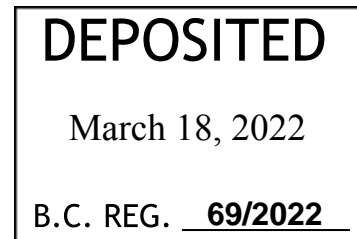


PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE CHIEF ELECTORAL OFFICER

Election Act

Under the authority of sections 104 and 108.01 of the *Election Act*, after consultation with the Election Advisory Committee under that Act, the Chief Electoral Officer orders that the attached Voting Options Regulation is made.



March 18, 2022

Date



Chief Electoral Officer

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Election Act*, R.S.B.C. 1996, c. 106, ss. 104 and 108.01

Other: _____

R20534616

Election Act

VOTING OPTIONS REGULATION

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Definitions

1 In this regulation:

“**Act**” means the *Election Act*;

“**Elections BC central telephone information service**” means the central telephone information service established for the purposes of section 79 of the Act;

“**sorting envelope**” means an envelope

(a) into which a write-in ballot is placed during voting under section 104 of the Act at the office of a district electoral officer before ordinary ballots have been prepared, and

(b) on which the information described in section 2 (2) (b) is recorded;

“**supervisory voting officer**” means an election official who performs the duty described in section 4 as a duty of the supervisory voting officer;

“**telephone operator**” means an election official who performs the duties described in sections 4 and 5 as duties of the telephone operator;

“**telephone voter number**” means a number that

(a) is assigned to an individual under section 4 for the purpose of ensuring the secrecy of the ballot while the individual votes using assisted telephone voting under section 108.01 of the Act, and

(b) cannot be used to identify the individual except by using an encryption technique;

“**telephone voting officer 1**” means an election official who performs the duties described in section 4 as duties of the telephone voting officer 1;

“**telephone voting officer 2**” means an election official who performs the duties described in section 4 as duties of the telephone voting officer 2.

Procedures for voting at office of district electoral officer before ordinary ballots are available

- 2**
- (1) For the purpose of voting under section 104 of the Act at the office of a district electoral officer before ordinary ballots have been prepared, the election procedures set out in section 96 (3), (4) and (5) of the Act are modified as set out in this section.
 - (2) Once the requirements referred to in section 96 (2) of the Act have been met, the election official responsible must
 - (a) assign to the individual voting an identification number for the purpose of voting at the office of the district electoral officer,
 - (b) record the following information on a sorting envelope:
 - (i) the abbreviation representing the office of the district electoral officer;
 - (ii) the abbreviation representing the electoral district for which the individual is a voter;
 - (iii) the identification number referred to in paragraph (a),
 - (c) announce the name of the individual,
 - (d) initial a write-in ballot,
 - (e) hand to the individual the initialled ballot,
 - (f) if available, provide the individual with a list, in paper format, of candidates, indicating the names of the candidates for the electoral district for which the individual is a voter and, as applicable, the status of the candidates as representatives of specific registered political parties or as independent candidates, and
 - (g) provide the individual with directions for the following:
 - (i) how to refold the ballot to conceal any mark made on the ballot by the individual;
 - (ii) what to do with the ballot once the individual has marked the ballot.
 - (3) To vote after receiving a ballot, the individual must
 - (a) go directly to a voting screen provided,
 - (b) while the ballot is screened from observation, mark it in accordance with section 91 of the Act,
 - (c) refold the ballot as directed under subsection (2) (g) of this section,
 - (d) directly return the ballot to the election official responsible, who must do the following while ensuring that the voter's marks on the ballot remain concealed:
 - (i) confirm that the ballot is the one that was given to the individual by examining the initials on the ballot;
 - (ii) place the ballot in the sorting envelope referred to in subsection (2) (b);
 - (iii) seal the sorting envelope, and
 - (e) at the voter's choice, either

- (i) accept the sorting envelope back and deposit it in the ballot box while observed by the election official, or
- (ii) observe the election official deposit the sorting envelope in the ballot box.

Assisted telephone voting period

- 3**
- (1) Voting using assisted telephone voting under section 108.01 of the Act must be available during the period
 - (a) beginning as soon as reasonably possible after the start of the closed period for registration under section 37 of the Act, and
 - (b) ending on final voting day, after the time set by section 75 (3) of the Act for the close of final voting, when the telephone voting officer 2 confirms that the ballot of the last individual in the telephone queue to vote has been marked.
 - (2) In order to vote using assisted telephone voting, an individual must be in the telephone queue to vote at least one hour before the time set by section 75 (3) of the Act for the close of final voting.
 - (3) Despite subsection (2), if an individual in the telephone queue is unintentionally disconnected from it, the individual may rejoin the telephone queue during the period
 - (a) that begins one hour before the time set by section 75 (3) of the Act for the close of final voting, and
 - (b) that ends at the time set by section 75 (3) of the Act for the close of final voting.

