



# PUBLICATION AND ACCESS TO THE LIST OF ELECTORS

**V200810**





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## Understanding the List of Electors Guidelines

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The List of Electors guidelines are intended to help recipients of information from the permanent register of electors for Ontario (PREO), or the Lists of Electors that are prepared from the Permanent Register, to follow the provisions of section 17.4 of the *Election Act*, that restrict the use and distribution of this information.

For the authoritative provisions, reference should be made to the statute.

### 1.0 PRINCIPLES

The principle underlying the prohibitions and restrictions against the dissemination of information obtained from the Permanent Register, or the Lists of Electors that are prepared from the Permanent Register, is that the information is personal information. Such information is generally not disseminated without first obtaining the consent of the person about whom it concerns. Fundamental to the democratic process, however, is the identification of every elector. It is also essential to the democratic process for registered political parties to be aware of who the electors are, to be able to present to them their political platform and enable electorates to make an informed choice when voting.

Section 17.4 of the *Election Act* requires that any information obtained by anyone from the Permanent Register, or the Lists of Electors that are prepared from the Permanent Register, must be used for electoral purposes only. The section also prohibits the use of any such information for commercial purposes.

### 2.0 OVERVIEW

The limitation placed upon the dissemination of personal information respecting electors is therefore an attempt to achieve a balance between the protection of privacy and the need to facilitate the electoral process, which is fundamentally essential to the democratic process.

Any person who is to receive from Elections Ontario information from the Permanent Register, or the List of Electors that are prepared from the Permanent Register, must first complete and submit a written **Acknowledgement (F0101)** form to satisfy the requirements of section 17.4 of the *Election Act*. In turn, before disclosing the information to any other person as permitted under the *Election Act*, he or she must obtain a written **Acknowledgment (F0101)** form that the other person will be bound by the specific provisions of section 17.4. The **Acknowledgement (F0101)** form also provides that the other person must also obtain a similar written Acknowledgment before information is further disclosed to anyone else as permitted under the *Election Act*.

Section 17.4 of the *Election Act* applies regardless of how the information is obtained and whether it is in electronic form or in printed form.

Where the information is received in electronic form, the section prohibits reproduction, storage or transmitting of the information electronically. Any person who receives the information from a political party or Member of the Assembly must complete the written

**Acknowledgement (F0101)** form under section 17.4 before he or she can reproduce, store or transmit the information. The prohibition against electronic reproduction, storage or transmission does not apply to a registered political party or a Member of the Assembly receiving the information in accordance with section 17.3 of the *Election Act*.

### **3.0 PROCEDURES - Copy of, or extract from, the Permanent Register**

#### **3.1 Chief Electoral Officer**

3.1.1 Every registered political party and Member of the Assembly will be notified by the Chief Electoral Officer when updating of the Permanent Register is complete. The notification will include a form to be returned to the Chief Electoral Officer to request a copy of the Permanent Register or part of the Permanent Register. The request form will set out the restrictions on use and disclosure of the information, identify the person designated to receive the information (the recipient) on behalf of the registered political party or Member of the Assembly, and provide a form of undertaking to be signed by that person, signifying acceptance of the restrictions of the *Election Act*.

3.1.2 On receipt of the completed request form from a registered political party or a Member of the Assembly, the copy or extract from the Permanent Register will be produced by the Chief Electoral Officer on a CD that includes a statement about the general restrictions on use of the information.

3.1.3 The Chief Electoral Officer will provide the information to the person designated by the registered political party or Member of the Assembly, with a reminder of the restrictions and instructions relating to the security features of the information release.

3.1.4 Where the Chief Electoral Officer receives a written report alleging a contravention of section 17.4 of the *Election Act* and the Chief Electoral Officer is of the opinion that the allegation has merit, the Chief Electoral Officer may take such steps as he or she considers necessary to pursue appropriate legal remedies against the person alleged to have contravened the section.

#### **3.2 Recipient of information from the Permanent Register (person designated under 3.1.1)**

3.2.1 The recipient is responsible for ensuring that the registered political party or Member of the Assembly that he or she represents adheres to the requirements of section 17.4

3.2.2 Where the recipient has reason to believe that there has been a contravention of section 17.4 of the *Election Act*, the recipient must forthwith provide the Chief Electoral Officer with a full and complete written report of the alleged contravention.

