

Directive of the Chief Electoral Officer under section 4.11(1) and 4.11(2) and 4.12 of the *Election Act*

The purpose of this directive is to enable out of electoral division voting (*Vote Anywhere Service*) and accessible voting equipment at advance voting locations. This directive describes the modifications to the provisions of the *Election Act* that are necessary to enable the *Vote Anywhere Service* and use of accessible voting equipment and specifies the nature and extent to which certain provisions of the *Election Act* will not be complied with. This directive is made under the Chief Electoral Officer’s authority under sections 4.11(1), 4.11(2), and 4.12 of the *Election Act*.

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
<p>1. In addition to the definitions outlined in section 1(1), the Directive definitions are added for the purposes of this Directive:</p> <p>(a) Advance Voting Ballot: A ballot printed on demand and issued to an elector at an advance voting place.</p> <p>(b) Ballot Box Clerk: An Election Officer appointed under s. 45.1(1) of the <i>Election Act</i> who is responsible for the Tabulator and ballot box.</p> <p>(c) Site Supervisor: An Election Officer appointed under s. 45.1(1) of the <i>Election Act</i> who is responsible for providing overall supervision in a voting place.</p> <p>(d) Tabulator: A high speed optical scan reader that reads, counts, and saves a digital copy of</p>	<p>1(1) In this Act,</p> <p>(a) “advance voting” means voting under section 98;</p> <p>(a.1) “advance voting place” means a place where one or more voting stations are provided for the purpose of advance voting;</p> <p>...</p> <p>(g.2) “declined ballot” means a ballot referred to in section 107.1;</p> <p>...</p> <p>(i) “election officer” means a returning officer appointed under section 9, an election clerk appointed under section 47, a person appointed under section 45.1 or any other person appointed under section 4(3)(c);</p> <p>...</p> <p>(ii) “spoiled ballot” means a ballot that has been dealt with in accordance with section 102;</p>	<p>Definitions outlined in section 1(1) will be complied with. Relevant definitions in the <i>Election Act</i> referenced in this Directive are included in the “Relevant <i>Election Act</i> section.</p> <p>The Ballot Box Clerk seals the ballot box so that ballots cannot be removed without breaking the seal, maintains the security of the Tabulator, and assists the electors in depositing their ballots into the Tabulator.</p> <p>The definition of “Unread Ballot” is added to identify those Advance Voting Ballots that have not been counted by the Tabulator but are nevertheless cast in the election and counted by hand.</p> <p>A definition of Unread Ballot has been added to distinguish these ballots from “spoiled ballots” and “declined ballots” which are defined in the <i>Election Act</i></p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	<p>ballots. A reference to a ballot box also includes the Tabulator.</p> <p>(e) Unread Ballot: An Advance Voting Ballot that has not been counted by the Tabulator and is retained in the <i>Unread Ballot Envelope</i> for hand-counting on election day.</p> <p>(f) Voter Assist Terminal: A device to assist electors to read and mark an Advance Voting Ballot, which is then read by the Tabulator.</p>	<p>...</p> <p>(mm.2) “voting place” means a place where one or more voting stations are provided for the purpose of voting at an election;</p> <p>(mm.3) “voting record” means a record containing the information described in section 17 that is used</p> <ul style="list-style-type: none"> (i) to allow election officers to determine who is on the list of electors, (ii) to make any required updates to the personal information of electors, (iii) to add electors who have taken a declaration under section 100.4 or 100.5, (iv) to record which electors have voted, and (v) to make any required annotations regarding the voting process; <p>(mm.4) “voting station” means a place within a voting place, advance voting place or mobile voting place where an elector casts the elector’s vote or advance vote</p>	<p>and addressed at sections 102 and 107.1 of the <i>Election Act</i> respectively.</p>
2.	<p>The implementation of Voter Assist Terminals will comply with section 4.12(2) of the <i>Election Act</i>. In addition to the restrictions listed at 4.12(2), Voter Assist Terminals <u>shall not</u> be part of or connected to an electronic network at any time.</p>	<p>4.12(1) The Chief Electoral Officer may issue a directive in accordance with section 4.11 authorizing the use of accessible voting equipment during an election.</p> <p>(2) The following restrictions apply with respect to the use of accessible voting equipment:</p>	<p>Notwithstanding that section 4.12(2)(b) contemplates that accessible voting equipment might be networked for the specific purpose of transmitting information to the Chief Electoral Officer, Voter Assist Terminals <u>will not be connected to a network at any time</u>, as the</p>

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	<p>(a) the equipment must allow the elector to vote privately and independently;</p> <p>(b) the equipment must not be part of or connected to an electronic network, except that the equipment may be securely connected to a network after the close of voting for the purpose of transmitting information to the Chief Electoral Officer;</p> <p>(c) the equipment must be tested, (i) before the first elector uses the equipment to vote, and (ii) after the last elector uses the equipment to vote;</p> <p>(d) the information presented on a ballot made available to the elector through the equipment before voting must comply with section 83, with necessary modifications;</p> <p>(e) the equipment must create a paper ballot that records the vote cast, is retained in the same way as ordinary ballots and includes the name of the electoral division;</p> <p>(f) the equipment must, before the paper ballot is printed, allow the elector to verify the elector’s vote without the assistance of another person;</p>	<p>Voter Assist Terminal is a stand-alone ballot <u>marking</u> device with accurate marking to be verified by the voter.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		<p>(g) the equipment or the process used must, after the paper ballot is printed but before casting the elector’s vote, allow the elector to verify the elector’s vote;</p> <p>(h) the equipment must not be used in a way that enables the choice of an elector to be made known to an Election Officer or scrutineer.</p> <p>(3) Accessible voting equipment shall not be used unless an entity that the Chief Electoral Officer considers to be an established independent authority on the subject of voting equipment has certified that the equipment meets acceptable security and integrity standards.</p> <p>(4) In this section, “accessible voting equipment” means voting equipment and related vote-counting equipment that enables electors requiring assistance to vote independently.</p>	
3.	<p>The following applies to tabulators used at advance voting locations:</p> <ul style="list-style-type: none"> • Tabulators will allow the elector to vote privately and independently; • <u>Tabulators will not be part of, or connected to an electronic network;</u> • Tabulators will be tested for logic and accuracy before the first elector uses the equipment to 		<p>Notwithstanding that section 4.12(2) of the <i>Election Act</i> does not apply to Tabulators, the use of Tabulators will be subject to the same principled requirements that apply to Voter Assist Terminals.</p>

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	<p>vote and after the results are reported, following the process outlined in Appendix B;</p> <ul style="list-style-type: none"> • Tabulators will notify the voter of a blank ballot or of the selection of more than one candidate and, in the event of such a notification, allow the elector to verify their vote or obtain a replacement ballot; • Tabulators will not be used in a way that enables the choice of an elector to be made known to an Election Officer or scrutineer; • Paper ballots of all votes cast will be retained, following the process outlined in Appendix E; • A digital scanned image of each ballot of all votes cast will be retained; and • paper ballots of all votes cast will not be altered in any way. <p>Tabulators used at advanced voting places will be certified by an independent authority on the subject of voting equipment to ensure the equipment meets security and integrity standards.</p>		
4.	<p>Tabulator ballot boxes shall be placed on the floor and the Tabulator shall be placed on top of the ballot box to ensure that the Tabulator is in constant view of persons present.</p> <p>The Ballot Box Clerk shall, prior to using the Tabulator on each advance voting day:</p>	<p>45.1(1) Subject to section 120(2)(c), the Chief Electoral Officer shall appoint, or provide for the appointment by returning officers of, Election Officers who shall be assigned to perform the duties and functions of Election Officers as established by the Chief Electoral Officer, including but not limited to the following duties and functions:</p>	<p>Section 45.1(1) will be complied with, with modifications for use of Tabulators. The Ballot Box Clerk seals the ballot box so that ballots cannot be removed without breaking the seal, maintains the security of the Tabulator, and assists the electors in depositing their ballots into the Tabulator.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
<ul style="list-style-type: none"> • ensure that the security seals are intact and have not been tampered with; • verify the Tabulator tape attached to the machine; and • verify the public count on the Tabulator. <p>Election Officers shall be trained in the operation of all advance voting equipment and follow procedures as directed by the CEO.</p>	<p>(a) place signs to direct attention to voting places and post bulletins at voting stations and voting places;</p> <p>(b) immediately before the opening of voting places,</p> <p style="padding-left: 20px;">(i) show ballot boxes to the persons present so that they may see that the ballot boxes are empty,</p> <p style="padding-left: 20px;">(ii) seal the ballot boxes so that they cannot be opened without breaking the seal, and</p> <p style="padding-left: 20px;">(iii) place and maintain the ballot boxes on a desk, table, counter or similar place so that the ballot boxes are raised above the floor and constantly in the view of all persons present;</p> <p style="text-align: center;">...</p>	<p>Tabulator ballot boxes are designed to sit directly on the floor and act as a stand for the Tabulator, as well as provide ample room for the depositing of ballots in the ballot box.</p>
<p>5. Candidates may appoint scrutineers to:</p> <ul style="list-style-type: none"> • Observe the conduct of pre-election logic and accuracy testing at the returning office or satellite office, as applicable; • Observe the opening of an advance voting place, including opening procedures at the Tabulator and Voter Assist Terminal, verifying that the security seals are intact and have not been tampered with, the Tabulator tape is attached to the machine, and the public count on the Tabulator; • Be present at the ballot box station, which contains a Tabulator, at each advance voting place; 	<p>79(1) Subject to subsection (1.1), each candidate may appoint in the prescribed form scrutineers</p> <p>(a) to represent the candidate at each voting station,</p> <p>(b) to be present at the place to which the ballot box is brought under section 96(1.1),</p> <p>(c) to observe the election procedures on the candidate’s behalf, and</p> <p>(d) to be present at the place where declarations are taken under sections 100.2 to 100.5 while an elector is completing a declaration under one of those sections.</p>	<p>This section of the Act will be complied with, with the Tabulator ballot box being placed on the floor underneath the Tabulator as the “ballot box” in section 79(1)(b).</p> <p>Scrutineers are also able to observe logic and accuracy testing, opening procedures and closing procedures at advance voting places, and results reporting at the returning office, or satellite office, as the case may be, following the close of voting on Election Day.</p>

Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
<ul style="list-style-type: none"> • Be present following the close of voting on each advance voting day, including the final day, in which the tabulator ballot box is emptied into ballot transfer containers; • Observe the generation of results from each Tabulator following the close of voting on election day at the returning office and satellite office, if applicable; and • Observe the conduct of post-election logic and accuracy testing at the returning office. <p>A scrutineer may not be present at the Voter Assist Terminal when it is being used by an elector to mark a ballot.</p>	<p>(1.1) For the purposes of subsection (1),</p> <p>(a) each candidate may appoint 4 scrutineers for each voting station for election day and 4 scrutineers for each voting station for each day of advance voting,</p> <p>(b) each candidate may appoint 4 scrutineers for each place where declarations are taken under sections 100.2 to 100.5 for election day and each day of advance voting,</p> <p>(c) only one scrutineer for a candidate may be present at a voting station at any one time, and</p> <p>(d) only one scrutineer for a candidate may be present at a place where declarations are taken under sections 100.2 to 100.5 at any one time.</p>	
<p>6. The Chief Electoral Officer will provide Tabulators and Tabulator ballot boxes to the Returning Officer in each electoral division in sufficient quantities to conduct advance voting.</p> <p>All Tabulator ballot boxes and ballot transfer containers will be sealed using security tape.</p> <p>Advance Voting Ballots will be removed from the tabulator ballot box following the close of advance</p>	<p>81(1) The Chief Electoral Officer shall provide each returning officer with a sufficient number of ballot boxes to conduct the election in the returning officer’s electoral division.</p> <p>(2) The ballot boxes shall be</p> <p>(a) repealed 2017 c29 s48,</p> <p>(b) accompanied with sealing material, and</p>	<p>This section will be complied with, with modifications for using a tabulator ballot box, as set out in Appendix C and Appendix E.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	<p>voting if:</p> <ul style="list-style-type: none"> • The location is moving to a new location, • The location is not secure overnight, or • More than 2000 ballots have been cast in the Tabulator throughout the day or over multiple days. <p>The Advance Voting Ballots will be deposited into ballot transfer containers, which are sealed and returned to the returning office for secure storage.</p>	<p>(c) designed in a manner that permits the deposit of ballots but does not permit their removal without breaking the seal after it has been applied.</p>	
7.	<p>Advance Voting Ballots shall be</p> <p>(a) printed on demand on an 8.5x11 sheet of paper in the prescribed format set out in Appendix A, with any modifications required to list more or fewer candidates, and</p> <p>(b) placed in a secrecy folder.</p>	<p>82(3) The printer shall deliver to the returning officer with the printed ballots a completed and executed Affidavit of Printer in the prescribed form.</p> <p>83(4) Every ballot shall include a stub and there shall be a line of perforations between the ballot and the stub.</p> <p>83(5) The ballot and stub shall be in the prescribed form and shall be bound or stitched in books in quantities that the Chief Electoral Officer considers appropriate.</p> <p>83(6) The ballots shall be serially numbered with the number of each ballot appearing on the back of the stub.</p>	<p>Section 82(3) will not be complied with. Advance Voting Ballots are not printed in advance, they are printed when requested by a voter.</p> <p>Sections 83(4)-(6) will not be complied with. Advance Voting Ballots have a different format and use a secrecy folder instead of folding.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
8.	The Election Officer assigned to administer voting shall maintain a record of the quantity of Advance Voting Ballots issued at each voting station.	<p>84 Each returning officer shall maintain a record of</p> <p>(a) the quantity of ballots that are provided to the Election Officers in the electoral division, and</p> <p>(b) the serial numbers of the ballots.</p>	<p>Section 84 will be modified for Advance Voting Ballots.</p> <p>Advance Voting Ballots will be printed on demand at the voting place on an 8.5 x 11 sheet of paper in the prescribed format set out in Appendix A.</p> <p>Advance Voting Ballots will not be serially numbered but the voting record will maintain the record of ballots issued at each voting station. This number will be reported on the prescribed form by the Election Officer assigned to administer voting upon the close of voting on the last advance voting day.</p>
9.	During the 30 minutes immediately prior to the opening of the advance voting place, candidates, official agents and scrutineers are entitled to examine all documents, materials, the ballot box, the Tabulator tape attached to the Tabulator, the public count on the Tabulator and observe opening procedures on the Tabulator and Voter Assist Terminal.	<p>89(2) During the 30 minutes immediately prior to the opening of the voting place, candidates, official agents and scrutineers are entitled to inspect the ballots and examine all documents, materials and ballot boxes to be used in the taking of the vote.</p>	<p>Candidates, official agents and scrutineers can continue to examine all documents, materials and ballot boxes used in the taking of the vote.</p> <p>As ballots are printed on demand, ballots cannot be examined prior to the opening of an advance voting place in which a Tabulator is located.</p>
10	<p>Each voter will be provided their Advance Voting Ballot inside a secrecy folder to preserve the secrecy of the vote between the voting booth and the ballot box station, and at the ballot box station.</p> <p>A black permanent marker will be provided in each voting booth to mark the Advance Voting Ballot.</p>	<p>91(1) Each voting station shall contain one or more voting booths arranged so that when a voter is in the voting booth the voter is screened from observation and may mark the voter’s ballot without interference.</p> <p>(2) In each voting booth there shall be provided for the use of voters marking their ballots</p>	<p>This section will be complied with and the secrecy provisions extended to the use of the Voter Assist Terminal and the movement of ballots between the voting booth and ballot box station.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	The Voter Assist Terminal will be placed so that a voter is screened from observation and may mark their ballot without interference.	(a) a suitable table, desk or shelf, and (b) a suitable marking instrument which shall be properly maintained during voting hours.	
11	Vendor support staff are authorized to remain in a voting place during voting hours for the purposes of maintaining and operating Tabulators and Voter Assist Terminals.	92(1) Only the following persons may remain in a voting place during voting hours: (a) the Election Officers appointed in respect of that voting place; (c) the returning officer and election clerk; (d) the Chief Electoral Officer, members of the Chief Electoral Officer’s office staff designated by the Chief Electoral Officer and visiting officials from other electoral jurisdictions authorized by the Chief Electoral Officer; (f) one scrutineer per candidate for each voting station; (f.1) one scrutineer per candidate at each place where declarations are being taken under sections 100.2 to 100.5; (g) the interpreters; (h) peace officers appointed under the <i>Peace Officer Act</i> ;	Vendor support staff are authorized to remain in a voting place during voting hours.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		(i) other Election Officers authorized by the Chief Electoral Officer.	
12	<p>A Voter Assist Terminal will be provided in at least one advance voting place in each electoral division to assist electors, who wish to vote independently, to read or mark the ballot.</p> <p>The Voter Assist Terminal will mark a ballot generated for any of the 87 electoral divisions, and once marked are deposited in the Tabulator for counting following the same procedures as all other ballots.</p> <p>A voting screen will be available at each Voter Assist Terminal to provide privacy to electors when they are using the terminal. The elector will be provided with a secrecy folder for their ballot, to maintain secrecy after the ballot has been marked.</p> <p>Each terminal will allow for touchscreen, keypad or rocker paddle input and can provide audio instructions via headphones. Electors may bring their own assistive devices, such as a sip-and-puff to interact with the Voter Assist Terminal.</p> <p>The Voter Assist Terminal will provide electors with the ability to confirm their selection before the ballot</p>	<p>96(1) An Election Officer assigned to provide voter assistance, at the request of a voter who is unable to vote in the usual manner, shall</p> <p>(a) assist the voter by marking the voter’s ballot in the manner directed by the voter in the presence of a 2nd Election Officer, and</p> <p>(b) if requested by the voter, place the ballot so marked in the ballot box.</p> <p>(1.1) Where a voter is unable to access a voting place because of the voter’s physical disability, at least 2 Election Officers, including at least one who has been assigned to provide voter assistance at the request of a voter, shall bring the ballot box to some other place on the site on which the voting place is located.</p> <p>(1.2) Before the ballot box is brought to some other place on the site under subsection (1.1), one of the Election Officers bringing the ballot box to some other place on the site shall advise the scrutineers at the voting place.</p>	<p>Electors may continue to receive assistance as outlined in section 96. They may also use the Voter Assist Terminal in lieu of being assisted in one of the methods outlined in section 96.</p> <p>Electors who require curbside voting will receive assistance by:</p> <ul style="list-style-type: none"> • Two Election Officers will attend to the elector at some other place on the site on which the voting place is located. Scrutineers will be notified of the curbside voting request and can accompany the Election Officers. • The Election Officers will collect the elector’s name, address, identification and confirm that they are eligible to vote. • The Election Officers will return to the voting place to locate the elector in the voting record, and if found print a ballot for the elector. If the elector is not registered, the Election Officer will complete a <i>Declaration of Elector</i> for the elector to sign and print a ballot. • The ballot will be placed in a secrecy folder, along with the <i>Declaration of Elector</i>, if required, and returned to the elector.

