



**Elections  
Ontario**

# Candidate Name Appearance Policy

Office of the Chief Electoral Officer  
Elections Ontario

May 2018

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## Document History

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| Revision Number | Revision Date     | Effective Date    | Description of Changes  | Approved By       |
|-----------------|-------------------|-------------------|---|-------------------|
| 2.0             | May 2017          | July 1, 2017      | Revision to incorporate Bill 45 and Bill 173 changes. These include single name and ordinarily used surname | Greg Essensa, CEO |
| 1.0             | September 1, 2011 | September 1, 2011 | Original  | Greg Essensa, CEO |

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## Section 1: Introduction

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The *Election Act* allows candidates to request in their Candidate Nomination Paper (F0400) how they wish their name to appear on the ballot. Candidates may request to use nicknames, or abbreviated or familiar forms of their legal name instead of their legal given name(s), surname, or both. Candidates may also request to use their legal single name. The intent of these provisions in the *Election Act* is to allow candidates to be presented on the ballot and to the elector in the way in which they have chosen to familiarize themselves to the electorate.

With respect to candidate name appearance, to maintain a ballot production standard which treats all candidates' equally in terms of ballot appearance:

- 1) The *Election Act* requires that a candidate submit their full legal name in order to complete the Candidate Nomination Paper (F0400). This policy will ensure that the candidate name as it appears on the ballot is identifiable by the electorate as the legal individual that has applied for nomination.
- 2) The *Election Act* permits candidates to appear on the ballot under the name that they wish to present themselves to electors. This includes using nicknames, abbreviated names, and ordinarily used given names and surnames that are different from the candidate's legal name. This policy outlines the parameters for the appearance of candidate names on the ballot for the purpose of ensuring consistent ballot appearance outcomes across electoral districts and from election to election, while continuing to ensure flexibility in how candidates can present their name to electors on the ballot.
- 3) The *Change of Name Act* also permits individuals to possess a legal single name if this is in accordance with their traditional culture. Elections Ontario's *Candidate Name Appearance Policy* includes information for candidates with legal single names.

## Section 2: Principles

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The Elections Ontario *Candidate Name Appearance Policy* is guided by the following principles:

- 1) **Consistency and Fairness:** Ensures that the integrity of the electoral process is protected by enforcing a common set of standards and guidelines about how candidates' names appear on the ballot, as well as on all other election-related materials, such as website content.
- 2) **Clarity:** Ensures that electors are clear on the identity of various candidates on the ballot by mitigating the possibility of ambiguity that could arise from identical or similar candidate names.
- 3) **Flexibility:** Recognizes that candidates require some flexibility in how they present their own name on the ballot, as well as on all other election-related materials, such as website content.

## **Section 3: Scope**

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This policy is to provide Elections Ontario staff, Returning Officers, staff, and candidates with a clear understanding of the rules that determine how a candidate's name will appear on the ballot.

- 1) The Candidate Name Appearance Policy is designed to provide Elections Ontario staff, including Returning Officers, with a clear understanding of their responsibilities for processing the Candidate Nomination Paper (F0400).
- 2) The policy also clarifies the candidate name appearance directions for a Candidate's Guide that will instruct candidates, and their associates, on accurate completion of the Candidate Nomination Paper (F0400).

## Section 4: Definitions

The following definitions are referred to throughout this policy:

| Term               | Definition  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
|--------------------|---|--------------------|--|---------------|----------------------------------|---------|--------------------------|---------|------------------------------------|-----------|-------------------------|
| <b>Candidate</b>   | A Candidate is a person elected to serve in the Assembly and a person who is nominated as a candidate at an election or is declared by him or herself or by others to be a candidate on or after the date of the issue of the writ or after the dissolution or vacancy in consequence of which the writ has been issued   |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Elector</b>     | An Elector is a person who is a Canadian citizen at least eighteen years old, and who resides in the electoral district in which the election or by-election is being held and is not disqualified by the <i>Election Act</i> or otherwise prohibited by law from voting; also known as a voter.  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Given Name</b>  | A Given Name is the first name that precedes the surname; also known as a first name.   |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Legal Name</b>  | A Legal Name is the entire name that an individual is identified with on official identification such as birth certificate, citizenship, or government-issued change of name certificate.   |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Middle Name</b> | A Middle Name is the name(s) that follows the given name and precedes the surname.  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Nickname</b>    | <p>Nicknames can:</p> <ul style="list-style-type: none"> <li>a) Include shortened, abbreviated, or familiar forms of given name(s), and may also include initials that represent given name(s)</li> <li>b) Include shortened, abbreviated, or familiar forms of surname(s)</li> <li>c) Be used in place of a legal given name</li> <li>d) Take the form of additional names, or names that are used instead of legal given name(s)</li> <li>e) Not include adjectives, descriptive words, or phrases</li> </ul> <table border="1" data-bbox="435 1464 1356 1676"> <thead> <tr> <th data-bbox="435 1464 683 1527">Legal Given/Middle</th> <th data-bbox="683 1464 1356 1527"><i>Nickname(s), Abbreviations, or Familiar Forms</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="435 1527 683 1570">Andrew Joseph</td> <td data-bbox="683 1527 1356 1570">Joe, Jose, Andy, Andy-Joe, A. J.</td> </tr> <tr> <td data-bbox="435 1570 683 1613">William</td> <td data-bbox="683 1570 1356 1613">Bill, Will, Billy, Willy</td> </tr> <tr> <td data-bbox="435 1613 683 1655">Suzanne</td> <td data-bbox="683 1613 1356 1655">Sue, Suze, Suzie, Anne, Annie, Ann</td> </tr> <tr> <td data-bbox="435 1655 683 1676">Kimberley</td> <td data-bbox="683 1655 1356 1676">Kim, Kimber, Kimber-lee</td> </tr> </tbody> </table> | Legal Given/Middle | <i>Nickname(s), Abbreviations, or Familiar Forms</i> | Andrew Joseph | Joe, Jose, Andy, Andy-Joe, A. J. | William | Bill, Will, Billy, Willy | Suzanne | Sue, Suze, Suzie, Anne, Annie, Ann | Kimberley | Kim, Kimber, Kimber-lee |
| Legal Given/Middle | <i>Nickname(s), Abbreviations, or Familiar Forms</i>  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| Andrew Joseph      | Joe, Jose, Andy, Andy-Joe, A. J.  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| William            | Bill, Will, Billy, Willy  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| Suzanne            | Sue, Suze, Suzie, Anne, Annie, Ann  |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| Kimberley          | Kim, Kimber, Kimber-lee   |                    |  |               |                                  |         |                          |         |                                    |           |                         |
| <b>Nomination</b>  | Nomination is the process through which an individual obtains certification as a candidate at an election, and takes place during the nomination period of an election, following the issuing of the Writ.  |                    |  |               |                                  |         |                          |         |                                    |           |                         |

| Term                       | Definition   |
|----------------------------|--|
| <b>Single Name</b>         | A Single Name is the name an individual may <u>legally adopt</u> if this is part of their traditional culture. Applications to change a name to a Single Name are reviewed and approved by the Registrar General, and must be accompanied by the prescribed evidence listed in the application form.   |
| <b>Standing Nomination</b> | A Standing Nomination is the process through which an individual obtains certification as a candidate at an election, but differs from a standard Nomination in that Nomination papers may be filed with the Chief Electoral Officer at any time up until the beginning of the nomination period, rather than being filed with a Returning Officer following the beginning of the nomination period. |
| <b>Surname</b>             | A Surname is the name shared in common by members of a family; also known as a last name.  |



## Section 5: Mandatory Requirements

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Elections Ontario is committed to abide by the following customer service standards as they relate to how a candidate's name appears on the ballot. Additionally, Appendix A outlines roles and responsibilities of Elections Ontario staff as they relate to ensuring Candidate Nomination Papers (F0400) are correctly filled out and filed.

