

Appendix 6: Applications to Amend the Voters' List Procedure

Procedure Number: ELEC-03
Sub-Topic: Enumeration
Topic: Elections
Applies to: Municipal Elections and By-Elections

Purpose

This procedure supports clear, transparent processes for the collection, review and disposition of resident's personal information and identification for the 2022 Newmarket Municipal Election for amending, and updating the Voters' List.

Principles

1. Personal information will only be collected with the consent of the individual to whom the information applies.
 - a. With limited and specific exceptions including in compassionate circumstances following the death of an elector, or if provided by a guardian or other legal authority.
2. The information collected will only be used for administering the 2022 Newmarket Municipal Election, and other lawfully recognized activity.
3. Personal information is disclosed only as required by the Municipal Elections Act (MEA) and in accordance with the principles of the Municipal Freedom of Information and Protection of Privacy Act.
4. Where an elector is required to present identification to an election official for the purposes of this policy, the election official shall only accept the identification set out in Appendix "A", as proof of the elector's identity and residence.
5. Only eligible electors may make an application to amend the voters' list. An eligible elector is:
 - a. At least 18 years of age; and,
 - b. A Canadian citizen; and,
 - c. A property owner/tenant in Newmarket, or the spouse of such property owner/tenant; and,
 - d. Not prohibited from voting under any law.

Procedure

Authority/ Legislative Reference

Section 12(3) of the MEA provides the Clerk with the authority to require a person to furnish proof that is satisfactory to the election official of the person's identity or qualifications.

Section 23 of the MEA states that, on or before September 1 in an election year, the Town Clerk shall have the voters' list reproduced and determine where and at what time applications for revisions to the list may be made.

Section 24 of the MEA allows for electors to apply to add or remove their name from the voters' list, or amend their information on the voters' list.

Section 28 of the MEA states that the Town Clerk shall prepare and certify the voters' list for use in each voting place established under section 45.

Revision Period

Revisions to the voters' list shall only be accepted online, in-person, over the phone, or by teleconference as prescribed below. The time period where an eligible elector can make an application to the Clerk requesting a revision, between July 31, 2013 and October 24, 2022, and revisions will be limited as follows:

1. An eligible elector who submits an online or in-person application for an amendment to the voters' list will be issued a Voter Instruction Letter by mail until October 1, 2022.
2. Between September 5, 2022 and September 30, 2022, an eligible elector who submits an in-person application for amendments to the voters' list, at Newmarket Public Library, will be issued a Voter Instruction Letter by mail.
3. Between October 3, 2022 and October 21, 2022, an eligible elector who submits an in-person application for amendments to the voters' list, at Newmarket Public Library, will be issued a Voter Instruction Letter by email.
4. Between October 3, 2022 and October 21, 2022, an eligible elector who submits an in-person application for amendments to the voters' list, at the Legislative Services Department or Customer Services Department will be issued a Voter Instruction Letter in person.
5. Between October 3, 2022 and October 21, 2022, an eligible elector who submits an online application for amendments to the voters' list will be issued a Voter Instruction Letter by email.

6. If an elector does not have an email address, between October 15, 2022 and October 24, 2022 (only during the 10 Voting Days), an eligible elector who calls the Town's Election Helpline may submit a verbal application for amendments to the voters' list over the phone or by teleconference in accordance with these procedures.

Adding, Correcting or removing voter information on the voters' list

1. Only persons who are eligible electors in the Town of Newmarket may make an application to amend the voters' list.
2. An election official must be satisfied that the person making an application to amend the voters' list is an eligible elector.
3. An election official is authorized to request the necessary information and proof to satisfy themselves that the person making an application to amend the voters' list is an eligible elector.

Updating Ward or School Support

1. If a voter has been issued a Voter Instruction Letter, and then subsequently moves to a different ward, the voter can submit an online or in-person application to amend the voters' list in accordance with the Revision Period.
2. If a voter has been issued a Voter Instruction Letter, and then subsequently changes their school support, the voter can submit an online, telephone, or in-person application to amend the voters' list in accordance with the Revision Period.
3. If a voter changes their ward or school support after having already been issued a Voter Instruction Letter, the voter will not be issued another Voter Instruction Letter, as the PIN on the Voter Instruction Letter will still remain valid. The information will be updated in the online and phone system.

In-person

1. The elector shall provide all information necessary to amend the voters' list, and once the election official has received the amendment application, they shall verify the information.
2. Applications made in-person by an elector, must be accompanied by the applicant's original identification. Identification provided in-person will be reviewed by the election official to ensure the applicant is an eligible elector and then returned. Acceptable forms of identification are attached as Appendix "A".

- a. Town Staff will be visiting various locations, including specific neighbourhoods, multi-residential buildings or retirement homes in order to update the voters' list. Staff will request identification from all electors and will use the identification provided in order to enter the elector's information directly onto the voters' list using an electronic device.
 - b. Applications made in-person at the Library must be made on the prescribed form. Staff will request identification from all electors and will verify the information provided and initial the form.
3. Written requests for amendment to the voters' list, will be destroyed 120 days after the election as per section 88 of the MEA.

Online

1. No applications to amend the voters' list sent by email to the Clerk, Town, or to any election official shall be accepted.
2. An eligible elector may make an application to amend the voters' list online by providing the acceptable forms of identification, and completing the online application using the prescribed online tool.
3. Personal information submitted through the online voter registration portal provided on the Town website is hosted by DataFix. A list of acceptable identification for online applications to amend the voters' list is available online. DataFix cannot determine whether the appropriate identification has been submitted online, and therefore it is the user's responsibility to upload the correct form of acceptable identification.
4. Identification collected through the voter registration portal, will be reviewed by designated election staff with secure access to the information.
 - a. Staff are assigned unique logins and all activity in the system is tracked.
 - b. Images of identification uploaded to the system will be destroyed on a weekly basis.
5. If there is a question regarding an application to amend the voters' list made by an eligible elector, the election official may contact the eligible elector for clarification, and may also request additional information to support the application to amend the voters' list.
6. If there are no questions regarding an application to amend the voters' list made by an eligible elector, the election official will send the new Voter Instruction Letter to the elector by the method as prescribed during the Revision Period.

7. If an application to amend the voters' list made online is declined the voter will be contacted by email informing them, and explaining why their application was rejected.

Telephone

1. Applications to amend the voters' list shall be made over the telephone only if:
 - a. The elector is already registered and seeking to change their address, update their school support; or,
 - b. The application is a request to remove someone from the voters' list who is deceased.

Adding residents of Institutions and Nursing Homes to the Voter's List

1. The designated election official will contact the administrator of each nursing home which is to be a Voting Place under subsection 45 (7) of the MEA and will request a current list of the residents of the Home in a manner agreed to by the designated official and the administrator.
2. This list will be considered proof of identification under O. Reg. 304/13 s.2
3. The names on this list will be added to the Voters' List.
4. The list will serve also as a request to remove residents who are no longer at this address from the list under sections 23 and 25 of the MEA.

Person with no permanent lodging place

1. If a person is unable to provide identification because they do not have a permanent lodging place, a declaration regarding the places to which they most frequently returned to eat or sleep during the previous five weeks may serve as proof of residency and qualification, in the absence of evidence to the contrary.

Cross-References

- Election Procedures for the 2022 Municipal Election
- Canada Post Mail Delivery Interruption Procedure

Contact and Approval

Lisa Lyons
Town Clerk, Legislative Services Department
llyons@newmarket.ca

Procedure Version History

Version	Date Effective	Sections Updated
1	August 29, 2018	
2	September 10, 2018	Revision Period Sections 2, 3, 4
3	May 31, 2022	