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
<p>is marked. After the paper ballot is marked, electors will have an opportunity to review how the ballot was marked, and if needed may request a replacement ballot if they would like to change the marking.</p> <p>Election Officers can assist electors using a Voter Assist Terminal by inserting the ballot into the terminal, providing instruction on the use of the terminal, connecting the rocker paddle or sip-and-puff device for the elector, and retrieving the marked ballot in the secrecy folder and transporting it to the ballot box, if requested to do so by the elector.</p> <p>An Election Officer cannot assist an elector to make selections on the Voter Assist Terminal. Scrutineers cannot be present where an elector is using a Voter Assist Terminal.</p> <p>The Voter Assist Terminal is a stand-alone ballot marking device. It is not connected to a network at any time.</p> <p>Election Officers providing curbside voting assistance will bring the materials required to conduct voting to the elector and will transport the ballot back to the Tabulator using a secrecy folder.</p>	<p>(2) Repealed 2004 c23 s49.</p> <p>(3) The Election Officer who is assisting the voter under subsection (1) shall</p> <p>(a) if the voter is accompanied by a friend,</p> <p style="padding-left: 40px;">(i) permit the friend to accompany the voter into a voting booth to mark the voter’s ballot, and</p> <p style="padding-left: 40px;">(ii) if requested by the voter or the friend, place the ballot in the ballot box,</p> <p>or</p> <p>(b) if the voter is not accompanied by a friend or does not wish to be assisted by the Election Officer,</p> <p style="padding-left: 40px;">(i) provide the voter with a Voter Template in the prescribed form, and</p> <p style="padding-left: 40px;">(ii) instruct the voter in its use.</p> <p>(4) The friend of a voter, if assisting the voter to vote, shall take the prescribed oath before assisting the voter referred to in subsection (1) to vote.</p> <p>(5) When a ballot has been marked pursuant to this section, an Election Officer assigned to maintain the</p>	<ul style="list-style-type: none"> • Once the elector has signed the <i>Declaration of Elector</i>, if required, and marked the ballot, the Election Officers will return the ballot in the secrecy folder to the ballot box station to be fed into the Tabulator. The <i>Declaration of Elector</i>, if required, will be placed in the appropriate envelope at the voting station. • The voting record will be annotated to state that curbside voting was completed.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		voting record shall enter in the voting record opposite the name of the voter and in the appropriate column either “voter assistance” or “template”, as the case may be.	
13	After the opening of an advance voting place, the Ballot Box Clerk shall ensure that no other persons have access to the Tabulator or ballot box.	98(5) After the opening of a voting place for advance voting, each Election Officer appointed to the voting place shall take all reasonable precautions to ensure that no other persons have access to the ballot box.	This section will be complied with and modified for use of Tabulators.
14	Each day at the close of the voting place the Ballot Box Clerk will carry out the Closing of Voting Place procedure detailed in Appendix E which includes the following: <ul style="list-style-type: none"> • Record the public count on the Tabulator. • Shut down the Tabulator and provide the Tabulator key to the Site Supervisor for safeguarding. • Transfer ballots to Ballot transfer containers, if required. • Secure the Tabulator off-site if the location is not secure or is moving to a new location on the following day. 	98(6) Each day at the close of the voting place for advance voting the ballot box <p>(a) shall be sealed and initialed by an Election Officer assigned to maintain the security of ballot boxes and at least one other Election Officer, and</p> <p>(b) may be sealed by any candidate, official agent or scrutineer so desiring,</p> <p>so that it cannot be opened and no ballots can be deposited without breaking those seals.</p>	Section 98(6) will not be complied with. The Ballot Box Clerk will carry out the closing procedure set out in Appendix E .