### 5.1 General Guidelines for Candidate Name Appearance

- 5.1.1 The candidate must provide their full legal name including any given name(s), middle name(s) and surname in the Candidate Nomination Paper (F0400).
- 5.1.2 The candidate must abide by the following legislated rules when stating in writing to the Returning Officer or Chief Electoral Officer how their given name(s), surname or both are to be shown on the ballot.
  - i. The surname shall appear in its entirety as entered in the Candidate Name as it will appear on the Ballot field of the Candidate Nomination Paper (F0400). On the ballot the surname shall appear following the given name(s) in uppercase.
  - ii. On the ballot, the candidates' names shall be numbered consecutively in alphabetical order of the surnames, with the number preceding the name in each case. Where the surnames are identical the given name(s) will dictate the order of appearance alphabetically.
  - iii. Dialectical marks, accents, other punctuations, or lowercase letters shall appear where they are part of the candidate's legal name(s).
  - iv. Surnames with prepositions or prefixes (such as Mc, Mac, de, d', da, etc.) will appear with spacing and punctuation as entered in the Candidate Name as it will appear on the Ballot field of the Candidate Nomination Paper (F0400). The default position for such lowercase letters will be uppercase (e.g. surname with "de" preposition will appear as "DE", e.g. surname with "Mc" preposition will appear as "MC").
  - v. Other alternative fonts or font sizing, including superscript and subscript, will not appear on the ballot.
  - vi. Hyphenated surnames will appear on the ballot in their entirety as entered in the Candidate Name as it will appear on the Ballot field of the Candidate Nomination Paper (F0400).
  - vii. Single names (as outlined in the *Change of Name Act*) will be considered surnames for the purpose of completing Candidate Nomination Papers (F0400) and for ballot creation.
  - viii. Lengthy names may be reduced in font and/or kerning between letters may be reduced, and/or use of abbreviated given name(s) or surnames may be requested, to

accommodate the placement of the lengthy name in accordance with the ballot standards.

- ix. No occupation, title, honour, decoration, degree, brackets, or quotation marks are permitted with a candidate's name on the ballot.

**5.2 Ordinarily Used Given Names and Surnames**

- 5.2.1 At the candidate's request, any nickname, or an abbreviation, or familiar form of a given name or surname may be used instead of their legal given name(s) or surname.
- 5.2.2 In the case of ordinarily used surnames, if a candidate files their Candidate Nomination Paper (F0400) with Elections Ontario headquarters, they will be asked to submit evidence to support their claim of an ordinarily used surname to the Chief Electoral Officer.
- 5.2.3 In the case of ordinarily used surnames, if a candidate files their Candidate Nomination Paper (F0400) at a returning office, they will be asked to submit evidence to support their claim of an ordinarily used surname to the Returning Officer.
- 5.2.4 If a candidate does not possess any evidence of an ordinarily used surname, they may have three or more electors from their electoral district sign a declaration to confirm that they know the candidate by the ordinarily used surname.
- 5.2.5 Below is a list of examples of evidence that will be accepted as proof of an ordinarily used surname. This list is not exhaustive, and is meant as a guide to demonstrate the wide variety of evidence that will be accepted by Elections Ontario.

**Documents to Support an Ordinarily Used Surname**

| <b>Examples of Categories of Evidence to Support an Ordinarily Used Surname</b> |  |
|---|--|
| Newspaper/Magazine articles   | Campaign signage/flyers/promotional material |
| Education certificates/diplomas   | Membership cards/passes                      |
| Union card/professional licence   | Radio or TV interviews                       |
| Debit/Credit cards  | Professional ID badges/Employee cards        |
| Professional or political social media accounts                                 | Professional or political websites           |
| Professional business cards   | Personal/professional correspondence         |
| Personal cheques  | Invoices/bills/financial statements          |

**5.3 Similar or Identical Candidate Names**

- 5.3.1 Where a candidate's given names and surname are so nearly identical as to create the possibility of confusion with the names requested to be shown on the ballot by another candidate whose Candidate Nomination Paper (F0400) has already been submitted or certified:

- i. Elections Ontario headquarters staff or the Returning Officer shall immediately communicate the facts to the candidates and to the Chief Electoral Officer.
- ii. The Chief Electoral Officer shall consult with the candidates in question and resolve how each name is to be shown on the ballot.
- iii. The Chief Electoral Officer shall advise the Returning Officer how the names are to appear on the ballot by 2 p.m. the day following the close of nominations.

## Section 6: Roles & Responsibilities

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The following are the major roles and responsibilities under the *Candidate Name Appearance Policy*.

### Chief Electoral Officer (CEO)

1. The CEO must consult with, advise, and supervise the Elections Ontario headquarters staff, Returning Officers, deputy Returning Officers, and election clerks in the performance of their duties. With respect to the *Candidate Name Appearance Policy* the CEO is responsible for :
  - a) Advise Elections Ontario headquarters staff and Returning Officers on the use and acceptable forms of nicknames, initials, abbreviations, or familiar forms of given name(s) or surname(s) by candidates required to certify the Candidate Nomination Paper (F0400).
  - b) Determine the appearance of each candidate name in the case of two or more candidates with requesting substantially similar names to appear on the ballot.
  - c) Communicate any name appearance determination to the Returning Officer by 2 p.m. on the day following the close of nominations.
  - d) Prescribe the forms for use under the *Election Act*, and provide guidelines and instructions for the accurate completion of those forms.

