

## ***Voting By Proxy***

In accordance with section 27 of the Act, to vote by proxy simply means that another qualified voter in the same municipality votes on behalf of an "impeditive voter" as defined by subsection 2(1) of the Act.

An impeditive voter" means a voter who

- (i) is an officer, or
- (ii) has reason to believe that he or she will be unable to vote on election day;

An impeditive voter can request a proxy application from the Returning Officer. **The Returning Officer can only provide a proxy application directly to the impeditive voter or to his or her designated proxy.**

In order to vote by proxy, an impeditive voter or his or her proxy must return the proxy application to the Returning Officer outlining who is being designated as the proxy voter not later than 4:00 p.m. on the day before election day.

Upon receiving such an application, and being satisfied that the requirements for proxy have been complied with the Returning Officer shall issue a Proxy Certificate. This Proxy Certificate must be provided to the Returning Officer or Deputy Returning Officer at the polling division by the designated proxy voter before he/she can vote on behalf of the impeditive voter.

It should be noted that no more than one Proxy Certificate can be issued for any one impeditive voter for an election unless the designated proxy dies or is unable to cast a vote because of illness or mental incapacity. As well, no person can act as a proxy voter for more than one impeditive voter in any one election.

Forms ***MEF-012 - Proxy Application and MEF-013 - Proxy Certificate*** should be used for these purposes.

## ***Voting By Incapacitated Persons***

In accordance with section 48 of the Act, where a qualified voter requests assistance to mark his/her ballot, an election official shall accompany the incapacitated person into the polling booth and assist the voter to mark the ballot in a manner directed by the voter.

The incapacitated voter is also entitled to be accompanied into the polling booth by a friend, as opposed to an election official, who is then entitled to mark the ballot as directed by the incapacitated voter.

*Note: While there is no legal requirement that a person acting as a friend of the incapacitated voter be a qualified voter, it must be remembered that such a person can only act as a friend for one (1) incapacitated voter in an election.*

Where an incapacitated voter has been provided with assistance in the marking of his/her ballot, an entry to this effect must be made in the poll book by the Poll Clerk.

In circumstances where a polling booth or polling station is not accessible to an incapacitated voter, the Returning Officer or Deputy Returning Officer in charge of that particular polling division is required to temporarily suspend voting in that polling division and to carry the ballot box, poll book, ballots and all other applicable election materials to a place which is accessible to the incapacitated voter and is in close proximity to the entrance of the polling station in order to allow the incapacitated voter to vote.

*Note: While this provision is intended to assist incapacitated voters in casting their votes, it must be remembered that the responsibility to get to the place of voting rests with the incapacitated voter. However; Returning Officers should make every effort to ensure that polling divisions are located in such a manner as to ensure accessibility to incapacitated voters.*