ELECTION PROCEDURE

PROCEDURE TITLE: **MEDIA PRESENCE AT A VOTING PLACE**

PROCEDURE NO.: **EPRO-021**

Section:	Elections		
Effective Date:	Sep 20, 2018	**Date of Last Review:**	April 1, 2026
Approval Authority: City Clerk / Returning Officer		**Procedure Owner:** City Clerk / Returning Officer	

PROCEDURE STATEMENT
A procedure governing the presence of media at designated voting places during periods in which voting is taking place.
PURPOSE
The objective of this procedure is to provide clear direction on the protocol for authorizing limited media presence and coverage of voting places in a manner which does not compromise the integrity, security and secrecy of the electoral process for election officials and electors at a voting place.
SCOPE
This procedure applies to all election officials designated by the City Clerk, candidates, electors and media present at a voting place during the conduct of a municipal election or by-election in the City of Vaughan.
LEGISLATIVE AUTHORITY AND REQUIREMENTS
Municipal Elections Act, 1996: **Powers of clerk** **12** (1) A clerk who is responsible for conducting an election may provide for any matter or procedure that, (a) is not otherwise provided for in an Act or regulation; and (b) in the clerk's opinion, is necessary or desirable for conducting the election. 1996, c. 32, Sched., s. 12 (1).

Secrecy

49 (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. 1996, c. 32, Sched., s. 49 (1).

Offences

(2) No person shall,

(a) interfere or attempt to interfere with an elector who is marking the ballot;

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

(c) communicate any information obtained at a voting place about how an elector intends to vote or has voted. 1996, c. 32, Sched., s. 49 (2).

Same, revealing a vote

(3) No elector shall,

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

(b) 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 under paragraph 4 of subsection 52 (1). 2016, c. 15, s. 36.

No requirement of disclosure

(4) No person shall, in a legal proceeding relating to an election, be required to disclose how he or she voted at the election. 1996, c. 32, Sched., s. 49 (4).

DEFINITIONS

City Clerk: The City Clerk appointed by Council in accordance with Section 228 of the Municipal Act, 2001, S.O. 2001, c.25 or their designate.

Election Official: A person appointed by the City Clerk as a deputy returning officer in accordance with Section 15 of the *Municipal Elections Ac, 1996t*.

Media: Any person or organization intending to disseminate information to the public through print, radio, television, internet (including blogs) or social media.

PROCEDURE TITLE:	**MEDIA PRESENCE AT A VOTING PLACE**
PROCEDURE NO.:	**EPRO-021**

Voting Place: A location designated by the City Clerk pursuant to Section 45 of the *Municipal Elections Act, 1996.* The Voting place shall include the entire building, including all common areas and the entire property on which the building is located, and which has been permitted or leased to the City Clerk for election purposes, but does not include residences in a multi-residential property.

PROCEDURE

1. General

1.1. Except where otherwise stated in this procedure, members of the media may not attend or remain at a Voting Place to film or photograph at that Voting Place.

2. Requests

2.1. Prior to Advance Voting or Voting Day (as applicable), media may make a request to the City Clerk to film or photograph at a Voting Place.

2.2. Requests from media may be received by staff from the Office of the City Clerk or from the Strategic and Corporate Communications Department, who shall coordinate those requests through the City Clerk or their designate, for consideration and approval.

2.3. The City Clerk, or their designate, shall review all media requests and provide direction to the requestor on protocol at the Voting Place when approving the request to film or photograph.

3. Denial of Entry

3.1. Where Media attends a voting place without making a request or having received advanced approval by the City Clerk, or their designate, the Election Official responsible for that Voting Place shall immediately notify Election Central for direction on how to proceed.

3.1.1. In considering whether to permit an unapproved entry by Media into a Voting Place, the City Clerk, or their designate, shall consider the privacy and security of the electoral process before authorizing the Election Official to grant entry to Media attending without prior permission.

3.2. The Election Official responsible for a Voting Place may deny access to the voting place until they have received direction from Election Central.

4. While Attending a Voting Place

4.1. Where permission has been granted to film or photograph inside the Voting Place, media will conduct filming and photography from the main entryway only. If this direction is not adhered to, the Election Official responsible for the Voting Place may request that the media leave the Voting Place.

4.2. The Election Official responsible for a Voting Place shall ensure that Election Officials and electors present have provided explicit consent to being filmed or photographed prior to such filming or photographing.

4.3. At all times, the privacy and security of the electoral process is paramount. If an Election Official is given cause to believe that an elector's right to privacy is being breached, or that the peace and security of the Voting Place is being disturbed, they may request that the media immediately depart the Voting Place.

ADMINISTRATION			
Administered by the Office of the City Clerk			
Review Schedule:	3 Years	**Next Review Date:**	January 2, 2021
Related Policy(ies):	EL-005 Designation of Voting Place Boundaries		
Related By-Law(s)	None		
Procedural Document:	None		
Revision History			
Date:	**Description:**		