

Appointment of Voting Proxy

Municipal Elections Act, 1996, S 44

Procedure

1. Form 3, Appointment of Voting Proxy, is used for appointment of a voting proxy and is given to the public upon request. Regulations for proxy voting are summarized on a separate information sheet (h:\election\proxvote.doc) which is given out to electors requesting proxy forms.
2. Point out that the completed form must be presented by the person being appointed as a voting proxy to the City Clerk’s Department for certification.
3. A person shall not,
 - a) appoint more than one voting proxy;
 - b) act as a voting proxy for more than one other person.

Note, clause (b) does not apply if the proxy and the other person are spouses or siblings of each other, parent and child, or grandparent and grandchild.

4. Appointments of voting proxy are issued beginning after 2:00 p.m. on Nomination Day until 5:00 p.m. on Voting Day. Proxies may only be certified by the Manager of Elections and Records, Manager of Licensing, Licensing Section Staff, or the City Clerk.
5. Prior to certification, the person certifying the appointment should ensure the following:
 - a) the person appointing the voting proxy is qualified as an elector;
 - b) the person requesting certification is the person being appointed the voting proxy and this person is qualified for appointment;
 - c) the appointment has been made within the prescribed time frame;
 - d) verify that the elector has only appointed one proxy and that the proxy has not violated the requirements of item 3; and,
 - e) the form has been satisfactorily completed in all regards.
6. Upon certification, a photocopy is made and retained in file A-2140 Proxy Appointments. The original is returned to the appointed proxy for presentation to the Ballot Clerk on election day at the voting location of the person appointing the proxy.
7. The Clerk’s file copy of Form 3 is referenced and the proxy details are immediately entered into the election administration system using the voters menu item “Proxy Appointments”.
8. Unusual enquiries should be referred to the Manager of Elections and Records, Manager of Licensing or the City Clerk.

| | Approval | |
|---------|----------|------|
| Manager | Clerk | Date |
| | | |

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Instructions

Who may use this form:

Any qualified elector may use this form to appoint another person who is a qualified elector in the same municipality to vote on his/her behalf. The appointment of the voting proxy can only be made after the final opportunity for withdrawal of nominations.

Under Section 44 of the *Municipal Elections Act, 1996*, an elector may act on behalf of one other qualified elector who is not a relative or on behalf of one or more qualified electors who are relatives. In the case where an elector is acting on behalf of more than one qualified electors who are relatives, separate proxy forms are required. A relative means the parent, grandparent, child, grandchild, brother, sister, or spouse of the elector appointed.

Even if an elector is eligible to vote in more than one municipality he/she can only vote as a proxy for one non-relative.

This form is a public record and the copy on file with the Clerk may be inspected by any person.

This form should be completed in the following manner:

Step 1: Complete Boxes A, B, and C

Boxes A, B, and C require the elector making the appointment to identify himself/herself and the individual being appointed to vote on the elector's behalf and to attest to their relationship.

The name of the elector appointed must be filled in at the time the elector making the appointment signs the statement. It is unlawful to sign this proxy form unless Box B is completed.

Step 2: Present duplicate copies to the Clerk or designate

The elector appointed must present both copies of this form in person to the Clerk at the Clerk's office, (or other location designated by the Clerk) during normal office hours, or during the hours of 12 noon to 5 P.M. on any day of an advance vote.

The Clerk may require proof of identity of the elector appointed, (including citizenship), before certifying the proxy.

Step 3: Take original form to voting place

After certification, the Clerk will return the original copy of the form to the elector appointed to be taken to the voting place to receive the proxy ballot.

Step 4: Oral Oath

Once at the voting place, you will be required to present identification and take an oral oath attesting that you are in fact the appointed elector. Once complete, you will vote on behalf of the elector whom you were appointed by.

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Box A: Elector Making Appointment

| | | |
|---|-------------------------------|-------------|
| Municipality | | |
| Ward number | Voting subdivision number | |
| Last name of elector making appointment | First name and middle initial | |
| Full address within Oshawa | Apt. Number | Postal Code |

For Office Use (*initial after Voters' List has been checked*)

Box B: Elector Appointed

| | | |
|--------------------------------|-------------------------------|-------------|
| Municipality | | |
| Ward number | Voting subdivision number | |
| Last name of elector appointed | First name and middle initial | |
| Full address within Oshawa | Apt. Number | Postal Code |

Relationship of Elector Appointed to Elector Making the Appointment (*Check one only*)

- Related (parent, grandparent, child, grandchild, brother, sister, spouse)
 Not related

For Office Use (*initial after Voters' List has been checked*)

Box C: Statement of Elector Making Appointment

I, the undersigned, a qualified elector in (INSERT MUNICIPALITY), do hereby appoint _____
 (the person named in Box B that I have instructed), to vote on my behalf and, if related, do attest to his/her relationship to me.

| | |
|---|----------------------|
| Signature of elector making appointment | Date appointed |
| Name of witness | Signature of witness |

Note: *The name of the elector appointed must be filled in at the time the elector making the appointment signs the statement. It is unlawful to sign this proxy form until Box B is completed.*

Box D: Declaration by Elector Appointed

(To be completed in the presence of the Clerk or Designate at the Clerk's Office or other designated location.)

I, the undersigned, a qualified elector in (MUNICIPALITY), affirm that I have been appointed to vote in good faith and have been instructed to do so on behalf of the elector who made the appointment, and that I have not been previously appointed to vote on behalf of any other non-related person.

Declared before me

at the City of xxxx in the Region of xxxx

this _____ day of _____, 2022

Signature of Elector appointed

Signature of Clerk or Commissioner, etc.

Box E: Certification by Clerk

I hereby certify that the elector making the appointment is qualified to vote in (MUNICIPALITY) and that the elector appointed is a qualified elector in (MUNICIPALITY) and is authorized to vote on behalf of the elector making the appointment.

Signature of Clerk or Commissioner, etc.

Date of certification

Note: *The Clerk may require proof of identity of elector appointed before certifying proxy. This form is a public record and the copy on file with the Clerk may be inspected by any person.*

Box F: Oral Oath

Oral Oath to be Taken at the Voting Place

I swear or solemnly affirm:

That I am the elector appointed; and

That I am voting in good faith on behalf of the elector who made the appointment; and

I have not been previously appointed to vote on behalf of any other non-related person.

Original – to Elector

Copy – Retained by City Clerk

Note: Should the Clerk determine that they will accept the filing of proxies electronically, the option should be communicated to the applicant/elector.