### Chief Operating Officer (COO)

2. The Chief Operating Officer may act in place of the CEO if required. If acting for the CEO, the COO is accountable for the same responsibilities as described in sections 6.1 and 6.2.

### Director, Election Readiness

3. Advise Returning Officers on the review of applications for the use of an ordinarily used surname for nominations filed at returning offices. This includes advising Returning Officers on the acceptable forms of evidence that can be submitted to support the claim of an ordinarily used surname.

### Divisional Directors

4. Directors are responsible for overseeing the operations of their business area including ensuring that with respect to the *Candidate Name Appearance Policy*, their division:
  - a) Follows the policy, and *Candidate Name Appearance Guidelines* pertaining to nicknames, name abbreviations, and familiar form of names and any additional directives.
  - b) Delivers quality nomination services to candidates.
  - c) Delivers clarity to electors in terms of candidate identity.

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- d) Ensures that the *Candidate Name Appearance Policy* is integrated into applicable existing and new program development and modernization/restructuring.
- e) Ensures that *Candidate Name Appearance Guidelines* identify and integrate:
  - f) The nomination application processes, documentation, and records.
  - g) Standards for Elections Ontario headquarters staff and Returning Officers to assess the accuracy and completeness of the Candidate Nomination Paper (F0400) for the purposes of certifying candidates.
  - h) Guidance for candidates to ensure accurate completion of the Candidate Nomination Paper (F0400) application form.
  - i) Record-keeping standards to ensure that the candidate name as it appears on the ballot is traceable against the records and documentations associated with the legal and financial filings for the candidate.
  - j) Ensure that any information technology systems or records management ties the legal name of the candidate to the candidate name as it appears on the ballot.

### **Manager, Election Infrastructure**

- 5. Reviews applications for the use of an ordinarily used surname for standing nominations. This includes reviewing the evidence submitted to support the claim of an ordinarily used surname.

### **Divisional Managers**

- 6. With respect to the *Candidate Name Appearance Policy*, the Divisional Managers are responsible for ensuring that:
  - a) Their unit follows all directives and policies.
  - b) Staff administering the nomination process(es) are trained and knowledgeable in their applicable responsibilities and duties under the Candidate Name Appearance Policy.
  - c) Integrates the Candidate Name Appearance Policy into their planning and implementation activities, where applicable.

### **Staff**

- 7. With respect to the *Candidate Name Appearance Policy* all employees at Elections Ontario headquarters or returning offices must:
  - a) Follow directives and understand their responsibilities pertaining to the Candidate Name Appearance Policy.
  - b) Execute their duties in respect of the policy's purposes and principles, and any guidelines or definitions that apply to the execution of their duties.

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## Section 7: Additional References

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The following table identifies those Elections Ontario policies and procedures that expand upon Elections Ontario's *Candidate Name Appearance Policy*.

| Document Name                         | Author(s)         |
|---------------------------------------|-------------------|
| 1. Candidate Guide                    | Elections Ontario |
| 2. Candidate Nomination Paper (F0400) | Elections Ontario |

## Appendix A: Administrative Responsibilities

**Note regarding “Responsibilities” column:** If a nomination is filed at a returning office, it is the responsibility of the Returning Officer to communicate with the candidate.

In the case of standing nominations (filed at Elections Ontario Headquarters (EOHQ)), it is the responsibility of EOHQ Staff to communicate with the candidate prior to Writ Day. During the Writ Period, it is the responsibility of the Returning Officer to communicate with the candidate.

