



## PROVINCE OF BRITISH COLUMBIA

### ORDER OF THE CHIEF ELECTORAL OFFICER

Order Number: EA-ORD003-2022

Office of the Chief Electoral Officer, Victoria

#### Circumstances in which Order is Made

As a result of election material supply chain constraints, I find that extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act) and that exceptions are required to the requirements and processes applicable to mail-in voting under ss 87 and 106 of the Act.

In particular, I find that secrecy envelopes and certification envelopes developed for use with the amended *Election Act* mail-in voting provisions brought into force in March 2022 have not arrived in time for use in the Vancouver-Quilchena by-election. As a result, exceptions to the *Election Act* are needed to allow for the use of existing materials procured for the 2020 Provincial General Election.

In my opinion, these circumstances make the following Order necessary.

#### Application of Order

This Order applies to the administration and proceedings of the Vancouver-Quilchena by-election called for April 30, 2022.

This Order applies to the following provisions relating to mail-in voting under the Act:

- Secrecy envelopes for mail-in voting packages under s. 87(3);
- Process to vote using mail-in voting packages under s. 106;
- Process to assist a voter during mail-in voting under s. 109.01;
- Process to consider certification envelopes under ss 122.01 and 134.

This Order is issued under the authority of s. 280 of the Act.

## **Exceptions provided by Order**

### ***Section 87 of the Act***

Despite the requirements of s. 87(3)(b) of the Act, mail-in voting packages may include a secrecy sleeve instead of a secrecy envelope.

### ***Section 106 of the Act***

Despite the requirements of s. 106(1)(c) of the Act, a secrecy sleeve may be used instead of a secrecy envelope in accordance with this Order and any requirement under the Act pertaining to a secrecy envelope in relation to mail-in voting must be read as pertaining to a secrecy sleeve for the purposes of this Order.

Despite the requirements under s. 106(1)(c) of the Act, a witness is not required to be available to allow a voter to participate in the mail-in voting process. Instead, the voter must record their date of birth on the certification envelope for the purposes of verifying their identity.

### ***Section 109.01 of the Act***

As an exception to s. 109.01 of the Act, an individual assisting a voter under this section may assist the voter in recording their date of birth on the certification envelope as required by the procedures established by this Order.

### ***Sections 122.01 and 134 of the Act***

For the purposes of ss 122.01 and 134, an envelope must be considered to be completed as required by the Act if it is completed as required by the procedures established by this Order.



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Charles S. Porter  
Deputy Chief Electoral Officer

*April 2, 2022*