

# Information Bulletin

## Advisory Services – 2024

### Summary of Amendments to *The Local Government Election Act, 2015*

On January 1, 2024, legislative changes to [The Local Government Election Act, 2015](#), (LGEA) came into force affecting how municipal elections are conducted. As detailed throughout this bulletin, the amendments increased authority of the returning officer (RO), enhanced the use of voters lists and electronic record-keeping, and improved overall voter accessibility. With the changes to the LGEA, incidental amendments were also made to [The Local Government Election Regulations, 2015](#) (Regulations).

This bulletin is not a substitute for the actual legislation. The complete chapter may be viewed on the Publications Saskatchewan website. Please visit [Publications Saskatchewan](#) to view the LGEA and the Regulations in their entirety.

Section	Description
<b>AMENDED Section 2(1)</b>	<b>Interpretation</b> <ul style="list-style-type: none"><li>• Updates the following definitions within this section:<ul style="list-style-type: none"><li>○ by-election;</li><li>○ chief enumerator;</li><li>○ election day;</li><li>○ election official; and</li><li>○ RO.</li></ul></li><li>• Adds the following definition:<ul style="list-style-type: none"><li>○ voter registry.</li></ul></li></ul>
<b>AMENDED Section 4(5)</b>	<b>Ordinary residence – Canadian Forces, student</b> <ul style="list-style-type: none"><li>• Extends voting eligibility to the spouse or dependent of a student who has moved because of their studies.</li></ul>
<b>AMENDED Section 11(2)</b>	<b>By-elections</b> <ul style="list-style-type: none"><li>• Clarifies by-elections must be held on the same day of the week as a general election:<ul style="list-style-type: none"><li>○ Saturdays for resort villages; and</li><li>○ Wednesdays for all other municipalities.</li></ul></li></ul>

By-elections

<b>AMENDED Section 12(2)</b>	<p><b><i>By-election to fill vacancy on board situated in municipality</i></b></p> <ul style="list-style-type: none"> <li>Provides council the ability to set the date for a school board by-election within 30 days of the request or at the next meeting of council (if applicable).</li> </ul>
<p><b>AMENDED Section 15</b></p> <p><b>Vacancy in Year of General Election</b></p>	<p><b><i>Vacancy in year of a general election</i></b></p> <ul style="list-style-type: none"> <li>Allows the council to forego a by-election for a vacant seat if the vacancy is within one year of the next scheduled general election.</li> </ul>
<b>AMENDED Section 16</b>	<p><b><i>Terms of office</i></b></p> <ul style="list-style-type: none"> <li>Clarifies a candidate’s term of office commences at the next meeting of council following a by-election and continues for the unexpired term with respect to whom the vacancy arose.</li> </ul>
<b>AMENDED Section 19</b>	<p><b><i>Elections at large</i></b></p> <ul style="list-style-type: none"> <li>Clarifies that rural municipalities must conduct elections at large if they have not passed a division boundary review policy according to subsection 49.1(3) of <i>The Municipalities Act</i>, or if they have had all divisions removed.</li> <li>Provides that if rural municipalities are required to conduct elections at large, the general election will follow the same election scheme as odd-numbered divisions and reeve.</li> </ul>
<b>AMENDED Section 22</b>	<p><b><i>Determination of polling areas and places</i></b></p> <ul style="list-style-type: none"> <li>Transfers the responsibility of determining the polling areas and polling locations from council to the RO.</li> </ul>
<b>AMENDED Section 24</b>	<p><b><i>Polling places in rural municipalities</i></b></p> <ul style="list-style-type: none"> <li>Transfers the responsibility of determining the polling places for each division in a rural municipality from council to the RO.</li> </ul>
<b>AMENDED Section 26</b>	<p><b><i>Change of polling place</i></b></p> <ul style="list-style-type: none"> <li>Clarifies the RO for a rural municipal election can name an alternate polling place in the event a polling place becomes unavailable.</li> </ul>
<p><b>AMENDED Section 29</b></p> <p><b>Hospitals and Personal Care Facilities</b></p>	<p><b><i>Hospitals and personal care facilities</i></b></p> <ul style="list-style-type: none"> <li>Provides authority to the RO to: <ul style="list-style-type: none"> <li>establish a polling place in a hospital or personal care facility, including its days and hours; and</li> <li>in addition to residents, take the vote of a caregiver or any staff member of the facility (if eligible).</li> </ul> </li> <li>Allows polling places to be considered as advance polls if they are held in advance of election day (sections 85, 86, and 87 of the LGEA apply, with any necessary modification).</li> </ul>

