



Removal of Deceased Person's Name from the Voters' List	City Clerk – Election Office
	<b>Policy No.</b> EO-05-22

## 1. Purpose

- 1.1. The purpose of this policy is to outline the types of documents that are considered acceptable by the City Clerk as proof of death for removal of a deceased person's name from the voters' list.

## 2. Application

- 2.1. This policy applies to applicants or agents making a request for removal of a deceased persons' name from the Voters' list for City of Hamilton municipal elections and/or by-elections.

## 3. Legislative Authority

- 3.1. Section 25 of the Municipal Elections Act, 1996 (MEA) provides the City Clerk with authority to remove a person's name from the Voters' list if they are satisfied that the person has died and allows for individuals to make an application to the City Clerk requesting that a deceased person's name be removed from the voters' list.
- 3.2. Section 12 of the MEA states that the City Clerk may provide for any matter or procedure that is not otherwise provided for in an Act or regulation and that, in their opinion, is necessary or desirable for conducting the election.

## 4. Policy

### Timing, form and manner of application

- 4.1. The application to request removal of a deceased person's name from the Voters' list must be made during the period that begins on September 1 in the year of an election year and ends at the close of voting on voting day.
- 4.2. Applications must be completed on the City Clerk's authorized form and must be accompanied by an acceptable document showing proof of death.
- 4.3. The application can be filed in the following manner:
  - i. in person, by the applicant or their agent; or
  - ii. by mail or email, by the applicant.

### Acceptable documents showing proof of death

- 4.4. To apply for removal of a deceased elector from the Voters' list for City of Hamilton municipal elections and/or by-elections, the applicant or their agent must show proof of death and may provide one of the following documents to meet this requirement:
  - a) A burial or death certificate
  - b) A Medical Certificate of Death
  - c) A document /receipt issued by a cemetery/crematorium in Ontario that proves burial or cremation.
  - d) A statement from a medical doctor, coroner or funeral director
  - e) A Registration of Death
  - f) A notarial copy of Letters of Probate
  - g) A Life or Group Insurance claim along with a statement signed by a medical doctor.
  - h) An official notification from the Public Trustee
  - i) A Memorandum of Notification of Death issued by the Chief of Defense Staff of National Defense
  - j) A Statement of Verification of Death from the Department of Veterans Affairs

- k) A program from a funeral ceremony
- l) An obituary from a newspaper

**5. Legislation**

*Municipal Elections Act, 1996, S.O. 1996, CHAPTER 32*

**6. Revision History**

Date Approved	December 2021
---------------	---------------