3.2.3 Before allowing access to the copy of the Permanent Register or information contained in the Permanent Register, the recipient must obtain a written Acknowledgement from every person who will have access and ensure that he or she understands and is bound by the provisions of section 17.4. This applies to employees and any other authorized person. An Acknowledgement form will be included with the delivery of the information from the Chief Electoral Officer.

3.2.4 The recipient is responsible for ensuring that any person who has access to the electronic file containing information from the Permanent Register is aware that the information is not to be reproduced, stored or transmitted electronically for any purpose.

3.2.5 The recipient is responsible for ensuring that, within five days of receiving an updated copy of or extract from the Permanent Register from the Chief Electoral Officer, every printed obsolete copy of the Permanent Register in his or her possession is shredded, and within ten days of receiving the updated copy of or extract, all obsolete electronic copies of the Permanent Register in his or her possession are returned to the Chief Electoral Officer.

### **3.3 Registered political parties and independent candidates and independent Members of the Assembly**

3.3.1 Every registered political party and independent candidates are required to develop and implement a policy that ensures candidates, Members of the Assembly, staff and agents, as appropriate, comply with section 17.4 and these guidelines.

3.3.2 The policy must be disclosed to the Chief Electoral Officer at his or her request and may be published by the Chief Electoral Officer.

## **4.0 PROCEDURES AFTER A WRIT OF ELECTION HAS BEEN ISSUED - Copy of, or extract from, the Lists of Electors prepared from the Permanent Register**

### **4.1 Chief Electoral Officer**

4.1.1 When the Writ for an election or by-election is issued, the Chief Electoral Officer will prepare the Lists of Electors from the Permanent Register and provide a copy to the Returning Officer as required by section 19 of the *Election Act*.

### **4.2 Returning Officer**

4.2.1 Upon receipt of the copy of the Lists of Electors prepared from the Permanent Register and delivered according to section 19 of the *Election Act*, the Returning Officer is required to arrange for copies of the Lists of Electors to be made and distributed according to subsection 19 (3).

4.2.2 The Returning Officer must ensure that election workers, who have access to the Lists of Electors or information from the Lists of Electors, are aware of and comply with the provisions of section 17.4 of the *Election Act*. A written **Acknowledgement (F0101)** form must be completed before workers are granted access to the information.

### **4.3 The person who receives a copy of, or information from, the List of Electors**

4.3.1 The person who receives a copy of, or information from, the Lists of Electors must not use the information for any purpose other than electoral purposes, nor for any commercial purpose.

4.3.2 The person who receives the information must advise every other person who will become aware of information from the Lists of Electors of the statutory prohibitions and restrictions respecting the use of such information.

4.3.3 The person who receives the Lists of Electors or information therefrom has a responsibility to ensure that every person supervised by him or her who becomes aware of information from the Lists of Electors complies with the statutory prohibitions and restrictions respecting the use of such information.

4.3.4 Before allowing access to the copy of the Lists of Electors or information contained in the Lists of Electors, a written **Acknowledgement (F0101)** form must be obtained from every person who will have access. Each person must understand that he or she is bound by the provisions of section 17.4. This applies to employees and any other person. An **Acknowledgement (F0101)** form will be included with the delivery of the information from the Returning Officer.

4.3.5 Where a person who has received information has reason to believe that there has been a contravention of section 17.4 of the *Election Act*, he or she must provide the Chief Electoral Officer with a full and complete written report of the alleged contravention as soon as possible after he or she becomes aware of the possible contravention.

## Completing an Acknowledgment (F0101) Form

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All returning office staff who have access to the **List of Electors (F0313)** must complete an **Acknowledgement (F0101)** form to ensure privacy and confidentiality of electors. All original **Acknowledgement (F0101)** forms must be retained by the Returning Officer and a copy given to the person signing the document.

All persons who have access to the **List of Electors (F0313)** in the candidates' office or municipal offices must also complete an **Acknowledgement (F0101)** form. All original **Acknowledgement (F0101)** forms must be retained by the candidate and/or municipal clerk and must be returned to the Returning Officer five (5) days after polling day.