Procedures for assisted telephone voting

- 4**
- (1) For the purposes of section 108.01 of the Act, the election procedures to be used for assisted telephone voting are set out in this section.
 - (2) An individual may vote using assisted telephone voting by calling the Elections BC central telephone information service during its regular office hours.
 - (3) In order to vote using assisted telephone voting, the following requirements must be met:
 - (a) the telephone operator must confirm that the individual is registered as a voter;
 - (b) the telephone operator must assign to the individual a telephone voter number.
 - (4) Once the requirements referred to in subsection (3) have been met, the telephone operator must
 - (a) transfer the individual to the telephone queue to vote, and
 - (b) provide the telephone voting officer 1 with the telephone voter number assigned to the individual.
 - (5) Once the telephone voting officer 1 is available to assist the individual,

- (a) the telephone voting officer 1 must transfer the individual from the telephone queue,
 - (b) the individual must confirm that the individual is entitled to vote using assisted telephone voting, and
 - (c) the individual must make an oral declaration to the telephone voting officer 1 that the individual is eligible to vote in the election.
- (6) The telephone voting officer 1 must read aloud to the individual the list of candidates, indicating the names of the candidates for the electoral district for which the individual is a voter and, as applicable, the status of the candidates as representatives of specific registered political parties or as independent candidates.
- (7) The individual must provide the telephone voting officer 1 with directions to make a mark on the ballot opposite the name of the candidate or the registered political party for whom the individual wishes to vote.
- (8) The telephone voting officer 1 must mark the ballot in accordance with the wishes of the voter.
- (9) The telephone voting officer 2 must confirm that the ballot has been marked in accordance with the wishes of the voter by reading aloud to the voter the name of the candidate or the registered political party that has been marked on the ballot.
- (10) The telephone voting officer 1 or telephone voting officer 2, while each is in the presence of the other, must
- (a) place the ballot in a secrecy envelope,
 - (b) place the secrecy envelope in a certification envelope,
 - (c) record the individual's telephone voter number on the certification envelope,
 - (d) sign and seal the certification envelope, and
 - (e) deliver the certification envelope to the supervisory voting officer, who must oversee the completion of the following procedures by an election official:
 - (i) the individual's telephone voter number must be decoded to determine the identity of the individual;
 - (ii) a record must be made in the voting book that the individual has voted using assisted telephone voting;
 - (iii) the certification envelope must be deposited in the ballot box.

Procedures for individuals needing assistance during assisted telephone voting

- 5 (1) A voter may be assisted by another individual in using assisted telephone voting if the voter requires assistance for reasons including, but not limited to, the following:
- (a) the voter requires the assistance of a translator to communicate with the election officials who are using the election procedures under section 4;

- (b) the voter has an impairment that prevents the voter from hearing or speaking;
 - (c) the voter has an impairment that prevents the voter from using telephone equipment without physical assistance.
- (2) An individual other than an election official must not assist more than one voter in using assisted telephone voting in an election.
- (3) As an exception to subsection (2), an individual may assist more than one member of the individual's family.
- (4) In order to assist a voter under this section, if the individual assisting is not an election official, the individual must
- (a) provide the telephone operator with the following information:
 - (i) the individual's name, address and telephone number;
 - (ii) the individual's relationship to the voter, and
 - (b) make an oral declaration that
 - (i) the individual will preserve the secrecy of the ballot in accordance with section 90 of the Act,
 - (ii) the individual will provide directions respecting how to mark the ballot that accurately reflect the wishes of the voter,
 - (iii) the individual will refrain from attempting in any manner to influence the voter as to how the voter should vote, and
 - (iv) if assistance is needed because the voter needs a translator to understand the instructions for voting, the individual is able to make the translation and will do so to the best of the individual's abilities.
- (5) The telephone operator must make a record of information provided under subsection 4 (a) and an oral declaration made under subsection (4) (b).

Rules to maintain secrecy of ballot

- 6 During assisted telephone voting under section 108.01 of the Act, the following rules apply:
- (a) while using the election procedures set out in section 4 (3) of this regulation, the telephone operator must ensure that the telephone voting officer 1 and telephone voting officer 2 cannot hear or directly observe the telephone operator;
 - (b) while using the election procedures set out in section 4 (5) to (9) and (10) (a) to (c) of this regulation, the telephone voting officer 1 and telephone voting officer 2 must ensure that the telephone operator, the supervisory voting officer, and the election officials using the procedures set out in section 4 (10) (e) of this regulation cannot hear or directly observe them;

- (c) while election officials are using the election procedures set out in section 4 (10) (e) (i) to (iii) of this regulation, the supervisory voting officer must ensure that the telephone voting officer 1 and telephone voting officer 2 cannot hear or directly observe the supervisory voting officer and the election officials using those election procedures;
- (d) the telephone voting officer 1 and telephone voting officer 2 must not use an individual's telephone voter number to determine the individual's identity;
- (e) the individual voting and anyone assisting that individual must not disclose that individual's identity to the telephone voting officer 1 or telephone voting officer 2.