**Elections at Large**

**Vacancy in Year of General Election**

**Hospitals and Personal Care Facilities**



<b>AMENDED Section 30</b>	<p><b><i>Procedure for homebound voting</i></b></p> <ul style="list-style-type: none"> <li>• Transfers the authority to make decisions on homebound voting from council to the RO.</li> </ul>
<b>AMENDED Section 38</b>	<p><b><i>Voting in wards</i></b></p> <ul style="list-style-type: none"> <li>• Clarifies the assessor of an urban municipality is no longer required to provide a certificate indicating the ward a voter is eligible to vote in; however, a voter may request a certificate from the assessor and if obtained, the voter must present the certificate to the deputy returning officer (DRO) at the polling place.</li> </ul>
<b>NEW Section 47.1</b>	<p><b><i>Emergency powers of ROs</i></b></p> <ul style="list-style-type: none"> <li>• If an emergency exists, provides authority to the RO to: <ul style="list-style-type: none"> <li>○ extend the hours of a polling place;</li> <li>○ suspend and postpone voting for no more than seven (7) days after the day of the election; and</li> <li>○ move the location of polling places.</li> </ul> </li> <li>• Requires the RO to immediately provide notice to the voters of the action taken and the reasons for taking the action.</li> </ul>
<b>NEW Section 53.1</b>	<p><b><i>Voter registry</i></b></p> <ul style="list-style-type: none"> <li>• Provides council the authority to establish and maintain a voter registry from which a voters list may be prepared for use in an election.</li> <li>• Clarifies the RO is responsible for the preparation and revision of the registry, unless the council directs otherwise.</li> <li>• Provides that assistants may be appointed to prepare and revise the voter registry.</li> <li>• Confirms the voter registry may be established and maintained manually or in electronic format.</li> </ul>
<b>NEW Section 53.2</b>	<p><b><i>Contents of voter registry</i></b></p> <ul style="list-style-type: none"> <li>• Clarifies the information and data that may be collected about persons eligible to vote.</li> </ul>
<b>NEW Section 53.3</b>	<p><b><i>Revising the voter registry</i></b></p> <ul style="list-style-type: none"> <li>• Clarifies when the voter registry may be revised and the methods that may be used for revisions, such as: <ul style="list-style-type: none"> <li>○ enumeration in accordance with section 53.6;</li> <li>○ agreements made in accordance with section 55;</li> <li>○ information in public telephone directories; or</li> <li>○ any other information available or obtained by the RO.</li> </ul> </li> <li>• Clarifies when a voter’s name and information must be removed from the voter registry.</li> </ul>