**Note:** The CEO reserves the right at any time to access and/or copy all of the used **Acknowledgement (F0101)** forms retained by any person or party who was granted access to the **List of Electors (F0313)**.

Every Returning Officer, candidate and municipal clerk must advise every member of his/her staff who is permitted access to the **List of Electors (F0313)** to use the list for electoral purposes only (s. 17.4).

**Note:** Candidates are subject to the policy their party has put into place regarding the use and access of the **List of Electors (F0313)**.

## Elector Inquiries

Every person requesting access to their personal information contained in the **List of Electors (F0313)** is deemed to be assisting the Chief Electoral Officer in his responsibilities to ensure that the list is as accurate as possible.

When asked by an elector, in person or over the telephone:

- **Telephone inquiry:** An elector inquiring over the telephone whether his or her name appears on the list must first provide his or her name, civic and/or postal address before the candidate/returning office staff/municipal clerk may verify if the elector's name is on the list or not.
- **In person inquiry:** An individual inquiring in person must first sign an **Acknowledgement (F0101)** form and provide identification with their name, address and signature on it. Identification can be one piece of credentials or multiple documents. An elector may only view the portion of the **List of Electors (F0313)** containing his or her name. An individual who cannot provide identification and does not complete an **Acknowledgement (F0101)** form cannot view the list.

**Note:** Every person who contravenes any provision of Section 17.4 of the *Election Act* is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 (s. 97).

## Distributing the List of Electors To Candidates And Municipal Clerks

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After the writ has been issued, the Returning Officer must provide various products to each candidate and municipal clerk within their electoral district. The Returning Officer distributes the following products as indicated on the **Returning Office Calendar (F0114)**.

The Returning Officer must ask the candidate or their representative to sign one copy of the **Acknowledgement (F0101)** form prior to providing the products lists below. The Returning Officer files the signed copy and gives a copy to the candidate or their representative.

### Candidates or Their Representative Receive

- Two sets of hardcopy and one electronic version of the preliminary **List of Electors (F0313)**
- One set of hardcopy and one electronic version of the **Advance Poll List of Electors (F0313)**
- One set of hardcopy and one electronic version of the **List of Electors (F0313)** for polling day
- One copy of the **Publication and Access to the List of Electors** document
- One copy of the **Statement of Returns** form
- One blank **Acknowledgement (F0101)** form. Use this form as a master to make enough copies as required. Each candidate having access to the **List of Electors (F0313)** must sign an **Acknowledgement (F0101)** form.

**Note:** Candidates must file their C-1 form with Elections Finance at Elections Ontario by Day 1 or **Nomination Paper (F0400)** with the Returning Officer from Day 21 to Day 14 before receiving any of the **List of Electors (F0313)** described above.

## Municipal Clerks Receive

- One set of hardcopy or electronic version of the preliminary **List of Electors (F0313)**
- One copy of the **Publication and Access to the List of Electors** document
- One **Statement of Returns** form
- One blank **Acknowledgement (F0101)** form. Use this form as a master to make enough copies as required. Each municipal clerk having access to the **List of Electors (F0313)** must sign an **Acknowledgement (F0101)** form.

**Note:** For security reasons, the data on the **List of Electors (F0313)** CD is password protected. The password must never be provided at the time of distribution/receipt of the CD. The candidate and/or municipal clerk must call the Returning Officer to obtain the password.

The Returning Officer is required to keep track of the hardcopy and electronic versions of the **List of Electors (F0313)** they distribute. Using the **Candidate - Distribution and Return of List of Electors and CDs** form, the Returning Officer completes the top portion with the electoral district name/number and his/her name for each as indicated below.

## Candidate - Distribution and Return of List of Electors and CDs

1. Enters the CD # in the PLE CD# column or the Advance Poll LOE CD # column as they are distributed.

**Note:** PLE stands for preliminary List of Electors and LOE stands for List of Electors. The days these items are distributed are indicated on the **Returning Office Calendar (F0114)**.