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
15	<p>Sealing material applied to the Tabulator ballot box shall not be broken except as may be necessary at the close of the advance voting place to permit the transfer of Advance Voting Ballots to ballot transfer containers and to secure or move the advance voting place between voting days.</p> <p>Once ballots are placed in ballot transfer containers, the sealing material on the container shall not be broken, except as required to perform the official verification, official count or judicial recount.</p>	<p>98(7) Sealing material applied to a ballot box shall not be broken from the time it is applied until the close of the voting places on election day, except as may be necessary at the opening of the voting place for advance voting on the Wednesday, Thursday, Friday and Saturday to permit the deposit of ballots.</p>	<p>Sealing materials will be applied to the Tabulator ballot box. The seals may be broken as per Appendix E in order implement the Closing of Voting Place procedure set out in Appendix E.</p>
16	<p>At the close of the advance voting place on the final day, all ballots in the Tabulator ballot box will be transferred to ballot transfer containers and returned along with the Tabulator to the returning officer for safe keeping.</p>	<p>98(8) At the close of the voting place for advance voting on the final day the Election Officer designated by the returning officer shall, after the seal has been applied pursuant to subsection (6), take charge of and safely keep the ballot box until the close of voting on election day or return the ballot box to the returning officer as directed by the returning officer.</p>	<p>Section 98(8) is modified so that at the close of the advance voting place on the final day, an Election Officer designated by the Returning Officer, shall return the ballot transfer containers as well as the Tabulator to the Returning Officer.</p>
17	<p>An Election Officer assigned to administer voting shall provide to each elector recorded in the voting record a printed Advance Voting Ballot for their electoral division containing the Election Officer’s initials in the prescribed place on the ballot and place it in a secrecy folder so the initials can be seen without viewing any other information on the ballot.</p>	<p>100.7(1) An Election Officer assigned to administer voting shall provide to each elector recorded in the voting record a pre-folded ballot containing the Election Officer’s initials in the prescribed place on its back so that when the ballot is folded the initials can be seen without unfolding it.</p>	<p>Section 100.7 is modified to allow for the Advance Voting Ballot.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
<p>18 An Election Officer assigned to administer voting shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to</p> <p>(a) proceed to one of the voting booths and there, with the marker provided, mark his or her Advance Voting Ballot by filling in the oval in the white space opposite the name of the candidate of his or her choice;</p> <p>(b) place the Advance Voting Ballot in the secrecy folder so that the Election Officer’s initials on the ballot can be seen without removing the ballot from the secrecy folder; and</p> <p>(c) hand the Advance Voting Ballot in the secrecy folder to an Election Officer assigned to assist electors in depositing their ballots in ballot boxes.</p>	<p>101(1) An Election Officer assigned to administer voting shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to</p> <p>(a) proceed to one of the voting booths and there, with the marker provided, mark his or her ballot by placing an “X” in the white space opposite the name of the candidate of his or her choice,</p> <p>(b) refold the ballot so that the initials, electoral division and year of the election on the back of the ballot can be seen without unfolding it, and</p> <p>(c) hand the folded ballot to an Election Officer assigned to assist electors in depositing their ballots in ballot boxes.</p>	<p>Section 101(1)(a), (b) and (c) will be modified for voting by Advance Voting Ballot.</p> <p>Advance Voting Ballots are printed on 8.5” by 11” paper and initialed by the Election Officer assigned to administer voting in the prescribed place on the ballot.</p> <p>There is a white oval next to candidates’ names. Electors will fill in the oval. The elector will then place the Advance Voting Ballot back into the secrecy folder so that the Election Officer’s initials can be seen.</p>
<p>19 The Election Officer shall, without removing the ballot from the secrecy folder, and in full view of the voter and all present, ascertain by examining the initials that the ballot that has been issued by an Election Officer assigned to administer voting and return the ballot to the voter so that the voter may feed the ballot into the Tabulator.</p>	<p>101(2) The Election Officer shall, without unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that it is a ballot issued by an Election Officer assigned to administer voting and return the ballot to the voter so the voter may place the ballot in the ballot box.</p>	<p>Section 101(2) will not be complied because Advance Voting Ballots will be put in a secrecy folder instead of folding them. The Election Officer responsible for the ballot box will view the initials on the ballot that is in the secrecy folder without removing the ballot from the secrecy folder. The elector will place the ballot into the feed tray of the Tabulator to be deposited in the Tabulator ballot box.</p>
<p>20 A voter may request a replacement ballot at any time before their ballot has been counted by a Tabulator or deposited in an <i>Unread Ballot Envelope</i>.</p>	<p>102(1) If a voter has dealt with the voter’s ballot in a manner that may render its use inappropriate, the voter may surrender the ballot to the election officer</p>	<p>This section will be complied with.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	On request of a replacement ballot, the elector will return their original ballot to the Election Officer assigned to administer voting, who will fold the original ballot in half and deposit the folded ballot into the <i>Spoiled Ballot Envelope</i> . A new Advance Voting Ballot will then be printed and issued to the elector.	<p>who issued the ballot to the voter under section 100.7 and on surrendering it obtain a new ballot.</p> <p>(2) The election officer, on receiving the ballot under subsection (1), shall immediately write the word “spoiled” on the ballot and place it in the required envelope to be sent to the returning officer, and the election officer shall annotate the voting record accordingly.</p>	
21	<p>In addition to the requirements of 105(1):</p> <p>No person may interfere or attempt to interfere with a voter who is using the Voter Assist Terminal to mark the voter’s ballot.</p>	<p>105(1) No person may</p> <p>(a) interfere or attempt to interfere with a voter who is attempting to mark the voter’s ballot,</p> <p>(b) on a day that voting is to occur at a voting place, attempt to obtain any information at the voting place or within 100 metres of the building used for the voting place regarding which candidate a voter has voted for, is voting for or is about to vote for, or</p> <p>(c) prevent or attempt to prevent a person from exercising the person’s right to vote.</p>	Section 105 is extended to voters using the Voter Assist Terminal.
22	<p>In addition to the requirements at s. 106:</p> <p>While a voter is using the Voter Assist Terminal, no other person may enter the voting booth or be in a</p>	<p>106(1) While a voter is in a voting booth for the purpose of marking the voter’s ballot, no other person may, except as permitted in section 96, enter the voting booth or be in a position from which the person can see for whom the voter marks the voter’s ballot.</p>	<p>Section 106 is extended to apply to voters using a Voter Assist Terminal.</p> <p>To ensure that votes are cast as intended by the elector, the Election Officer assigned to assist electors</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	<p>position from which the person can see for whom the voter marks the voter’s ballot.</p> <p>To ensure that votes cast by electors are cast as intended, the Tabulator will notify the voter if their ballot is blank or if more than one candidate is selected and, in the event of such a notification, the Election Officer assigned to assist electors in depositing their ballots will allow the elector to verify their vote or obtain a replacement ballot.</p> <p>The Election Officer assigned to assist electors in depositing their ballots shall protect the secrecy of the vote by using the secrecy folder.</p>	<p>(2) No person may directly or indirectly induce or attempt to induce a voter to show the voter’s ballot after the voter has marked it so as to allow the name of the candidate for whom the voter has voted to be known.</p> <p>(3) Except as provided in section 96, a voter shall not show the voter’s ballot, after the voter has marked it, to any person so as to allow the name of the candidate for whom the voter voted to be known.</p>	<p>deposit their ballots may discreetly inform a voter if the Tabulator detected a blank ballot or that more than one candidate was selected, and provide the voter with the option to verify their vote or obtain a replacement ballot.</p>
23	<p>A voter may decline to vote by returning their ballot to the Election Officer who issued the ballot to the voter at any time before their ballot has been counted in the Tabulator or deposited in the <i>Unread Ballot Envelope</i>. The ballot will be folded in half and deposited in the <i>Declined Ballot Envelope</i>.</p>	<p>107.1(1) If a person returns the person’s ballot indicating that the person does not wish to mark the ballot, the election officer who issued the ballot to the voter under section 100.7 shall immediately write the word “declined” on the ballot and place it in the required envelope to be sent to the returning officer.</p> <p>(2) A person who returns a ballot under subsection (1):</p> <p>(a) forfeits the right to vote in the election, and</p> <p>(b) shall forthwith leave the voting place.</p>	<p>This section will be complied with.</p>
24	<p>A person who has caused the person’s ballot to be fed into the Tabulator to be counted and placed in the ballot box is deemed to have voted.</p>	<p>109 A person who has caused the person’s ballot to be placed in the ballot box is deemed to have voted.</p>	<p>Deeming provision extended to the use of the Tabulator and its ballot box.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
25	<p>On the last advance voting day, after the closing of each advance voting place, each Election Officer assigned to administer voting shall immediately count the number of spoiled and declined ballots and record the total on the outside of the envelope containing those ballots.</p> <p>The Election Officer shall record the number of voters recorded in the voting record as having voted on the prescribed form.</p>	<p>111(1) After the closing of each voting place on election day, each Election Officer assigned to administer voting shall immediately count the number of spoiled and declined ballots and record the total on the outside of the envelope containing those ballots.</p> <p>111(2) The Election Officer shall count</p> <p>(a) the number of electors whose names appear on the voting record, and</p> <p>(b) the number of voters recorded in the voting record as having voted,</p> <p>and shall draw a line immediately under the last name in the voting record and affix the Election Officer’s initials.</p>	<p>With the voting record the number of names in the voting record is a provincial number and is not recorded at each voting station. A line is also not required to be drawn as the voting record is not printed.</p>
26	<p>The count of Advance Voting Ballots shall occur in the returning office on Election Day as set out in in Appendix F.</p>	<p>111(3) Once subsections (1) and (2) are complied with, at least 2 Election Officers assigned to perform counts, or assist in counts, of ballots, in the presence of those candidates, official agents and scrutineers entitled to be present, shall open each ballot box and proceed with a count of the votes, using the designated tally sheets.</p> <p>(3.1) In completing the count of the votes for each ballot box, one of the Election Officers shall be responsible for the count and the other Election Officer</p>	<p>The unofficial count of Advance Voting Ballots will be performed at the close of voting on Election Day in the returning office as set out in Appendix F.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		<p>shall be responsible for entering the count on the tally sheets.</p> <p>(4) The Election Officer who is responsible for entering the count on the tally sheets shall provide to any person present who wishes to keep a tally a sufficient number of tally sheets.</p>	
27	<p>Tabulators will accept ballots that show a clear vote for one candidate.</p> <p>Voters are offered an opportunity to receive a replacement ballot where the Tabulator cannot discern a vote for one candidate, as set out in Appendix D.</p>	<p>111(5) A ballot cast at a voting station shall only be counted if it clearly indicates the voter’s intention to vote for one particular candidate.</p>	<p>Tabulators are programmed to comply with this section.</p>
28	<p>The Tabulator is programmed to only accept Advance Voting Ballots that have been created for each electoral division for the 2023 Provincial General Election. No other ballots can be read by the Tabulator.</p>	<p>111(5.2) A ballot shall not be counted if it</p> <p>(a) does not have on its back the name of the electoral division and year of the election,</p>	<p>Tabulators are programmed to comply with this section.</p>
29	<p>The Tabulator is programmed to accept ballots even if the Election Officer initial box has not been completed, to ensure that no ballots are rejected as a result of an error of the Election Officer.</p>	<p>111(6) An Election Officer shall not decline to count a ballot solely for the reason of any writing, number or mark made or omitted by the Election Officer.</p>	<p>Tabulators are programmed to comply with this section.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
30	The count of Advance Voting Ballots occurs in the returning office on Election Day as set out in the process at Appendix F .	<p>111(8) The Election Officer responsible for entering the count on the tally sheets shall make a note in the voting record of every objection to a ballot and the name of any candidate on whose behalf an objection was made.</p> <p>(9) Each objection shall be numbered and a corresponding number placed on the back of the ballot that is the subject of the objection and initialled by the Election Officer responsible for the count.</p> <p>(10) The Election Officer responsible for the count shall decide any question arising out of an objection.</p>	<p>The unofficial count will be performed at the close of voting on Election Day in the returning office or the satellite office, as the case may be, as set out in Appendix F.</p> <p>Scrutineers cannot object to tabulated ballots or results that are printed on Tabulator tapes, but may observe and make objections during the hand count of ballots in the <i>Unread Ballots Envelope</i>.</p>
31	The persons outlined in section 111(11) can attend the unofficial count of Advance Voting Ballots at the returning office, or satellite office, as the case may be, provided they are present at the close of voting.	<p>111(11) Only the following persons may be present during the unofficial count of ballots and then only if they have taken the prescribed oath of secrecy and are present in the voting place at the close of the voting:</p> <p>(a) the returning officer;</p> <p>(b) any Election Officer authorized by the returning officer;</p> <p>(c) the Chief Electoral Officer, members of the Chief Electoral Officer’s office staff designated by the Chief Electoral Officer, visiting officials from other electoral jurisdictions and other persons authorized by the Chief Electoral Officer;</p>	This section will be complied with.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		(d) the candidates; (e) the official agents of the candidates; (f) one scrutineer per candidate for each voting station.	
32	<p>The count of advance voting ballots occurs in the returning office on Election Day as per the process outlined in Appendix F.</p> <p>Candidates, the candidate’s official agent or scrutineers may receive copies of the Tabulator tapes or the prescribed form for recording results, upon request.</p>	<p>112 The Election Officer responsible for the count shall, at the conclusion of the count,</p> <p>(a) complete as many Statements of Vote as necessary to comply with clauses (c), (h)(iv) and (j), each of which shall be signed by the Election Officers that completed the count of votes and any person present who wishes to sign the Statements of Vote,</p> <p>(b) immediately communicate the unofficial results in accordance with the directions of the returning officer,</p> <p>(c) provide one copy of the Statement of Vote to each candidate or to the candidate’s official agent or scrutineer present,</p> <p>(d) administer the prescribed oath to any Election Officer involved in the count,</p> <p>(e) place the ballots for each candidate in the envelopes provided for that purpose and mark on</p>	<p>The unofficial count will be performed at the close of voting on Election Day in the returning office, or satellite office, as the case may be, as per Appendix F.</p> <p>The prescribed form will be used to record results of each voting place.</p> <p>Results will be communicated with the Returning Officer once compiled.</p> <p>Candidates, their official agents or scrutineers may receive copies of Tabulator results tapes or the prescribed form used to record results.</p> <p>The Election Officers performing the unofficial count process will take the prescribed oath after the conclusion of the count.</p> <p>Ballots will remain in ballot transfer containers. Ballots in the Unread Ballots Envelope will be returned to the Unread Ballots Envelope once counted and sealed for</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	<p>the outside of each envelope the name of the candidate whose ballots are contained in it,</p> <p>(f) place the envelopes containing the ballots in one large envelope that the Election Officer responsible for the count shall then seal and endorse with an indication of its contents, and any scrutineer present may, if the scrutineer so wishes, write the scrutineer’s signature across the envelope and its flap,</p> <p>(g) place the rejected ballots and the unused ballots in separate envelopes each of which the Election Officer responsible for the count shall then seal and endorse with an indication of its contents, and any scrutineer present may, if the scrutineer so wishes, write the scrutineer’s signature across the envelope and its flap,</p> <p>(h) ensure that</p> <p style="padding-left: 40px;">(i) repealed 2021 c24 s4(84);</p> <p style="padding-left: 40px;">(ii) all envelopes containing ballots,</p> <p style="padding-left: 40px;">(iii) the voting record,</p> <p style="padding-left: 40px;">(iv) the original copy of the Statement of Vote, and</p>	<p>return to the Chief Electoral Officer for the official count.</p> <p>The Returning Officer will prepare the prescribed materials for return to the Chief Electoral Officer for the official count.</p>