| Responsibilities   | Restrictions  | Role   |
|--|---|--|
| <p><b>Two or more candidates with substantially similar names in an electoral district:</b></p> <ul style="list-style-type: none"> <li>i. Consult with the candidates in question to resolve the issue</li> <li>ii. Determine each candidate's name appearance on the ballot</li> <li>iii. Notify the Returning Officer or EOHQ staff of the determination by 2:00 pm the day following the close of nominations</li> <li>iv. Receipt and communication of the CEO's determination of name appearance to the candidates</li> </ul> |   | <p>CEO/COO</p> <p>Returning Officer if nomination is filed at a returning office.<br/>EOHQ staff if it is a standing nomination prior to Writ Day,<br/>Returning Officer after Writ Day.</p> |
| <p><b>Review of applications for the use of ordinarily used surnames:</b></p> <ul style="list-style-type: none"> <li>i. Review applications for the use of an ordinarily used surname for nominations submitted. This includes reviewing the evidence submitted to support the claim of an ordinarily used surname.</li> </ul>   |   | <p>Returning Officer if nomination is filed at a returning office.<br/>EOHQ staff if it is a standing nomination prior to Writ Day,<br/>Returning Officer after Writ Day.</p>                |
| <p><b>Certify Candidate Nomination Papers (F0400):</b></p> <ul style="list-style-type: none"> <li>i. Review Candidate Nomination Paper (F0400) and verify accuracy and completeness of all parts, ensuring all necessary witnesses, and signatures are in order</li> <li>ii. Certify candidate nomination</li> <li>iii. Issue receipt for Candidate Nomination Paper (F0400)</li> <li>iv. File certified nomination application with CEO</li> </ul>  | <p>Certification of Candidate Nomination Papers (F0400) only up to 11 am of the day fixed for the close of nominations.</p> <p>In accordance with the requirements of the <i>Candidate Name Appearance Policy</i></p> | <p>Returning Officer if nomination is filed at a returning office.<br/>EOHQ staff if it is a standing nomination prior to Writ Day,<br/>Returning Officer after Writ Day.</p>                |

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| Responsibilities  | Restrictions  | Role   |
|---|---|--|
| <p><b>Accept Candidate Nomination Paper (F0400):</b></p> <ul style="list-style-type: none"> <li>i. Review Candidate Nomination Paper (F0400) and verify accuracy and completeness of all parts, ensuring all necessary witnesses and signatures are in order</li> <li>ii. Insert time of application in the Candidate Nomination Paper (F0400)</li> <li>iii. Issue receipt for Candidate Nomination Paper (F0400)</li> <li>iv. File accepted Candidate Nomination Paper (F0400) with CEO</li> </ul>   | <p>Certification of Candidate Nomination Papers (F0400) only up to 11 am of the day fixed for the close of nominations.</p> <p>In accordance with the requirements of the <i>Candidate Name Appearance Policy</i></p> | <p>Returning Officer if nomination is filed at a returning office. EOHQ staff if it is a standing nomination prior to Writ Day, Returning Officer after Writ Day.</p>  |
| <p><b>Correction of Candidate Nomination Paper (F0400) errors, omission, or illegal entries</b></p>   |   | <p>Director, Election Readiness</p>  |
| <p><b>Rejection of Candidate Nomination Paper (F0400):</b></p> <ul style="list-style-type: none"> <li>i. Upon review of Candidate Nomination Paper (F0400), the Returning Officer deems that the nomination is invalid.</li> <li>ii. Accept the Candidate Nomination Paper (F0400).</li> <li>iii. Communicate facts to the CEO</li> <li>iv. Authorize rejection or accept nomination by 2 pm the day following the communication of facts from the Returning Officer</li> <li>v. Notify all candidates of rejection immediately by registered mail</li> </ul> |   | <p>Returning Officer if nomination is filed at a returning office. EOHQ staff if it is a standing nomination prior to Writ Day, Returning Officer after Writ Day.</p> <p>CEO/COO</p> <p>Returning Officer if nomination is filed at a returning office. EOHQ staff if it is a standing nomination prior to Writ Day, Returning Officer after Writ Day.</p> |



## Section 8: Approval

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The following table shows the authorization, amendment and review dates for this policy.

| <b>Accessible Customer Service Policy</b>                   |   |
|---|---|
| <b>Authorization</b>  | Chief Electoral Officer<br><br>Date:  |
| <b>Effective Date</b>                                       | June 02, 2017   |
| <b>Date Last Amended</b>                                    | June 02, 2017   |
| <b>Date of Next Review</b><br><br>(Once per election cycle) | Post 2018 election cycle  |
| <b>Contact Officer</b>                                      | Tania Rickard<br>Manager, Election Infrastructure<br><a href="mailto:tania.rickard@elections.on.ca">tania.rickard@elections.on.ca</a> |