2. Enters the quantity distributed for the PLE hardcopy, Advance Poll LOE hardcopy and/or LOE for Polling Day hardcopy in the appropriate columns.
3. Enters the date the List of Electors product(s) was distributed.
4. Enters the Official Registered Party Name.

**Note:** Where a candidate is not representing a registered party, the candidate will enter 'Independent' in this space.

5. Enters the candidate or representative's name.
6. The candidate/representative signs for each product distributed in the Candidate Signature box.

**Municipal Clerk - Distribution and Return of List of Electors and CDs**

1. Enters the CD # in the PLE CD# column as they are distributed.
2. Enters the quantity distributed for the PLE hardcopy in the PLE Hardcopy column.
3. Enters the date the List of Elector product(s) was distributed.
4. Enters the municipality address.
5. Enters the municipal clerk/designate's name.
6. The municipal clerk or designate signs for each product distributed in the Municipal Clerk Signature box.

**Note:** The **Distribution and Return of list of Electors and CDs** forms may be copied as required.

## Disposing the List of Electors (F0313)

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All hardcopy and/or electronic versions of the **List of Electors (F0313)** given to candidates and municipal clerks are to be returned to the Returning Officer five (5) days after polling day.

The Returning Officer must receive the following items from candidates and municipal clerks who received PREO products:

- A completed and signed **Statement of Returns** form
- All signed **Acknowledgement (F0101)** forms
- All electronic versions of the list that were provided to them
- All hard copy versions of the list that were provided to them

**Note:** Every person who contravenes any provision of the *Election Act* (s. 17 (4)) is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00. (*Election Act*, s. 97)

## Completing the Statement of Returns Form

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Five (5) days after polling day, candidates and municipal clerks must complete a **Statement of Returns** form to indicate the **List of Electors (F0313)** in their possession have been returned to the Returning Officer.

As candidates and municipal clerks return the completed and signed **Statement of Returns** form to the Returning Officer, he or she completes **Section 2** of the **Distribution and Return of List of Electors and CDs** form.

### To complete the form, the candidate or municipal clerk

1. Enters the electoral district name, number and Returning Officer name at the top of the form.
2. Indicates the number of signed original **Acknowledgement (F0101)** forms that are being returned in the **Acknowledgement (F0101)** forms section of the form.
3. Indicates the number of preliminary List of Electors (Candidates and Municipal Clerks) that have been received and returned in the preliminary List of Electors (Candidates and Municipal Clerks) section of the form.
4. Indicates the number of Advance Poll List of Electors (candidates only) that have been received and returned in the Advance Poll List of Electors (candidates only) section of the form.
5. Indicates the number of List of Electors for Polling Day (candidates only) that have been received and returned in the List of Electors for Polling Day (candidates only) section of the form.
6. Prints their name, registered official party name or municipality name, signs and dates the form.

**Note:** Elections Ontario will follow up with the candidates and municipal clerks who have not returned their materials.

## Extracting Elector Data from The Preliminary List Of Electors Extract CD

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The following information is for candidates and municipal clerks, and describes how to extract the elector data from the **Preliminary List of Electors Extract CD**.

**Note:** This information is also included in the **Preliminary List of Electors Extract CD** in the README.doc file. Refer to the Policy-Data-Release-Candidate document in regards to access to this data.

### System Requirements

In order to extract this file, you must have the following:

- A PC running Windows (95 or later) with at least 20 MB of free space on a hard drive
- The CD
- The password.

**Note:** Contact your local Returning Officer to obtain the password.

### Contents of the Preliminary List of Electors Extract CD

The CD contains a number of files:

- CANDIDATE README.DOC
- POLICY.DOC
- PREOVIEW.DOC: PreoView User Manual
- PREO05NNN.EXE password protected "Preliminary List of Electors" file, where "NNN" is your electoral district number
- PreoView Files: Files required to install PreoView on a Windows (95 or later) machine.