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		<p>(v) all other documents relating to the operation of the voting place,</p> <p>are placed in the ballot box that the Election Officer responsible for the count shall immediately seal,</p> <p>(i) return the sealed ballot box to the returning officer in accordance with section 114, and</p> <p>(j) retain the Election Officer responsible for the count's copy of the Statement of Vote until the returning officer completes the official count.</p>	
33	The Returning Officer shall ensure that all materials as outlined in Appendix F are returned to the Office of the Chief Electoral Officer by a means approved of by the Chief Electoral Officer.	<p>114(1) The Election Officer responsible for the count is responsible for returning the ballot box to the returning officer as soon as possible after the conclusion of the unofficial count of the votes.</p> <p>(2) If the Election Officer responsible for the count does not personally return the ballot box to the returning officer, the Election Officer responsible for the count shall ensure that the ballot box is returned to the returning officer by a means approved of by the returning officer.</p>	Materials for the official count will be returned to the Chief Electoral Officer.
34	The Chief Electoral Officer shall provide adequate facilities for receiving and conducting the official count of the advance voting results received.	136 The returning officer for each electoral division shall provide adequate facilities for receiving and conducting the official count of the ballots received	The official count for advance voting places using Advance Voting Ballots will be completed at the Office of the Chief Electoral Officer.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		from all the Election Officers of the returning officer’s electoral division.	
35	No person may be allowed in the room where an official count of the advance voting results is being conducted except <ul style="list-style-type: none"> (a) the Returning Officer and Election Clerk, and any other Election Officers authorized by the Chief Electoral Officer to assist in performing the official count, (b) up to 6 representatives from each Registered Party at any given time, (c) Independent candidates, their official agent or electors of the electoral division the independent candidate is running in appointed in writing by independent candidates, (d) the Chief Electoral Officer or designates or both; and (e) vendor representatives. 	137(2) No person may be allowed in the room where an official count is being conducted except <ul style="list-style-type: none"> (a) the returning officer and election clerk, and any other Election Officers authorized by the returning officer to assist with the counting of the ballots, (b) repealed 2021 c24 s4(109), (c) the candidates for the electoral division, their official agents or electors of the electoral division appointed in writing by the candidates, or all of them, and (d) the Chief Electoral Officer or a designate or both. 	Section 137(2) will be modified as follows: <ul style="list-style-type: none"> • The number of representatives of Registered Parties allowed in the official count room will be limited to 6; • Registered Parties do not have to appoint representatives in writing; and • Vendor representatives will be allowed to be present in the official count room.
36	The advance voting results official count process outlined in Appendix G will be followed.	137(3) In conducting the official count, the returning officer, with the assistance of the election clerk and any other Election Officers authorized by the returning officer to assist with the counting of the ballots, shall open each ballot box and remove the Statement of Vote and the envelopes containing the ballots.	The process outlined in Appendix G will be completed for all advance voting places using Tabulators, and shall be considered the Official Count for those ballots.