<b>NEW Section 53.4</b>	<p><b>Protection of voter registry data</b></p> <ul style="list-style-type: none"> <li>• Clarifies the voter registry must only be used preparing a voters list.</li> </ul>
<b>NEW Section 53.5</b>	<p><b>Access to information in voter registry</b></p> <ul style="list-style-type: none"> <li>• Provides persons the ability to access their information within the voter registry to ensure data is correct, and have the information removed or not included in the registry.</li> <li>• Clarifies the RO may remove information in the voter registry to protect the security or privacy of a voter.</li> </ul>
<p><b>NEW Section 53.6</b></p> <p><b>Enumeration</b></p>	<p><b>Enumeration</b></p> <ul style="list-style-type: none"> <li>• Provides authority to council for the enumeration of the names of voters to prepare or revise a voters list.</li> <li>• Clarifies the RO is the chief enumerator unless the council or board otherwise directs.</li> <li>• Allows the information from enumeration to be used to update a voter registry.</li> </ul>
<p><b>AMENDED Section 54</b></p>	<p><b>Voters list</b></p> <ul style="list-style-type: none"> <li>• Clarifies the RO is responsible for the preparation and revision of a voters list unless the council directs otherwise.</li> <li>• Clarifies how a voters list may be prepared and revised.</li> <li>• Confirms a voters list may be compiled and kept manually or in an electronic format.</li> <li>• Clarifies a voter whose name does not appear on a voters list is able to vote in accordance with clause 108(1)(b).</li> </ul> <p><b>Voters List</b></p>
<b>AMENDED Section 55</b>	<p><b>Use of data from federal or provincial sources</b></p> <ul style="list-style-type: none"> <li>• Provides council with the ability to enter into agreements with provincial or federal bodies for the purpose of obtaining and sharing data to create or revise a voter registry or voter list.</li> </ul>
<b>AMENDED Section 56</b>	<p><b>Contents of voters list</b></p> <ul style="list-style-type: none"> <li>• Clarifies the information to be included in a voters list.</li> </ul>
<p><b>AMENDED Section 57</b></p> <p><b>Publishing the Voters List</b></p>	<p><b>Publishing of voters list</b></p> <ul style="list-style-type: none"> <li>• Requires the RO, at least 31 days prior to the general election, to publish in any manner considered necessary: <ul style="list-style-type: none"> <li>○ a copy of the voters list; and</li> <li>○ information on how a voter or applicant may apply for revisions to a voters list.</li> </ul> </li> <li>• Clarifies the RO must provide public access to a computer to view the voters list if it is kept and revised in electronic format.</li> </ul>

<b>AMENDED Section 58</b>	<p><b><i>Application to strike name</i></b></p> <ul style="list-style-type: none"> <li>• Requires any application to have a name struck off the voters list must be submitted to the RO at least 21 days prior to the general election.</li> <li>• Clarifies applications may be made in writing or electronically (if adopted in a general election bylaw pursuant to section 9.1).</li> </ul>
<b>AMENDED Section 59</b>	<p><b><i>Application to correct error</i></b></p> <ul style="list-style-type: none"> <li>• Requires any application to correct an error or omission in the voters list must be submitted to the RO at least 21 days prior to the general election.</li> <li>• Clarifies applications may be made in writing or electronically (if adopted in a general election bylaw pursuant to section 9.1).</li> </ul>
<b>AMENDED Section 60</b>	<p><b><i>Revised voters list</i></b></p> <ul style="list-style-type: none"> <li>• Requires the RO to consider all applications made regarding revisions to a voters list pursuant to sections 58 and 59 and if the change is necessary, amend the voters list and record each change before the first day of advance voting.</li> </ul>
<b>AMENDED Section 61</b>	<p><b><i>Procedure if name deleted</i></b></p> <ul style="list-style-type: none"> <li>• Requires the RO to notify a person with the reason their name was removed from the list and advise the person of the eligibility requirements of a voter in accordance with section 36.</li> </ul>
<b>AMENDED Section 62</b>	<p><b><i>Errors</i></b></p> <ul style="list-style-type: none"> <li>• Clarifies the RO may correct any errors apparent on the face of the voters list at any time, and record each correction.</li> </ul>
<b>AMENDED Section 63</b>	<p><b><i>Copies of the voters list</i></b></p> <ul style="list-style-type: none"> <li>• Requires the RO to provide one copy of the voters list to each candidate free of charge, if requested.</li> </ul>
<b>AMENDED Section 64</b>	<p><b><i>Use of voters list</i></b></p> <ul style="list-style-type: none"> <li>• Clarifies a council may use the voters list or revised voters list at any general election or by-election.</li> </ul>
<b>AMENDED Section 67</b>	<p><b><i>Nomination paper</i></b></p> <ul style="list-style-type: none"> <li>• Requires the nominee’s telephone number, email address or any other preferred contact information be included on the nominee’s acceptance of nomination statement.</li> </ul>