### To extract the data

1. Before proceeding PreoView must be installed (see PreoView manual).
2. Insert the **Preliminary List of Electors Extract** CD into the CD drive.
3. From the Start menu in Windows (95 or later) select the “RUN” option.
4. Where “D” is the drive letter for your CD drive enter “D:” and click the **OK** button (on some systems this letter may vary; please consult with your system administrator).
5. Double click Pre05NNN.EXE, Where NNN is your electoral district. A Data Safe window will open.
6. Press **UNLOCK**. A Password window will appear.
7. Enter the password you were provided by your Returning Officer, and click **OK**.
8. Extract the file into C:\Program Files\PREO View.
9. Press the **OK** button to extract the file to the selected directory.
10. When the extraction is complete, press the **OK** button and close all windows.

### Results

One file will now exist in the directory you created:

- PREO05NNN.MDB: This is a Microsoft Access file that can be viewed directly using MS ACCESS 2000. The file layout is described in the File Layout section below. Microsoft Access software is not provided by Elections Ontario.

### Problems

In case of difficulties contact Elections Ontario- Attention PREO at 1-800-677-8683.

## File Layout

SUGGESTED FIELD NAME	FIELD TYPE	SIZE	FIELD DESCRIPTION
ED_CODE	CHARACTER	5	Elector district number, format NNN
POLLNUM	CHARACTER	5	Poll number, format NNNN
TYPE	CHARACTER	1	Not used by PreoView
SEQ_NUM	CHARACTER	4	Not used by PreoView
REV_CODE	CHARACTER	1	Not used by PreoView
REV_FLAG	NUMERIC	1	Not used by PreoView
FAMILY_NME	CHARACTER	27	Family name
GIVEN_NME	CHARACTER	17	Given name
MIDDLE_NME	CHARACTER	11	Middle name
BLDGNUM	CHARACTER	6	Building number
UNITNUM	CHARACTER	6	Unit/apartment number
STREET_NME	CHARACTER	23	Street name
STREET_TYP	CHARACTER	9	Street type
STREET_DIR	CHARACTER	6	Street direction
TOWN	CHARACTER	28	City/Town/municipality name
POSTCODE	CHARACTER	7	Postal code of the civic address
MAIL_FLAG	NUMERIC	1	Indicates whether MAIL_ADDR1, MAIL_ADDR2 and MAIL_POST contain a mailing address or a civic address: 1 = mailing address, 0 = civic address
MAIL_ADDR1	CHARACTER	56	Mailing address line 1
MAIL_ADDR2	CHARACTER	33	Mailing address line 2
MAIL_POST	CHARACTER	7	Postal code of the mailing address

## PreoView

For users of Windows (95 or later) systems, Elections Ontario provides, without support, the application PreoView which allows an operator to examine the register. For more details see the file PreoView.Doc on the CD.

## Viewing PREO Data

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PREOView is a simple program used to search and view elector information which is contained on the **List of Electors (F0313)** green CD. This program uses "Search by Example" technology, which simply means it will search for all occurrences of the information you provide.

**Note:** Elections Ontario does not provide any technical or end-user support for users of this program.

### To install PREOView

1. Insert the CD provided by Elections Ontario into the CD drive.
2. From the Windows (95 or later) desktop, press the **Start** button.
3. Select the **Run** menu option.
4. From the CD drive, select the program "PreoViewInstall.msi" and press **Enter**.

The program installs onto the hard disk. A PREOView icon appears on the desktop.

### To start PREOView

1. Click the **PREOView** icon on your computer's Desktop.

PREO View opens and the **PREO View - File Selection Form** is displayed.

### PreoView – FILE SELECTION FORM <sup>1</sup>

The **PreoView - File Selection Form** provides the ability to select which electoral district to view. The form has two columns to the left and two buttons to the right (Figure 1).



**Figure 1:** PreoView File Selection Form default view.

The first column, called **Path Selection**, presents a list of folder names. The second column, called **District Selection**, presents a list of database file names. The first button is labelled **Proceed** and the second **Exit**.

By default, **Path Selection** shows the drive letter folder for the drive on which PREO View is installed. Below this is the folder name, "PREO View", which is the working folder for the program. This column allows the user to navigate to a different program folder.

By default, **District Selection** shows the list of electoral district information database files found in the folder as specified in **Path Selection** that are available to be searched. This column allows you to select the desired electoral district database to inspect. The database files come in the following name format, "PRE05NNN.mdb". The NNN is the electoral district number that designates the electoral district information in the database (for single electoral releases only). (Figure 2).



