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GOVERNMENT AMENDMENT

AMENDMENTS TO BILL 7

ELECTION ACCOUNTABILITY AMENDMENT ACT, 2012

A1 Agreed to November 28, 2012

The Bill is amended as follows:

A Section 109 is struck out and the following is substituted:

109 Section 53 is repealed and the following is substituted:

Proof of elector eligibility

53(1) Every person who attends at a voting station for the purpose of voting must be permitted to vote

- (a) if the person's name appears on the list of electors, if any, or
- (b) if the person makes a statement in the presence of an officer at the voting station, in the prescribed form, that the person is eligible to vote as an elector and produces for inspection the following proof of the person's identity and current residence and, where required by a bylaw passed under subsection (3), age:
 - (i) if a bylaw has not been passed under subsection (3),
 - (A) one piece of identification issued by a Canadian government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address, or
 - (B) one piece of identification authorized by the Chief Electoral Officer under the *Election Act* for the purposes of section 95(1)(a)(ii)

of that Act that establishes the elector's name and current address;

- (ii) if a bylaw has been passed under subsection (3), the number and types of identification required by the bylaw to verify the person's name and current address and, if applicable, age.

(2) Notwithstanding subsection (1), if there is a list of electors, a person may instead prove that the person is eligible to vote as an elector and his or her identity and current residence and, if applicable, age by making a statement in the presence of an officer at the voting station, in the prescribed form, if he or she is accompanied by another person whose name appears on the list of electors for the same voting station at which that other person is entitled to vote and that other person

(a) produces for inspection

- (i) if subsection (1)(b)(i) applies, a piece of identification referred to in subsection (1)(b)(i), or
- (ii) if subsection (1)(b)(ii) applies, the number and types of identification required by the bylaw,

and

(b) vouches for him or her by making a statement in the presence of an officer at the voting station in the prescribed form.

(3) An elected authority may, by a bylaw passed no later than 6 months prior to nomination day of a year in which an election is to be held, provide for the number and types of identification that are required to be produced by a person to verify the person's name and current address for the purpose of determining whether the person is eligible to vote.

(4) An elected authority may, by a bylaw passed no later than 6 months prior to nomination day of a year in which an election is to be held, provide for the number and types of identification that are required to be produced by a

person who wishes to vote by a special ballot to verify the person's name and current address for the purpose of determining whether the person is eligible to vote.

(5) A bylaw under subsection (3) or (4)

- (a) may specify identification in addition to that referred to in subsection (1)(b)(i), and
- (b) may provide for the number and types of identification that are required to be produced to also verify the person's age.

(6) Any bylaw passed under subsection (3) or (4) providing for the number and types of identification that are required to be produced to verify the person's name and current address for the purpose of determining whether the person is eligible to vote must provide that a returning officer shall accept one piece of identification referred to in subsection (1)(b)(i)(A) or (B) for that purpose.

(7) When an elected authority intends to pass a bylaw under subsection (3) or (4) it must

- (a) advertise the proposed bylaw in accordance with section 53.1, and
- (b) include in the notice of election day under section 35 the proposed number and types of identification to be required.

(8) A scrutineer may not vouch for a person under subsection (2).

(9) A person who attends a voting station for the purpose of voting may not vote unless the requirements of subsection (1) or (2) are met.

B The following is added after section 109:

109.1 Section 53.1(3)(a) is repealed and the following is substituted:

- (a) a statement of the general purpose of the proposed bylaw and the proposed requirements for the number

and types of identification that must be produced to verify elector name and current address and, if applicable, age,

C Section 114 is struck out and the following is substituted:

114 Section 77.2 is amended

(a) in subsection (2)

(i) by striking out “voter” and substituting “elector”;

(ii) by repealing clause (d.1) and substituting the following:

(d.1) attach a copy of the elector’s identification that meets the requirements of

(i) section 53(1)(b)(i) if the elected authority has not passed a bylaw under section 53(3) or (4), or

(ii) the bylaw if the elected authority has passed a bylaw under section 53(3) or (4),

(b) by repealing subsection (2.1) and substituting the following:

(2.1) A copy of the elector’s identification, as described in subsection (2)(d.1), may be used only

(a) if subsection (2)(d.1)(i) applies, to verify the elector’s name and current address for the purpose of determining whether the elector is eligible to vote, or

(b) if subsection (2)(d.1)(ii) applies, to verify the elector’s name and current address and, if applicable, age for the purpose of determining whether the elector is eligible to vote,

and the returning officer must ensure that the copy and the information it contains are not disclosed or used for any other purpose.

(c) by repealing subsection (4)(c) and substituting the following:

(c) whether the elector has attached a copy of the elector's identification that meets the requirements of

(i) section 53(1)(b)(i) if subsection (2)(d.1)(i) applies, or

(ii) the bylaw if subsection (2)(d.1)(ii) applies.

(d) in subsection (5) by striking out the portion preceding clause (a) and substituting the following:

(5) On determining that the elector is recorded in the special ballot elector register, that Part 1 of the certificate is properly completed and that the copy of the elector's identification meets the requirements of

(a.01) section 53(1)(b)(i) if subsection (2)(d.1)(i) applies, or

(a.02) the bylaw if subsection (2)(d.1)(ii) applies,

the returning officer must

(e) in subsection (5.1)

(i) by repealing clause (b) and substituting the following:

(b) that the copy of the elector's identification meets the requirements of

(i) section 53(1)(b)(i) if subsection (2)(d.1)(i) applies, or

(ii) the bylaw if subsection (2)(d.1)(ii) applies,

(ii) in clause (c) by striking out "voter" and substituting "elector".