

**SASKATCHEWAN REGULATIONS 120/2023**

*The Local Government Election Act, 2015*

Section 186

Order in Council 614/2023, dated November 29, 2023

(Filed November 29, 2023)

**Title**

**1** These regulations may be cited as *The Local Government Election Amendment Regulations, 2023*.

**RRS c L-30.11 Reg 1 amended**

**2** *The Local Government Election Regulations, 2015* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3 The following subsection is added after subsection 2(2):**

“(3) For the purposes of section 47.1 of the Act, an emergency is a situation in which the health or safety of persons is at risk, and may include:

- (a) severe weather;
- (b) a declared state of emergency; or
- (c) a public health order preventing the movement or assembly of voters”.

**Section 2.1 repealed**

**4 Section 2.1 is repealed.**

**Section 3 repealed**

**5 Section 3 is repealed.**

**Section 11 amended**

**6 Clause 11(h) is amended by striking out “if the municipality conducts advance polls”.**

**Section 16 amended**

**7 Subsection 16(1) is amended in the portion preceding clause (a) by striking out “his or her” and substituting “the person’s”.**

**Section 17 amended**

**8 Subsection 17(1) is amended in the portion preceding clause (a) by striking out “his or her” and substituting “the person’s”.**

**Section 18 amended**

**9(1) Subsection 18(1) is repealed and the following substituted:**

“(1) A bylaw or resolution establishing a mail-in ballot voting system pursuant to subsection 92(1) of the Act must provide that a person, before being issued a mail-in ballot, shall provide to the returning officer, or other person authorized by the bylaw or resolution, the following:

- (a) subject to subsection (1.2), a voter’s registration form completed by the person requesting a mail-in ballot;
- (b) a declaration signed by the person requesting a mail-in ballot that includes:
  - (i) a statement that the person is qualified to vote in the municipality;
  - (ii) evidence of the person’s identity as set out in section 110 of the Act; and

- (iii) a statement that the person believes the declaration to be true and knows that it is of the same force and effect as if made under oath or affirmation and by virtue of the *Canada Evidence Act*.

“(1.1) The declaration mentioned in clause (1)(b) may be made:

- (a) in person before the returning office or other person authorized by bylaw or resolution to witness the person’s signature; or
- (b) by registered mail, by ordinary mail, by fax, by email or as otherwise specified in the bylaw or resolution, in which case the declaration must be accompanied by:
  - (i) the person’s signature; and
  - (ii) copies of the identification or information provided for the purposes of subclause (1)(b)(ii).

“(1.2) A person requesting a mail-in ballot is not required to complete a voter’s registration form if:

- (a) a voters list is being used in the election; and
- (b) the information provided in the person’s declaration made in accordance with subsections (1) and (1.1) matches the information in the voter registry respecting that person”.

**(2) Subsection 18(2) is amended in the portion preceding clause (a) by adding “or resolution” after “bylaw”.**

**Section 28 amended**

**10 Section 28 is amended by striking out “his or her” and substituting “the person’s”.**

**New Part VI heading**

**11 The heading for Part VI is repealed and the following substituted:**

“Elections in Municipalities and School Divisions”.

**Section 31 repealed**

**12 Section 31 is repealed.**

**Section 34 repealed**

**13 Section 34 is repealed.**

**New section 35**

**14 Section 35 is repealed and the following substituted:**

**“Application to access or remove voter registry information**

**35(1)** For the purposes of clause 53.5(1)(a) of the Act, a person or a person’s agent may apply to have access to information in the voter registry about the person by providing the returning officer with a request, in writing, that contains the following information:

- (a) the person’s full legal name;
- (b) the date of the request;
- (c) the person’s ordinary residential address;
- (d) if submitted by the person’s agent, the agent’s full legal name and mailing address; and (e) either:
  - (i) the signature of the person making the request; or

- (ii) if submitted by the person's agent, a declaration signed by the agent stating that the agent is authorized to make the request on the person's behalf.