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	<p>(3.1) If the difference between the votes for the candidate with the highest number of votes and the candidate with the next highest number of votes is 100 or less, the returning officer shall conduct a full official count by</p> <p>(a) checking the Statement of Vote;</p> <p>(b) making a note in the voting record of every objection to a ballot made by or on behalf of a candidate and the name of any candidate by or on whose behalf an objection was made,</p> <p>(c) numbering each objection to a ballot in the voting record, placing a corresponding number on the back of the ballot and initialing the back of the ballot,</p> <p>(d) deciding any questions arising out of an objection regardless of whether a decision was made by the Election Officer responsible for the count in the first instance,</p> <p>(e) inspecting all rejected ballots and deciding on the validity of each ballot regardless of the previous rejection by the Election Officer responsible for the count,</p> <p>(f) supervising Election Officers in conducting the official count of the valid votes,</p>	

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
		(g) supervising Election Officers in reconciling the number of spoiled and declined ballots, and (h) completing an official count of the valid votes.	
37	<p>The official count of Advance Vote Ballots will occur at the Office of the Chief Electoral Officer in Edmonton.</p> <p>To facilitate the official count, all spoiled, declined and unread ballots are sent to the Office of the Chief Electoral Officer after the reporting of the unofficial results.</p> <p>All remaining ballots and election supplies are prepared for return to the Chief Electoral Officer after the official count of votes.</p>	<p>141(1) After the official count of the votes has been completed and the Statement of Official Results has been completed, the returning officer shall prepare the following for return to the Chief Electoral Officer in accordance with the Chief Electoral Officer’s directions:</p> <p>(b) the various envelopes containing the ballots;</p>	<p>Section 141 will be modified. The materials required for the official count of Advance Voting Ballots will be prepared for return to the Chief Electoral Officer following the unofficial count, with all other materials prepared for return after the official count.</p>
38	<p>The Chief Electoral Officer will provide a ballot image file and cast vote records for any ballots counted by a Tabulator during advance voting for an electoral division subject to a judicial recount.</p>	<p>145(1) The returning officer and election clerk shall</p> <p>(a) Attend at the time and place appointed for the recount, and (b) bring all ballot boxes and documents required for the purpose of disposing of the matter.</p>	<p>With Vote Anywhere, every advance voting place may have Advance Voting Ballots subject to recount within ballot transfer containers. The anticipated volume, combined with the restricted timeline of a judicial recount does not allow for each of these ballots to be physically located, retrieved and transported.¹</p>

¹ It is the Chief Electoral Officer’s policy decision to ensure voter’s intent is discerned from the optical scan of a ballot cast at an Advance Voting Place. The Office of the Chief Electoral Officer expects between 700,000 and 1,000,000 (1 million) ballots to be cast by Advance Voting Ballots, which will then be sealed in 1,500-2,000 ballot transfer containers according to voting place. In the event of one or more judicial recounts, a manual search for the ballots cast in the electoral divisions for which the recounts are taking place would take more time than is allowed for the recount under section 144 of the *Election Act*. This modification is a policy decision to facilitate access of individual ballots to meet legislated timelines. The paper Advance Voting Ballots will be available on request, but will require significant resources and time to sort. If more than one judicial recount occurs simultaneously, the paper Advance Voting Ballots will need to be accessed at a centralized location, as all ballots cannot be brought to more than one courthouse at a time. The benefits of having the optical scan and cast vote records include quick access to contested ballots and knowing how the Tabulator counted the vote, information which is not available when recounting paper ballots. The *Election Act* requires paper ballots to be retained for a minimum of 3 months in accordance with section 151 of the *Election Act*.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
	<p>The Chief Election Officer will make available the Unread Ballots, spoiled ballots and declined ballots for the electoral division that is subject to a judicial recount.</p>	<p>(2) The ballot boxes and documents remain the responsibility of the returning officer, and the returning officer shall retain them in the returning officer’s custody, subject to the directions of the presiding judge.</p>	<p>As each ballot is cast, the Tabulator takes an image of the ballot and creates a cast vote record, indicating how the Tabulator attributed the ballot. These image files and cast vote records will be available for a judicial recount.</p> <p>As Unread Ballots, spoiled ballots and declined ballots, as they are not counted by the Tabulators there are no image files for these ballots. In response to a judicial recount request, the ballots for the electoral division subject to the recount will be removed from the <i>Unread Ballot Envelope, Spoiled Ballot Envelope, and Declined Ballot Envelopes</i>. These ballots will be placed into new <i>Unread Ballot, Spoiled Ballot, and Declined Ballot Envelopes</i> labelled with the name of the voting in which they were originally found.</p>
39	<p>In the case of a recount that includes Advance Voting Ballots, the judge shall review a ballot image file for all ballots cast in a Tabulator during advance voting.</p> <p>The judge shall also review all <i>Unread Ballot Envelopes, Spoiled Ballot Envelopes and Declined Ballot Envelopes</i> from each advance voting place that had an Unread Ballot, spoiled ballot or declined ballot for the electoral division subject to recount.</p>	<p>146(5) In the case of a recount of all the votes, the judge shall open all the envelopes containing (a) the votes counted, and (b) the rejected ballots.</p>	<p>This section must be modified as there are no envelopes for cast ballots in the context of advance voting.</p> <p>In the case of a full recount, each Advance Voting Ballot image shall be reviewed and either accepted or rejected, regardless of the original cast vote record.</p> <p>The purpose of this modification is to ensure that the optical scans of all Advance Voting Ballots are available for review and recount.</p>



**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive		Relevant <i>Election Act</i> section	Compliance and Modification
40	In the event of an appeal of a Judicial Recount to the Court of Appeal, Advance Voting Ballots will be counted in the same way as they were counted in the judicial recount, subject to any direction from the Court.	148 (4) If an appeal is limited to specified ballots, the judge shall (a) seal in a packet the ballots so specified, and (b) immediately forward the packet and the certified results to the Registrar of the Court of Appeal. (5) If an appeal is not limited to specified ballots, the judge shall immediately forward all ballots and relevant documentation to the Registrar of the Court of Appeal.	This section must be modified to accommodate a review of the ballot image files.
41	A registered candidate and the registered candidate’s official agent, or either of them, may for a period of 30 days after the publication in The Alberta Gazette of the name of the registered candidate declared elected in the relevant electoral division, inspect any election documents, except ballots and cast vote records, retained by the Chief Electoral Officer and pertaining to the election in that electoral division.	152(1) A registered candidate and the registered candidate’s official agent, or either of them, may for a period of 30 days after the publication in The Alberta Gazette of the name of the registered candidate declared elected in the relevant electoral division, inspect any election documents, except ballots, retained by the Chief Electoral Officer and pertaining to the election in that electoral division. ... (4) Subject to subsection (1), no person may inspect any election documents retained by the Chief Electoral Officer pertaining to the election in that electoral division except by order of a judge.	This section will be complied with in principle with the necessary modifications to accommodate Advance Voting Ballots.
42	In addition to the requirements of 164, a person commits a corrupt practice who willfully alters, modifies or interferes with the operation of any advance voting equipment, including a Tabulator or Voter Assist Terminal.	164 A person commits a corrupt practice who willfully (a) alters, defaces or destroys a ballot or the initials of the deputy returning officer on a ballot,	

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

Directive	Relevant <i>Election Act</i> section	Compliance and Modification
	<p>without authority supplies a ballot to any person,</p> <p>places in a ballot box a paper other than the ballot that the person is authorized by law to place in it,</p> <p>delivers to an Election Officer any paper other than the ballot given to the person by an Election Officer, to be placed in the ballot box,</p> <p>takes a ballot out of the voting place,</p> <p>without authority destroys, takes, opens or damages a ballot box or book or packet of ballots or a ballot in use or used for the purposes of an election,</p> <p>being an Election Officer, puts the Election Officer's initials on the back of any paper that is not but purports to be, or is capable of being used as, a ballot at an election,</p> <p>prints a ballot when not authorized under this Act to do so,</p> <p>prints a document that purports to be, or is capable of being used as, a ballot at an election, or</p> <p>(j) being authorized by the returning officer to print the ballots for an election, with fraudulent intent prints more ballots than the person is authorized to print.</p>	

APPENDIX A – BALLOT STYLE

11		ED 00 - TEST BALLOT 2023 Provincial General Election		E.O. <input type="text"/>
TO VOTE, FILL IN THE OVAL LIKE THIS				
21	CANDIDATE ONE ○ PARTY NAME			
CANDIDATE TWO ○ PARTY NAME				
CANDIDATE THREE ○ INDEPENDENT				
CANDIDATE FOUR ○ INDEPENDENT				
40				
41				
42				
43				
52				

APPENDIX B – LOGIC AND ACCURACY TESTING

Prior to the first day of advance voting and during the official count, the Election Officers will perform logic and accuracy testing on all Tabulators and Voter Assist Terminals.