**Figure 2:** PreoView File Selection Form with electoral district selected.

### To open the search window

1. Using the mouse or the keypad navigation arrows, highlight the desired electoral district's database filename and press the **Proceed** button.

PREO View presents the **PreoView – Search Form**.

**Note:** If you do not select a district database file, the program will prompt you to select a file before it can proceed.

2. You can cancel PREOView at this point by pressing the **Exit** button, which will close the application and return you to Windows.

### PreoView – Search Form

This form provides you with the ability to specify the elector information to be located (Figure 3). It proceeds with a search of the selected district for all electors that match the elector information provided. The form has three sections: search criteria, controls and search results.

PreoView - Search Form

Personal Information

Family Name

Given Name

Middle Name

Elector Number

Search

Reset Fields

Exit

Poll Number

Civic Address

Unit Number  Building Number  Street Name  Street Type  Street Direction  Town  Postal Code

Mailing Address

Address Line 1  Address Line 2  Postal Code

Click the appropriate field's label if you want to visually represent a "Null" value in your search statement.

Search Results					
ED Code	Poll #	Elector Number	Family Name	Given Name	Middle Name

**Figure 3:** PREOView Search Form default view.

### To specify search criteria

The top half of the **PREOView - Search Form** is the area where you specify the elector information to search. You can specify the following kinds of search criteria:

- Poll Number
- Family Name
- Given Name
- Middle Name
- Elector Number
- Unit Number
- Building Number
- Street Name
- Street Type
- Street Direction

- Town
- Postal Code
- Mailing Address Line 1
- Mailing Address Line 2
- Mailing Address Postal Code

Searches are performed on an all-inclusive basis. In other words, only those electors that match **all** of the criteria **as specified** will be returned as search results. PREOView returns electors that match the search criteria **exactly** so care should be taken when entering the criteria information. Also, each criterion entered has compounded significance. If you enter information for **Family Name** “SMITH” and **Poll Number** “010”, then only the electors whose last names are “SMITH” **AND** have been assigned to poll “010” will be returned.

“NULL” means empty. To search for empty values, click on the label for the item to be searched. This will change the field’s label colour, indicating that PREOView should include all electors with no data in that item (Figure 4).

**Figure 4: PREOView Search Form with Middle Name field label selected to indicate Null values.**

There is one exception that should be noted. Poll Numbers are formatted as “NNNNN” but are displayed with a hyphen separating the last digit. Scroll through the pull down list to find the desired poll number to search.

**Note:** Typing the poll number will not work.

Special Polls will be missing from the pull down list of poll numbers. The electors in Special Polls can be found in the same poll number that isn’t labelled Special (e.g., the electors in Poll 158-3s, can be found in poll 158-3).

## To use the controls

The top, right-hand side of the **Search Form** is where you indicate to PREO View what to do next. This includes the three buttons **Search**, **Reset Fields** and **Exit**.

1. Once you have specified the search criteria, press the **Search** button.  
PREOView searches the data for all electors that match the criteria. The results display in the lower half section of the form.
2. Click the **Reset Fields** button to clear all search items of the currently specified search criteria.
3. Click the **Exit** button to return to the **PreoView – File Selection Form**.

## To view search results

The bottom half of the **PreoView - Search Form** displays search results. The information displayed includes all of the above search elements plus mailing address information.

The rows and columns of this list are re-sizeable. You can resize them by hovering the mouse over the border lines of the row or column until the resize mouse pointer is displayed. Hold down the activate mouse button and drag the border until the desired size of the row or column is achieved.

**Note:** The results of a search can only be viewed. They cannot be saved.

## Example

1. To view all electors with the last name of “SMITH”, select the **Family Name** box on the screen by clicking on it.

**Note:** You can also navigate the fields by pressing the Tab key until the blinking cursor lands on that field.

2. Enter “SMITH” in the **Last Name** field.
3. Press the **Search** button.

PREOView searches the database and displays the list of all electors with the last name of “SMITH”.

<sup>1</sup> Please note that users of CDs labelled “Register of Electors – Extract for ED NNN” and “Preliminary List of Electors” can only select one district file.