(2) For the purposes of clause 53.5(1)(b) of the Act, a person or a person's agent may apply to have the person's information removed from or not included in the voter registry by providing the returning officer with a request, in writing, that contains the following information:

- (a) the person's full legal name;
- (b) the date of the request;
- (c) the person's ordinary residential address;
- (d) the person's mailing address if different than the address mentioned in clause (c);
- (e) if submitted by the person's agent, the agent's full legal name and mailing address;
- (f) a statement of confirmation that the person's information is to be removed from or not included in the voter registry;
- (g) a statement of recognition that, if the person's information is removed from or not included in the voter registry:
  - (i) the person's name will not appear on the voters list for municipal and school board elections; and
  - (ii) the person will be required to register at the poll in order to vote; and
- (h) either:
  - (i) the signature of the person making the request; or
  - (ii) if submitted by the person's agent, a declaration signed by the agent stating that the agent is authorized to make the request on the person's behalf".

**New section 40**

**15 Section 40 is repealed and the following substituted:**

**"Poll book or advance poll book**

**40** The returning officer shall ensure that a poll book or advance poll book, as the case may be:

- (a) numbers each voter sequentially; and
- (b) contains the following information for each voter:
  - (i) the voter's name;
  - (ii) whether the voter was issued a ballot with respect to the election of any of the following:
    - (A) the mayor or reeve;
    - (B) a councillor;
    - (C) a member of a public school board of education;
    - (D) a member of a separate school board of education;
    - (E) a bylaw, resolution or question; and

(iii) in accordance with subsection 112(1) of the Act:

- (A) whether a candidate or a candidate's agent objected to the voter's eligibility to vote; and
- (B) the name of the person who made the objection".

Section 43 repealed

**16 Section 43 is repealed.**

Section 44 amended

**17 Section 44 is amended by striking out "subsections 96(2) and 121(2)" and substituting "subsection 121(2)".**

Section 45 amended

**18 Section 45 is amended by striking out "he or she" and substituting "the person".**

Appendix A amended

**19(1)** Appendix A is amended in the manner set forth in this section.

**(2) Form B is amended in the Voucher Declaration by striking out "his or her" and substituting "the person's".**

**(3) Form C is repealed.**

Appendix B, Form C amended

**20 Form C of Appendix B is amended by striking out "or Enumerator" under the signature line for the witness.**

Appendix C amended

**21(1)** Appendix C is amended in the manner set forth in this section.

**(2) Forms A, B and C are repealed.**

**(3) Form D is amended by striking out clauses (a) to (i) and substituting the following:**

" (a) election clerk;

(b) deputy returning officer for Polling Area No. \_\_\_\_\_, the polling place for which shall be \_\_\_\_\_;  (c)

deputy returning officer for Polling Area No. \_\_\_\_\_, the polling place for which shall be \_\_\_\_\_, and who is also designated as the deputy returning officer mentioned in sections 49 and 137 of *The Local Government Election Act, 2015*;

(d) deputy returning officer mentioned in clause 48(3)(c) of *The Local Government Election Act, 2015*, the polling place for which shall be \_\_\_\_\_;

(e) deputy returning officer mentioned in clause 48(3)(d) of *The Local Government Election Act, 2015*;

(f) poll clerk for Polling Area No. \_\_\_\_\_, the polling place for which shall be \_\_\_\_\_;  (g) nomination officer;

(h) other \_\_\_\_\_".

**(4) Forms F and G are repealed.**

**(5) Form I (Back) is repealed and the following substituted:**

**“FORM I (BACK)**  
*[Clauses 67(3)(a)(b)(c)(d)(g) & (h) of the Act]*  
*[Subsection 37(1) of the Regulations]*

**Candidate’s Acceptance**

I, \_\_\_\_\_,  
*(Name as it will appear on the ballot)*

a(n) \_\_\_\_\_,  
*(Occupation)\**

a candidate nominated for the office of: *(complete as applicable)*

<b>Mayor/Reeve:</b> _____ of _____ <i>(Municipality)</i>
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<b>Councillor:</b> _____ of _____ <i>(Municipality)</i> Ward/Division No. _____ <i>(If applicable)</i>
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declare that:

- 1** I am the full age of 18 years or will attain the full age of 18 years on or before election day;
- 2** I am a Canadian citizen;
- 3** If elected, I will accept the office for which I was nominated; and
- 4** I am not disqualified by *The Local Government Election Act, 2015* or any other Act from holding the office for which I am a candidate;

