

Information Guide Candidate Agents on Election Day

Following are the types of agents and their rights to be in polling stations in the candidate's electoral district on election day.

(1) Poll Agents

- candidate or candidate's official agent can appoint as many poll agents as are necessary to be at all the polling stations but no more than 2 of these agents can be at one polling station at one time
- use Form 520 Appointment of Poll Agent (and list all polls the agent can attend)
- when the poll agent arrives at the polling station he/she shows Form 520 to the DRO and completes the oath in the poll book (Form 504)
- if the poll agent leaves the polling station and returns he/she must again show the Form 520 to the DRO but does not have to sign the poll book again

(2) Candidates in Polling Stations

- candidates are permitted at any polling station while the polls remain open
- a candidate may act as an agent or assist an agent
- to have the rights of an agent a candidate must complete the oath (Form 504) in the poll book
- if a candidate enters a polling station as an agent the general rule of a maximum of two agents per candidate per polling station is in force. If two agents are presently at the poll, one must leave for the duration of the visit

(3) Agents at Large

- candidate can appoint either his/her official agent or an agent at large or both to represent the candidate at all polling stations from time to time and repeatedly
- if appointing the official agent (as an agent at large) the official agent must complete Form 315 Oath of Secrecy of Official Agent in person before the returning officer or election clerk
- once Form 315 is sworn the returning officer completes and signs Form 519 Poll Entry Certificate and gives it to the official agent. The official agent must show Form 519 to the DRO of each polling station he/she visits and nothing else is required
- if appointing a second agent at large use Form 316 Appointment of Agent at Large to Represent Candidate at Polls. The candidate completes the top part to make the appointment and the agent at large is required to complete Form 316 Oath of Secrecy of Agent at Large on the bottom of the form before the returning officer or election clerk
- once Form 316 is completed the returning officer or election clerk completes and provides Form 519 Poll Entry Certificate to the agent at large and that is shown to the DRO upon entering each polling station and nothing more need be signed
- a second agent at large may be appointed, at the discretion of the Chief Electoral Officer, if the geographic area covered by the electoral district is sufficiently large that one agent at large could not reasonably be expected to enter all of the polls during polling hours

- the official agent (acting as an agent at large), the second agent at large and up to 2 poll agents are permitted to be in a polling station at the same time

To avoid issues with appointment of agents all candidates should complete agent appointments before election day.

Pay particular attention to agents at large which must appear before the returning officer to complete the Oath of Secrecy (on Form 315 or 316) and to obtain Poll Entry Certificate (Form 519) from the returning officer.

Inside versus Outside Agents

We ask that each DRO set up the polling station in such a manner that it can accommodate **one** agent per candidate. The expectation is that the **inside agent** will be placed in a position so that he/she can observe the voting process of each elector.

The **outside agent** generally is responsible for gathering the information about voting at the polling station and transmitting the same to campaign headquarters.

Poll agents abide by the same rules as official agents and agents at large.

A poll agent with a Form 520 identifying a polling station has the right to replace an elector representing a candidate at that same polling station should there be one.

The Role of Agents

Agents can

- witness the opening and closing of the polling station
- observe the voting process
- have access to the List of Electors for the polling division to see who has voted, but only when there is a lull in the voting
- challenge an elector, who must then take the Oath of Qualification (Form 505) in the poll book
- observe the marking of a ballot, if the DRO is acting as the friend of an elector requiring assistance
- observe the counting of the ballots, with the ability to raise an objection to the acceptance or rejection of a ballot
- sign the Statement of Poll
- sign seals used to secure election materials

Agents cannot

- prevent an elector from voting
- stop or disrupt the voting process
- engage in partisan activity at the poll
- wear any badges, pins, emblems, or similar things identifying them as supporters of a particular candidate
- prevent a ballot from being counted, if the DRO accepts it
- approach electors entering the polling station to check their identity

Elector Representing Candidate

If no poll agent for a given candidate at a polling station has presented his/her appointment to a DRO, an elector may choose to represent the candidate. The elector takes the oath Form 504 and abides by the same rules as an agent while attending the polling station. The elector must leave the polling station when a poll agent presents his/her appointment to the DRO.

Camera and Cell Phone Usage in the Polls

Candidates, official agents, agents at large and poll agents can leave the polling station at will and must leave the poll to make and take cell phone calls. The poll area is defined by the room in which the polling station(s) are located. The agent must leave the room to make or take calls. The phone, if on, must be on vibrate or silent at all times in the poll.

No cameras or recording devices of any kind are permitted in the poll area.

Candidate and Agent Voting Rights

The candidate and any agent representing a candidate is entitled to receive a transfer certificate to vote at another polling station within the electoral district upon request to the returning officer or the election clerk, provided the agent's name appears on the official List of Electors for that electoral district.

The candidate or any agent of a candidate may request a transfer certificate at the returning office during the hours the office is open to the public any day up to and including Day 3.