<b>AMENDED Section 68</b>	<p><b><i>Deposit required</i></b></p> <ul style="list-style-type: none"> <li>Provides that municipalities with a population of 20,000 or more may, within their general election bylaw, increase the amount of the required nomination deposit to a maximum of \$500 for any elected office.</li> </ul>
<b>AMENDED Section 73</b>	<p><b><i>Nomination day</i></b></p> <ul style="list-style-type: none"> <li>Allows municipalities to establish a nomination day that is up to seven (7) weeks before election day if their general election bylaw permits it.</li> </ul>
<b>AMENDED Section 78</b>	<p><b><i>Nominations less than vacancies</i></b></p> <ul style="list-style-type: none"> <li>Clarifies if a vacancy is not filled in a by-election, the council must continue to attempt to fill any vacancies.</li> </ul>
 <b>AMENDED Section 83</b>	<p><b><i>Advance polls</i></b></p> <ul style="list-style-type: none"> <li>Requires all municipalities to hold at least one advance poll which is kept open for at least two (2) consecutive hours.</li> </ul>
<b>AMENDED Section 96</b>	<p><b><i>Poll book</i></b></p> <ul style="list-style-type: none"> <li>Clarifies the poll book must be in the form and manner determined by the RO (no longer a prescribed form).</li> <li>Allows the RO to use information from the poll book to update the voters list.</li> </ul> 
<b>AMENDED Section 108</b>	<p><b><i>Voting if voters list</i></b></p> <ul style="list-style-type: none"> <li>Provides that if the voters list does not contain the school division the voter is eligible to vote in (if applicable), the DRO shall record the information in the poll book.</li> </ul>
<b>AMENDED Section 127</b>	<p><b><i>Voting after close of poll</i></b></p> <ul style="list-style-type: none"> <li>Clarifies the procedure for voters in line to vote at the polling place when the polling place closes.</li> </ul>
<b>AMENDED Section 137</b>	<p><b><i>Duplicate statement and ballot box delivered to the RO</i></b></p> <ul style="list-style-type: none"> <li>Requires that any printed copies of the voter registry, voters list, poll book and all forms used with respect to the election, and the packets prepared pursuant to section 136 be placed in the ballot box.</li> </ul>



<b>AMENDED Section 140</b>	<b>Notice to minister</b> <ul style="list-style-type: none"><li>• Provides that, in addition to reporting the name and address of successful candidates, the administrator is to report the following to the minister as soon as practicable after the counting of votes:<ul style="list-style-type: none"><li>○ whether the RO exercised authority to move polling hours or locations pursuant to section 47.1;</li><li>○ in the case of a northern municipality, whether the council set an alternate election date pursuant to subsection 10(3); and</li><li>○ in the case of a rural municipality, confirmation that:<ul style="list-style-type: none"><li>▪ the municipality has established a policy for the review of its division boundaries pursuant to subsection 49.1(3) of <i>The Municipalities Act</i>; or</li><li>▪ elections were conducted at large.</li></ul></li></ul></li></ul>
<b>AMENDED Section 141</b>	<b>Tie vote</b> <ul style="list-style-type: none"><li>• Clarifies the required procedures a RO must follow if there is a tie vote, subject to section 141.1.</li></ul>
<b>NEW Section 141.1</b>	<b>By-election to resolve tie vote</b> <ul style="list-style-type: none"><li>• Provides that a municipality may have a by-election to resolve any tie votes, if included in their general election bylaw.</li><li>• Requires that the by-election must:<ul style="list-style-type: none"><li>○ be held within three (3) months;</li><li>○ not require nominations; and</li><li>○ involve only the two or more candidates with a tie vote.</li></ul></li></ul>
<b>AMENDED Section 142</b>	<b>Safekeeping of election materials</b> <ul style="list-style-type: none"><li>• Clarifies the information used in conducting an election may be stored electronically if the information is used for the purpose of preparing for a future election and is stored securely.</li></ul>

### Further Information

Questions or comments about this bulletin can be directed to a municipal advisor by calling 306-787-2680 or emailing [muninfo@gov.sk.ca](mailto:muninfo@gov.sk.ca).