<p><b>For municipalities – excluding rural municipalities and resort villages</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>5</b> I have resided in Saskatchewan for at least six consecutive months immediately preceding the date on which this nomination paper is submitted; and</li> <li><input type="checkbox"/> <b>6</b> I have resided in the municipality, or on land now in the municipality, for at least three consecutive months immediately preceding the date on which this nomination paper is submitted.</li> </ul>
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<p><b>For rural municipalities</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>5</b> I am eligible to vote in the municipality;</li> <li><input type="checkbox"/> <b>6</b> I am a resident of Saskatchewan;</li> </ul>
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**For resort villages only**

I have resided in Saskatchewan for at least six consecutive months immediately preceding the date on which this nomination paper is submitted; and

I: *(indicate one of the following)*

- (a) have resided in the resort village, or land now in that resort village, for three consecutive months immediately preceding the date on which this nomination paper is submitted;
- (b) have been the assessed person with respect to property in the resort village, or property now situated in the resort village, pursuant to section 207 of *The Municipalities Act*, for at least three consecutive months immediately preceding the date on which this nomination paper is submitted; or
- (c) am the spouse of a person mentioned in clause (a) or (b).

**Candidate's preferred contact information**

*(Candidates must provide at least one of the following)*

Home Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Other Contact Information: \_\_\_\_\_

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

\_\_\_\_\_

*(Signature of Candidate)*

*(Witness)*

\_\_\_\_\_

*(Witness)*

*\*Can be removed from the form, unless otherwise required by bylaw of the municipality pursuant to clause 9.1(2)(c) of the Act\**

**(6) Form J (Back) is amended by adding the following after clause 5(b):**

“

**Candidate's preferred contact information**

*(Candidates must provide at least one of the following)*

Home Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Other Contact Information: \_\_\_\_\_

”.

**(7) Form M is repealed.**

(8) Form Q is repealed.

(9) Forms R and S are repealed and the following substituted:

“FORM R  
[Subsection 121(2) of the Act]

**Voter’s Registration Form and Poll Book (if voters list is not used)**

Name: \_\_\_\_\_  
(Print)

Address: \_\_\_\_\_  
(Print)

Election held in: *(complete as applicable)*

_____ of _____ <i>(Municipality)</i>
Ward/Division No. _____ <i>(If applicable)</i>
_____ <b>School Division No.</b> _____
Subdivision No. _____ <i>(If applicable)</i>
_____ <b>Separate School Division No.</b> _____
Subdivision No. _____ <i>(If applicable)</i>

Complete the following by placing an “X” in the box to the left of each statement that is correct:

- 1 I am a Canadian citizen.
- 2 I am the full age of 18 years or will attain the full age of 18 years on or before election day.
- 3 I have not already voted at this election.

*(Choose one)*

<p><b>School Division Voters</b></p> <p>4 On the day of the election, I:</p> <p>(a) have resided for at least three consecutive months immediately preceding the day of the election in or on land now in the:</p> <p><input type="checkbox"/> (i) _____ <b>School Division No.</b> ____; or</p> <p><input type="checkbox"/> (ii) _____ <b>Separate School Division No.</b> ____, and I am of the religious faith of the minority that established the separate school division;</p> <p><input type="checkbox"/> (b) qualify as a voter of that school division; and</p> <p><input type="checkbox"/> (c) have resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election.</p>
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**Municipal Voters – excluding Rural Municipalities and Resort Villages**

**5** On the day of the election:

(a) I: *(place an "X" in **one** of the following boxes for clause (a))*

(i) have resided for at least three consecutive months immediately preceding the day of the election in or on land now in the \_\_\_\_\_ of \_\_\_\_\_; or  
*(Municipality)*

(ii) have been the owner for at least three consecutive months immediately preceding the day of the election of assessable land situated in the municipality or of land now in the municipality; and

(b) I have resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election.

**Municipal Voters – Rural Municipalities only**

**6** On the day of the election, I: *(place an "X" in **one** of the following boxes)*

(a) have resided in the rural municipality or on land now in the rural municipality for at least three consecutive months immediately preceding the day of the election;

(b) am the registered owner, (or purchaser pursuant to a bona fide agreement for sale), of land in the rural municipality;

(c) am assessed with respect to land in the rural municipality pursuant to a lease, licence, permit or contract in agreement with the registered owner;

(d) am assessed with respect to an improvement in the rural municipality;

(e) am the holder of a permit in the rural municipality with respect to a trailer or mobile home;

(f) am the spouse of a person described in clause (b), (c), (d) or (e);

(g) am the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to property in the rural municipality that is not exempt from taxation.

