



Use of Electronic Communication and Photo-taking Devices at a Voting Place	City Clerk – Election Office
	Policy No.: EO-15-22

1. Purpose

1.1. This policy describes restrictions and permissions respecting the use of electronic communication and photo taking devices at voting places on voting days in order to protect the secrecy of the ballot.

2. Application

2.1 This policy applies to election officials designated by the City Clerk, electors, scrutineers, candidates, and the media at voting places on voting days during City of Hamilton municipal elections and/or by-elections.

3. Legislative Authority

3.1 A Clerk who is responsible for conducting an election may provide for any matter or procedure that is not otherwise provided for in an Act or regulation; and in the Clerk's opinion, is necessary or desirable for conducting the election. *Reference MEA s.12.*

4. Policy

4.1. Every person who is present in a voting place or at the counting of the votes shall help to maintain the secrecy of the voting. *Reference MEA s.49.*

4.2 No person shall,

4.2.1 interfere or attempt to interfere with an elector who is marking the ballot;

4.2.2 obtain or attempt to obtain, at a voting place, information about how an elector intends to vote or has voted; or

4.2.3 communicate any information obtained at a voting place about how an elector intends to vote or has voted. *Reference MEA s.49.*

4.3 No elector shall,

4.3.1 take a photograph or video recording of his or her marked ballot; or

4.3.2 show his or her marked ballot to any person so as to reveal how he or she has voted, except in connection with obtaining assistance in voting as approved by the Managing Deputy Returning Officer or Deputy Returning Officer. *Reference MEA s.49, s.52(1)4.*

4.4 Designated election officials may use electronic communication and/or photographic device(s), for election purposes only when necessary and after receiving approval from the Managing Deputy Returning Officer or Deputy Returning Officer.

4.4.1 Wherever possible, staff should leave the voting and/or vote counting place to use these devices.

5. Legislation

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

6. Revision History

Date	Description
February 2022	Policy Approved
June 2022	Policy Reviewed
October 2023	Policy Updated to allow use as an assistive device.