



Report to Council

Department: Office of the CAO
Division: Legal and Legislative Services
Date: March 16, 2026
Prepared by: Joe Malandruccolo, Director, Legal and Legislative Services/Clerk
Report Number: Legal and Legislative Services-2026-11
Subject: Election Proxy Procedures Policy
Number of Pages: 4 plus attachments

Recommendation(s)

That Legal and Legislative Services-2026-11 entitled "Election Proxy Procedures Policy" prepared by Joe Malandruccolo, Director, Legal and Legislative Services/Clerk dated March 16, 2026, be received and

That the Town of Essex Proxy Procedures Policy attached hereto to this Report be adopted as presented.

Purpose

This Report makes a recommendation for a Policy to be adopted as it relates to Proxy Vote Procedures in a Municipal Election or By-Election. Section 44 of the *Municipal Elections Act, 1996*, sets out the legislative requirements for the appointment of a voting proxy.

This Policy as proposed recommends additional voting proxy requirements that will apply to a Town of Essex Municipal Election or By-Election.

Background and Discussion

Proxy voting is the procedure by which a qualified elector may appoint another person who is a qualified elector in the same Municipality to vote on their behalf in a Municipal election. The **rules and qualifications surrounding “Proxy Voting “ are set out** in Section 44 of the *Municipal Elections Act, 1996*, and the prescribed or required form to legally appoint someone to be their voting proxy is *Form 3: Appointment for Voting Proxy*, which is a form mandated by the Ontario Ministry of Municipal Affairs. Any proposed changes to the Provincial requirements surrounding Proxy Voting or its mandated forms must be made at the Provincial level and cannot unilaterally be made by the Clerk of the Town of Essex. However while the Clerk cannot change the provincially mandated requirements , the Clerk does have the authority to implement additional procedures for Town of Essex elections surrounding the proxy vote process which additional procedures would still be in keeping with the Section 44 voting proxy rules and Form 3 as established and mandated by the Province .

Attached to this Report is the proposed Town of Essex Proxy Procedures Policy. The main highlights to this proposed policy are the following:

- **The Clerk’s Office will only issue the required Form 3 directly** to qualified electors who make a request (directly to the Clerk’s Office) that they wish to appoint another person to vote on their behalf;
- Only Proxy Application Forms that have been issued directly with serial number stamp by the Clerk’s Office will be accepted for certification;
- The person appointed as a Proxy will additionally be required to bring with them when they apply for certification, proof of identification of the elector who appointed them. This is now in addition to the declaration and oath that they are already required to provide; and
- Proxy Form Applications will no longer be received, processed and certified at the voting location itself. If a person wishes to be certified as a Proxy they will first need to go to Town Hall during designated hours for certification directly at the Clerk’s office.

The overall result of the new proposed Policy and its implementation should be better controls in place with respect to the Proxy Vote process, a process which remains vitally important for in person voting and ensuring access to the democratic process.

The implementation process associated with this proposed policy will also include extensive public education messaging about the process and its legal requirements.

Financial Impact

Budgetary impacts associated with any revised or new policies that are to be implemented in connection with or as a result of this report are in accordance with the 2026 Budget.

Financial Impact

There is no financial impact currently associated with this Policy. This Policy will be administered in accordance with the Town's budget set for the 2026 municipal election.

Consultations

Chief Administrative Officer

Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

Report Approval Details

Document Title:	Municipal Election Proxy Procedures Policy -2026-11.docx
Attachments:	- Town of Essex Proxy Procedures Policy - 2026.docx - Schedule A - Appointment for Voting Proxy Instructions 2026.docx - Schedule B - Form 3 Proxy Application.pdf
Final Approval Date:	Mar 9, 2026

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Kate Giurissevich, Chief Administrative Officer was completed by assistant Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk

Kate Giurissevich, Chief Administrative Officer - Mar 9, 2026 - 5:14 PM