**Municipal Voters – Resort Villages only**

**7** On the day of the election, I: *(place an "X" in **one** of the following boxes)*

(a) have resided for at least three consecutive months immediately preceding the day of the election in or on land now in the Resort Village of \_\_\_\_\_;

(b) have been the assessed person with respect to property for at least three consecutive months immediately preceding the day of the election in or on property now situated in the Resort Village of \_\_\_\_\_;

(c) am the spouse of a person described in clause (a) or (b).

I declare that I am a voter entitled to vote in Ward/Division No. \_\_\_\_\_  
of the \_\_\_\_\_ of \_\_\_\_\_.\*



(municipality)

I declare that I am a voter entitled to vote in Subdivision No. \_\_\_\_\_ of the \_\_\_\_\_ School Division/Separate School Division No. \_\_\_\_\_.\*\*

I declare that the information given by me with respect to the above statements is true in all respects.

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

Witness: \_\_\_\_\_

(Deputy Returning Officer or other person authorized by bylaw for the purposes of a mail-in ballot)

(Voter)

VOTED WITH RESPECT TO						
Mayor/ Reeve	Councillor	Member of Public School Board	Member of Separate School Board	Bylaw, Resolution or Question	Sworn or Refused to Declare	Objection

REMARKS \_\_\_\_\_ Entry No. \_\_\_\_\_

\* Declaration statement to be used in rural municipalities that have established wards.

\*\* Declaration statement to be used only if subdivisions are established in the school division/separate school division.

**“FORM S**  
[Sections 97 and 98 of the Act]

**Transfer Certificate**

I authorize \_\_\_\_\_  
(Name)

of \_\_\_\_\_  
(Address)

who resides in Polling Area No. \_\_\_\_\_ to vote at Polling Area No. \_\_\_\_\_ :  
(check one)

(a) at which the person will perform the duties of:

Deputy Returning Officer

Poll Clerk

Candidate’s Agent

Other \_\_\_\_\_; or  
(Office)

(b)  which provides convenient access to persons with disabilities.

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

\_\_\_\_\_  
(Returning Officer)

**Note:** No person may transfer his or her vote from one ward to another”.

**(10) Form U is repealed and the following substituted:**

“FORM U  
[Clause 104(1)(b) and Subsection 105(1) of the Act]

**Declaration of Candidate or Agent**

I, \_\_\_\_\_, declare that:  
(Name)

**1** I will not, at the election to be held for the: *(Complete as applicable)*

_____ of _____ <i>(Municipality)</i>
Ward/Division No. _____ <i>(If applicable)</i>
_____ <b>School Division No.</b> _____
Subdivision No. _____ <i>(If applicable)</i>
_____ <b>Separate School Division No.</b> _____
Subdivision No. _____ <i>(If applicable)</i>

on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_:

- (a) attempt unlawfully to ascertain;
  - (i) the candidate or candidates for whom any person has voted; or
  - (ii) the manner of a person’s vote on a bylaw or question; or
- (b) in any way aid the unlawful discovery of the information mentioned in clause (a).

**2** I will strictly observe secrecy with respect to any and all knowledge that may come into my possession of:

- (a) any person who has shown evidence of the person’s identity and residence pursuant to section 110 of the Act;
- (b) the candidate or candidates for whom any person has voted; and

- (c) the manner in which a voter has marked the ballot on a bylaw or question.

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

Witness:

\_\_\_\_\_  
(Deputy Returning Officer)

\_\_\_\_\_  
(Candidate or Agent)

”.

**(11) Form V is amended by striking out “or Enumerator” under the signature line for the witness.**

**(12) Form W is amended by striking out “his or her ballot” and substituting “the ballot”.**

**(13) Form X is amended by striking out “he or she” and substituting “the voter”.**

**Coming into force**

**22(1)** Subject to subsection (2), these regulations come into force on January 1, 2024.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2024, these regulations come into force on the date on which they are filed with the Registrar of Regulations.

\_\_\_\_\_