Tabulators

1. Place the primary and backup USB sticks in the Tabulator.
2. Print a zero tape to confirm that the device starts with zero votes.
3. Run a test deck of ballots through the Tabulator. The test deck will include one ballot marked for each candidate in every electoral division, one ballot left blank for every electoral division, and one ballot marked for all candidates (overvoted) in every electoral division.
4. Generate results on each Tabulator and removing the Tabulator tapes from the Tabulator.
5. Verify the results are as expected (one vote for every candidate, one blank ballot and one overvoted ballot in every electoral division).
 - a. If the results do not match, clearing the results from the Tabulator and running the ballots again, ensuring that a complete test deck is being used and all ballots are inserted one-by-one.
6. Once the Tabulator has been verified to be generating the expected results, clearing the results on the Tabulator and printing a zero tape. This zero tape is left on the Tabulator.
7. Closing the Tabulator and packing it in the designated box. The Tabulator is kept in a secure location until it is transported to the advance voting location.

The completion of logic and accuracy testing will be documented on the *Record of Logic & Accuracy Testing: Tabulator* for each Tabulator. Candidates or their official agents may receive a copy of the record upon request.

Voter Assist Terminals

1. Place the advance voting memory card in the Voter Assist Terminal.
2. Insert a blank ballot into the Voter Assist Terminal and put on the provided headphones. Select each of the candidates for the electoral division and confirm the names are read correctly.
3. Calibrate the touch screen.
4. Test the ballot printing by selecting “Test Ballot Print”. Insert a ballot and wait for the Voter Assist Terminal to complete marking the ballot. Once the ballot is returned, verify that every oval has been marked correctly.
5. Using the keypad provided, mark one ballot for each candidate in the electoral division and print. Confirm that the Voter Assist Terminal is marking the ballots correctly for each of the candidates.
6. Using the touchscreen, mark one ballot for each candidate in the electoral division and print. Confirm that the Voter Assist Terminal is marking the ballots correctly for each of the candidates.
7. Once the Voter Assist Terminal has been verified to be marking ballots correctly, power off the terminal and pack the equipment into the case.

The completion of logic and accuracy testing will be documented on the *Record of Logic & Accuracy Testing: Voter Assist Terminal* for each Voter Assist Terminal. Candidates or their official agents may receive a copy of the record upon request.

APPENDIX C – OPENING THE VOTING PLACE

To prepare for the opening of an advance voting place on each advance voting day, the Election Officers assigned to the location will complete the following steps.

- The Voter Assist Terminal, if provided, is set-up and turned on using the key in the Site Supervisor’s possession. Once the Voter Assist Terminal has been started, the key is returned to the Site Supervisor.
- On the first day of advance voting at a voting place, the tabulator ballot box should be sealed, after showing any scrutineers or Election Officers that it is empty, no earlier than 20 minutes prior to the opening of the location. The Tabulator is then placed on top of the ballot box and turned on using the key in the Site Supervisor’s possession. Once the Tabulator has been started, the Tabulator key is returned to the Site Supervisor.
- On any subsequent days of advance voting where the Tabulator ballot box was not emptied in accordance to the procedures outlined in **Appendix E**, the Tabulator is to remain fixed on the Tabulator ballot box, and all seals are to remain unbroken. The Tabulator is turned on using the key in the Site Supervisor’s possession, no earlier than the 20 minutes prior to the opening of the location. Once the Tabulator has been started, the Tabulator key is returned to the Site Supervisor.
- On any subsequent days of advance voting where the Tabulator ballot box was emptied in accordance to the procedures outlined in **Appendix E**, the Tabulator ballot box should be sealed, after showing any scrutineers or Election Officers that it is empty, no earlier than 20 minutes prior to the opening of the location. The Tabulator is then placed on top of the Tabulator ballot box and turned on using the key in the Site Supervisor’s possession. Once the Tabulator has been started, the Tabulator key is returned to the Site Supervisor.
- The Ballot Box Clerk must also complete the *Advance Voting Daily Tabulator Log* at the start of each day, recording the “Public Count” on the Tabulator and comparing it to the count recorded on the previous day when the Tabulator was shut down.
- The Ballot Box Clerk shall, prior to using the Tabulator on each advance voting day:
 - ensure that the security seals are intact and have not been tampered with;
 - verify the Tabulator tape attached to the machine; and
 - verify the public count on the Tabulator.

APPENDIX D – TABULATOR OPERATION

- All advance voting ballots are printed on demand at the voting place for each elector for the electoral division in which they reside. The ballot for each electoral division has its own unique markings which allows the Tabulator to identify the electoral division. If the ballot is damaged or not printed correctly, the Tabulator will not be able to identify the electoral division on the ballot. In this case, a replacement ballot is to be issued to the elector.
- Tabulators are used to count the ballots. They are programmed in such a way to provide feedback to electors on their ballot, as follows:
 - “Thank you for voting. Your ballot has been counted” – ballots with no issues will be read and accepted by the Tabulator. The elector will receive a confirmation message that their ballot has been counted.
 - “Blank Ballot” – this message will display for any ballot that does not have a candidate selected on the ballot. As the Tabulator only reads within the oval for each candidate, this could mean that the elector missed the oval, marked it elsewhere or was intending to leave it as blank. In this case the voter has the option to receive their ballot back so they may mark it for the candidate of their choice, or they may cast it as blank. Ballots that have been cast following a “blank ballot” message will be reported as a rejected ballot in the count.
 - “Over Voted Contests” – this message will display for any ballot that has two or more ovals beside the candidate’s names marked on the ballot. In this case the voter has the option to receive their ballot back so they may return to the Election Officer to have it replaced or they may cast it as an overvote. Ballots that have been cast following a “overvote” message will be reported as a rejected ballot in the count.
 - “Ballot Could Not Be Read” – this message will display for any ballot that cannot be identified by the Tabulator. This may be due to a misprinting, tears in the ballot, or marks made along the edge of the ballot that disrupt the Tabulator’s ability to determine the electoral division that it belongs to. In this case, the voter will have the ballot returned so they may have it replaced at the voting station.
- Electors who decline to receive a replacement ballot when they receive a “Ballot Could Not be Read” message or do not wish to cast a “Blank”, or “Over Voted” ballot in the Tabulator will have their ballot placed in an *Unread Ballot Envelope*. These envelopes will be sealed each night with the Ballot Box Clerk and any scrutineers present signing on the seal. The Envelope is then safeguarded by the Site Supervisor. Ballots in these envelopes will be hand-counted after the close of voting on Election Day and the results added to the reported Tabulator counts.

APPENDIX E – CLOSING OF VOTING PLACE

The following activities are completed following the close of voting on each advance voting day. All activities may be observed by any scrutineers present at the close of voting.

- If there are ballots present in the *Unread Ballots Envelope*, the Ballot Box Clerk will complete the details on the front of the envelope, seal and sign the envelope. Any scrutineers present may also sign over the flap of the envelope. The Site Supervisor will add the *Unread Ballots Envelope* to the *Official Documents Envelope*.
- The Ballot Box Clerk will record the “Public Count” from the Tabulator on the *Advance Voting Daily Tabulator Log*. The log is provided to the Site Supervisor for safekeeping overnight.
- If more than 2000 ballots have been collected in the ballot box (over the single day or multiple days if the ballot box was not emptied on previous days) since the start of voting or the date it was last emptied, the ballots in the ballot box will be transferred to *ballot transfer containers* as outlined in the process below.
- The Tabulator and Voter Assist Terminal will be shut down and keys secured by the Site Supervisor off site; the Tabulator and Voter Assist Terminal will be stored separately from its keys.

Ballot Transfer Process

- The Tabulator will be removed from the ballot box.
- The Tabulator ballot box will be opened by cutting the side seals to provide access to the ballot area.
- Ballots will be removed from the ballot box and placed in ballot transfer containers. Care will be taken to prevent viewing how ballots have been marked – with stacks of ballots quickly straightened and placed in the ballot transfer container.
- Ballot transfer containers will continue to be filled until all ballots in the Tabulator ballot box have been removed.
- Each ballot transfer container is secured with the security tape and voting place details are completed on the container.
- Once sealed, ballot transfer containers must be stored in a secure place.

