



Proxy Voting Procedures – Vote by Mail Election

Overview

In a vote-by-mail election, proxy voting is available only in limited and exceptional circumstances, in accordance with the Municipal Elections Act, 1996. These procedures are divided into two parts:

Part 1 – Appointing and Certifying a Proxy; and

Part 2 – Voting by Proxy.

Proxy voting is not intended to replace vote-by-mail voting and is used only where it is not reasonably practical for an elector to vote by mail within the required timelines (for example, due to temporary travel).

Part 1 – Appointing and Certifying a Proxy

1. Eligibility to Appoint a Proxy

An elector may appoint a proxy if they are:

- a qualified elector under the Act;
- know the person they are appointing; and
- temporarily unable to vote by mail during the period when vote-by-mail packages are issued and returned.

An elector may appoint only one proxy.

2. Eligibility to Act as a Proxy

A person appointed as a proxy must:

- be a qualified elector in Ontario;
- not act as proxy for more than one elector, unless the elector is their spouse, parent, child, sibling, grandparent, or grandchild as defined by the Act; and

- not be prohibited from voting under the Act.

3. Proxy Appointment Form

3.1 Prescribed Form

A proxy appointment must be made using the prescribed proxy appointment form under the Municipal Elections Act, 1996.

- No other form or written authorization is valid.
- The form must be completed in writing and in full.

3.2 Signature Requirements

The proxy appointment form must contain original (hand-written) signatures of:

- the elector appointing the proxy; and
- the person agreeing to act as the proxy.

Photocopies, scanned copies, or electronic signatures are not permitted.

4. Certification by the Clerk

A proxy appointment is not valid unless and until it is certified by the Clerk or designate.

4.1 In-Person Certification

The following persons must attend at the Municipal Office for certification:

- the elector appointing the proxy; and
- the proposed proxy.

The Clerk or designate shall:

- verify identity and eligibility;
- confirm statutory proxy limits;
- administer any required declaration; and
- certify the proxy appointment.

4.2 Location and Timing

Proxy appointment certification shall take place at the Municipal Office located at 35663 Fingal Line, Fingal, Ontario.

Certification must occur before the elector departs or before voting takes place. The Clerk may establish deadlines for certification to ensure orderly election administration.

Part 2 – Voting by Proxy

5. Requirement to Vote In Person

Where a proxy appointment has been properly completed and certified, the proxy must attend in person to vote on behalf of the elector.

In the Township of Southwold's vote-by-mail election:

- a proxy does not vote by mail; and
- a proxy is not issued a vote-by-mail kit.

6. Location for Proxy Voting

All proxy voting shall take place in person at the Municipal Office, located at:

35663 Fingal Line

Fingal, Ontario

Proxy voting shall not occur by mail or at any other location unless expressly authorized by the Clerk.

7. Timing of Proxy Voting

A proxy may attend the Municipal Office to vote:

- during regular municipal office hours during the voting period; and
- on Voting Day, up to and including 8:00 p.m.

Proxies must vote before the close of voting at 8:00 p.m. on Voting Day. Proxies presenting after this time shall not be permitted to vote.

8. Identification and Verification at Voting

At the time of voting, the proxy shall:

- confirm their identity to election staff;
- confirm that the proxy appointment has been certified; and
- complete any declaration required by the Clerk.

Election staff shall verify that:

- the proxy appointment remains valid;
- the elector has not already voted (including by mail); and
- the proxy has not exceeded statutory proxy limits.

9. Voting Procedure for Proxies

Once verified, the proxy shall be issued a ballot and shall:

- vote only on behalf of the elector named in the certified proxy appointment;
- mark the ballot in accordance with the elector's instructions;
- deposit the ballot as directed by election staff; and
- not disclose the elector's voting choices except as required by law.

A proxy may not vote on behalf of themselves at the same time unless they are separately entitled to do so under Township procedures.

10. Relationship to Vote by Mail

Where a proxy votes on behalf of an elector:

- any vote-by-mail kit issued to that elector, if applicable, shall be deemed void and shall not be counted; and
- the elector shall be marked as having voted on the voters' list.

11. Revocation or Change of Proxy

An elector may revoke or change a proxy appointment only by completing a new prescribed proxy appointment form and having it certified by the Clerk. Any prior proxy appointment becomes void once a new proxy is certified.

12. Records and Retention

The Clerk shall retain all certified proxy appointment forms, declarations, and related records as part of the official election record, in accordance with the Municipal Elections Act, 1996.

13. Clerk's Authority

The Clerk retains final authority to:

- interpret and apply these proxy voting procedures;
- resolve questions related to eligibility, timing, or process; and
- refuse proxy voting where statutory or procedural requirements are not met.

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