provided to the voter;
  - c) on the ballot, indicate the maximum number of candidates for whom a voter can vote in figures and in words if a blank ballot is used; and
  - d) place his or her initials in the box on the reverse side of the ballot or ballots provided to the voter.
14. The returning officer shall provide a ballot kit in person or by regular mail to a voter described in Section 7 of this bylaw.
- a) A ballot kit will not be provided until the Notice of Poll is issued.
  - b) The returning officer shall make the following entries to the poll book upon providing a ballot kit to a voter:
    - i. those required pursuant to Section 107 of the Act; and
    - ii. the date on which the ballot kit was provided to the voter.
  - c) After the returning officer provides a ballot kit to the voter, the voter is deemed to have voted and is not entitled to vote at any other poll.

## **RECEIVING BALLOTS FROM VOTERS**

15. Voters are required to:
- a) insert marked ballots into the ballot security envelope;
  - b) seal the ballot security envelope and insert it into the voter confirmation envelope;
  - c) date and sign the voter confirmation envelope; and
  - d) seal the voter confirmation envelope and insert it into the outer envelope.
16. Voters may return ballots in their original form to the returning officer by regular mail, registered mail, courier, in person, or by any other means.
17. The returning officer shall ensure there is a ballot box which shall contain only Mail-In Ballots from the time ballots are received until the close of polls on Election Day.
18. Upon receipt of an outer envelope containing a voter's ballot on or before the close of poll on Election Day, the returning officer shall:
- a) ensure the voter confirmation envelope is signed by the voter;
  - b) record in the poll book the date on which the envelope was received; and
  - c) deposit the voter confirmation envelope in a ballot box.

19. Ballots received after the close of polls on Election Day:
  - a) are deemed to be spoiled;
  - b) will remain unopened in the voter confirmation envelope; and
  - c) are given to the administrator of the district, consistent with Sections 137 and 142 of the Act.
20. The returning officer shall designate at least one deputy returning officer who will receive Mail-In Ballots prior to the close of polls on Election Day.
21. Prior to the close of polls on Election Day, the returning officer shall deliver the following materials to the deputy returning officer designated pursuant to Section 19 of this bylaw:
  - a) the ballot box containing all ballots received by mail;
  - b) the application kits from all voters who applied for a Mail-In Ballot; and
  - c) any ballots received by mail after the above materials have been delivered to the deputy returning officer.

#### **OBJECTIONS BY CANDIDATES / AGENTS**

22. On Election Day, any candidate or candidate's agent may examine the application package filed by a person who applied for a Mail-In Ballot.
23. A candidate or a candidate's agent retains the right to object to a person's entitlement to vote if that person votes by mail.
24. On the objection of a candidate or an agent to the entitlement of a person voting by mail, the returning officer shall make necessary entries in the poll book consistent with clause 112(1)(b)(c) and (d) of the Act.

#### **COUNTING BALLOTS**

25. Mail-In Ballots will be counted after the close of polls on Election Day.
26. Where the returning officer is of the opinion that the number of voters who voted by mail are small and as a result it may be possible to determine for which candidate any of the voters voted, the returning officer may direct the deputy returning officer to include the Mail-In Ballots in the same ballot box used for polling on Election Day.
27. The deputy returning officer shall open the Mail-In Ballot box in the presence of persons authorized to be in the polling place pursuant to Section 134 of the Act.
28. The deputy returning officer shall examine each voter confirmation envelope in the ballot box and shall allow each other person in attendance at the polling place to view the voter's certification on the voter confirmation envelope.

- a) The deputy returning officer may reject a voter confirmation envelope if the signature of the voter is missing.
  - b) If the voter confirmation envelope is accepted, the deputy returning officer shall extract the ballot security envelope and examine it for any tears or unauthorized markings.
  - c) If the ballot security envelope:
    - i. contains any tears or unauthorized markings, the deputy returning officer shall reject the ballot security envelope; or
    - ii. is accepted by the deputy returning officer, he or she shall deposit the ballot security envelope into a container or another ballot box.
  - d) After all ballot security envelopes have been dealt with pursuant to clause (c), the deputy returning officer shall then extract the ballots from the ballot security envelopes and proceed to count the ballots in accordance with Sections 129 to 132 of the Act.
29. The deputy returning officer shall deem spoiled those ballots which were sent to voters by the returning officer but were not returned to the returning officer prior to the close of polls on Election Day and shall, pursuant to subsection 118(2) of the Act, reference this fact in the report of the count of the votes.
30. The Mail-In Ballots and any forms used in conjunction with voting by mail, including the voter confirmation envelopes opened by the deputy returning officer pursuant to Section 27 of this bylaw are placed in packets in the same manner as other ballots pursuant to section 136 of the Act.
31. The deputy returning officer will place the packets described in Section 29 of this bylaw along with the poll book and any other forms used in conjunction with voting by mail in the ballot box.
32. Ballots and other forms used in conjunction with voting by mail shall be retained with other election materials pursuant to Section 142 of the Act.
33. Upon receipt of a ballot described in Section 18 of this bylaw, the returning officer or the administrator of the district shall:
- a) write “deemed spoiled” on the outer envelope;
  - b) record the date said ballot came into his or her possession;
  - c) initial the entry; and
  - d) retain it with, but not in, the ballot box described in Section 142 of the Act, unless said ballot can be deposited in the ballot box without unsealing the ballot box.

## **COMING INTO EFFECT**

34. This Bylaw shall come into force and take effect on the date of final passing.



**SCHEDULE "A"**  
**BALLOT SECURITY ENVELOPE**

The following text shall be printed on a ballot security envelope:

BALLOT(S) ONLY.

The ballot(s) contained within this envelope will be rejected if this envelope:

- is torn;
- bears any unauthorized markings; or
- contains materials other than ballots.

**SCHEDULE "B"**  
**VOTER CONFIRMATION ENVELOPE**

The following text shall be printed on a voter confirmation envelope:

Office use only:

Name of Voter \_\_\_\_\_

Ballot(s) included:

- ☐ Office of Chairperson  
☐ Office of Committee Member  
☐ Bylaw or Resolution  
☐ Question

To be completed by the voter:

**Insert sealed ballot envelope in this envelope, seal and complete the following certificate.**

I certify that I am entitled to vote in this election pursuant to *The Local Government Election Act, 2015* and that enclosed in this envelope is a ballot envelope that contains the ballot(s) received by me and marked by me.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of voter