In addition to the above processes, for advance voting locations that need to move to a new location on the following day, or are not secure overnight, the following activities are completed to close the location, after the last voter has completed voting and left the location:

- The voting place will be disassembled with all equipment securely stored overnight.
- The Site Supervisor will be responsible for securely storing all password sheets, *Spoiled Ballot Envelopes*, *Declined Ballot Envelopes*, *Unread Ballot Envelopes*, *Advance Voting Daily Tabulator Log*, ballot transfer containers and Tabulator and Voter Assist Terminal keys.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

- The Ballot Box Clerk will be responsible for securely storing the Tabulator and Voter Assist Terminal.
- The Site Supervisor will be responsible for securely storing the Tabulator and Voter Assist Terminal keys.

On the last day of advance voting, the voting location will need to be disassembled and all materials returned to the returning office. In addition to the processes above, the Election Officer assigned to assist with voting will:

- Count the number of spoiled ballots in the *Spoiled Ballot Envelope*. Record the number of spoiled ballots on the envelope and seal the envelope.
- Count the number of declined ballots in the *Declined Ballot Envelope*. Record the number of declined ballots on the envelope and seal the envelope.
- Record the number of spoiled ballots, declined ballots and number of electors who have voted at the voting station on the *Advance Voting Station Close of Vote Ballot Account* and provide the form and all envelopes to the Site Supervisor, who will place them in the *Official Documents Envelope* for return to the returning office.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

APPENDIX F – UNOFFICIAL COUNT

Results for all advance voting locations using Tabulators will be generated in the returning office after voting closes on Election Day.

At 8:00 pm, two Election Officers in the returning office will print a result tape from each Tabulator.

While results are printing, the two Election Officers will open all *Unread Ballots Envelopes* for one voting location and sort the ballots into electoral divisions. Using the *Advance Voting Statement of Vote Worksheet Package* for that location, they will record the candidate votes on the Unread Ballots column of each applicable electoral division page. The ballots will then be placed back into the *Unread Ballots Envelopes* and resealed with tape. Once completed for all locations and the results tapes are printed, they will:

- 1) Remove the results tape from the Tabulator. Print additional tapes if requested to do so by a scrutineer.
- 2) Use the results from the tape to complete the *Advance Voting Statement of Vote Worksheet Package*, populating the results for each candidate and any rejected ballots on the result page for each electoral division.
- 3) Complete the total column, including any results from the Unread Ballots column in the totals.
- 4) Provide the completed *Advance Voting Statement of Vote Worksheet Package* to the persons responsible for entering unofficial results.

Once all results are reported, and results tapes were printed for any scrutineers that requested them, power down the Tabulator and prepare the materials for shipment to the Office of the Chief Electoral Officer for the official count including:

- 1) All *Spoiled and Declined Ballot Envelopes* and the *Advance Voting Close of Vote Ballot Account* from each advance voting location.
- 2) All *Unread Ballots Envelopes*.
- 3) The *Advance Voting Statement of Vote Worksheet Package* for each voting location.
- 4) The tape rolls from each Tabulator which include the original zero tape, daily configuration reports and generated results.
- 5) The backup USB sticks from each Tabulator, labelled with the Tabulator name.
- 6) The records from pre-logic and accuracy testing.

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

APPENDIX G – OFFICIAL COUNT

The Official Count of Advance Voting Ballots will take place at the Office of the Chief Electoral Officer in Edmonton.

Each returning and satellite office will return to the Chief Electoral Officer box(es) containing:

- 1) All *Spoiled and Declined Ballot Envelopes* and the *Advance Voting Close of Vote Ballot Account* from each advance voting location.
- 2) All *Unread Ballots Envelopes*.
- 3) The *Advance Voting Statement of Vote Worksheet Package* for each voting location.
- 4) The tape rolls from each Tabulator which include the original zero tape, daily configuration reports and generated results.
- 5) The backup USB sticks from each Tabulator, labelled with the Tabulator name.
- 6) The records from pre-logic and accuracy testing.

Upon receipt of each box, Election Officers appointed by the Chief Electoral Officer will open the box and confirm that all required items have been received. The backup USB sticks will be removed from the box and processed as follows:

- Each USB stick will be compared against the list of Tabulator names deployed in each electoral division. Once all USB sticks are confirmed to be returned, working one-by-one the USB stick will be loaded into the Electionware software.
- The Electionware software will operate on two independent computer systems. Neither system will be connected to an electronic network at any time. Each computer system will be operated by a vendor representative and an Election Officer appointed by the Chief Electoral Officer.
- The first USB stick will be inserted into the first computer system and contents uploaded into Electionware. Once completed, the tracking sheet will be updated to reflect that this was completed.
- The first USB stick will then be provided to the second computer system for the process to be repeated. Once completed, the tracking sheet will be updated to reflect that this was completed and the USB stick will be placed in an “Upload Complete” envelope labelled with the electoral division name and number.
- The process will be continued until the results from all Tabulators in the electoral division are successfully uploaded.
- Once completed for the electoral division, the number of votes uploaded will be compared against computer system 1 and 2 to confirm that they match before proceeding to the next electoral division.

The remaining items in each box will be set aside until the day identified for the official count.

If any items are missing from the box returned from each electoral division or if the USB stick is not able to be read by the Electionware software, arrangements will be made to collect the required materials or the Primary USB stick from the electoral division. The data uploaded into Electionware is intended to facilitate any requests for judicial recount only and is not referenced for official results reporting.

On the day identified for the Official Count, party representatives and representatives of independent candidates may attend the Office of the Chief Electoral Officer to observe the official

**Advance Voting Directive for the 2023 Provincial General Election
Issued by Glen Resler, Chief Electoral Officer on April 4, 2023**

count process. The Chief Electoral Officer will appoint Election Officers to conduct the official count process, as follows:

- Open the box(es) for an electoral division. Sort the materials in the box into piles:
 - Records from pre-logic and accuracy testing.
 - Records from each advance voting place – *Spoiled Ballot Envelopes, Declined Ballot Envelopes, Advance Voting Close of Vote Ballot Account, Unread Ballots Envelopes* and the *Advance Voting Statement of Vote Worksheet Package*.
 - The tape rolls from each Tabulator which include the original zero tape, daily configuration reports and generated results.
- Review the records from pre-logic and accuracy testing, confirming that each Tabulator passed the pre-tests.
- Working one voting place at a time, review the *Advance Voting Statement of Vote Worksheet Package*.
 - Open the *Unread Ballots Envelopes* for the voting place, sort the ballots into electoral divisions, then confirm that the vote counts for each ballot were recorded accurately on the *Advance Voting Statement of Vote Worksheet Package*.
 - Retrieve the tape roll for the Tabulator(s) at each location and confirm that all numbers were transcribed on the *Advance Voting Statement of Vote Worksheet Package* correctly.
 - Using a calculator, confirm that all totals reported on the *Advance Voting Statement of Vote Worksheet* are correct.
 - Compare the results reported in the unofficial count to the numbers reported on the *Advance Voting Statement of Vote Worksheet*.
 - Note any discrepancies in the reported numbers on the *Advance Voting Official Count Report Form*.
- Retrieve the spoiled and declined ballot envelopes for the advance voting place. Open the envelopes one at a time and confirm the number of ballots in each envelope. Confirm that the number of ballots reported on the *Advance Voting Site Supervisor Close of Vote Consolidation Worksheet* is correct. Note any discrepancies in the reported numbers on the *Advance Voting Official Count Report Form*.
 - Working one envelope at a time, review the spoiled ballots and tally the number of spoiled ballots from each electoral division on the *Advance Voting Official Count Report Form*. Return the spoiled ballots to the *Spoiled Ballot Envelope*.
 - Working one envelope at a time, review the declined ballots and tally the number of declined ballots from each electoral division on the *Advance Voting Official Count Report Form*. Return the declined ballots to the *Declined Ballot Envelope*.
- Once completed for all spoiled and declined ballots, record the final number of spoiled and declined ballots for each electoral division on the Total column.
- Continue the above process until all results from all voting places in the electoral division are reviewed. Provide the completed *Advance Voting Official Count Report Form* to the Election Officers responsible for updating the official results entry.
- The Election Officers responsible for updating the official results entry will work in pairs to review the *Advance Voting Official Count Report Form* and update the official results for that electoral division.
- The process will continue until all electoral division results are reviewed.