

PART IV  
Voters and Candidates

DIVISION 1  
Voters

**Eligibility to vote**

**36(1)** A person is eligible to vote in a municipality or school division who, on election day:

- (a) is a Canadian citizen;
- (b) is at least 18 years of age;
- (c) in the case of a municipality other than a resort village or rural municipality, has resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election and:
  - (i) has resided in the municipality, or on land now in the municipality, for at least three consecutive months immediately preceding the day of the election; or
  - (ii) is the owner of assessable land in the municipality, or land now situated in the municipality, for at least three consecutive months immediately preceding the day of the election;
- (d) subject to subsection (2), in the case of a school division:
  - (i) has resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election; and
  - (ii) has resided in the school division, or land now in the school division, for at least three consecutive months immediately preceding the day of the election; and
- (e) in the case of a rural municipality:
  - (i) has resided in the rural municipality, or land now in the rural municipality, for at least three consecutive months immediately preceding the day of the election;
  - (i.1) is the registered owner of property in the rural municipality, or property now situated in the municipality
  - (ii) is the assessed person with respect to property in the rural municipality, or property now situated in the municipality, pursuant to section 207 of *The Municipalities Act*;
  - (iii) is the occupant of a trailer or mobile home in the municipality, or land now situated in the municipality, that is the object of a permit required pursuant to section 306 of *The Municipalities Act*;
  - (iv) is the spouse of a person mentioned in subclause (ii) or (iii); or
  - (v) is the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to property in the rural municipality that is not exempt from taxation; and

- (f) in the case of a resort village:
  - (i) has resided in the resort village, or on land now in the resort village, for at least three consecutive months immediately preceding the day of the election;
  - (ii) **Repealed.** 2019, c10, s.10.
  - (iii) is the assessed person with respect to property in the resort village, or property now situated in the resort village, pursuant to section 207 of *The Municipalities Act* for at least three consecutive months immediately preceding the day of the election; or
  - (iv) is the spouse of a person mentioned in subclause (i), (ii) or (iii).
- (2) To be eligible to vote in any election held in a separate school division, the person shall, in addition to the requirement set out in subclause (1)(d), be of the religious faith of the minority that established that separate school division, whether Protestant or Roman Catholic, and, on being registered as a voter in that separate school division, that person is not eligible to vote in any other school division.
- (3) A person who is registered as a voter in a public school division is not eligible to vote in any other school division.
- (4) The Lieutenant Governor in Council may make regulations respecting any other matter necessary for determining a person's eligibility to vote.

2015, c.L-30.11, s.36; 2019, c 10, s10.

**One vote per voter and exceptions**

- 37(1)** Subject to subsection (2), a voter may vote only once during an election.
- (2) A person who is eligible to vote in more than one municipality is entitled to vote at the election in each of those municipalities.

2015, c.L-30.11, s.37.

**Voting in wards**

- 38(1)** If wards are established, a voter may vote:
  - (a) in the case of a school division, only in the election with respect to the ward in which the voter resides; or
  - (b) in the case of a municipality, in the ward in which the voter:
    - (i) resides;
    - (ii) is the owner of assessable land in the case of a municipality other than a resort village in which the voter does not reside; or
    - (iii) is the owner or lessee of assessable land in the case of a resort village.
- (2) A voter who is the owner of assessable land in more than one ward in a municipality in which the voter does not reside is eligible to vote only in the ward in which the total assessment of the voter's land is highest.

- (3) A voter described in subsection (2):
- (a) may obtain a certificate from the municipal assessor indicating in which ward the voter is eligible to vote; and
  - (b) if the voter obtains a certificate pursuant to clause (a), shall present the certificate to the deputy returning officer when the voter attends the polling place to vote

2015, c.L-30.11, s.38; 2023, c32, s.15.

**Divisions where voters eligible to vote**

**39(1)** The division of a rural municipality with respect to which a person is eligible to vote is determined in accordance with this section.

(2) Notwithstanding any other provision of this Act, if a person is otherwise eligible to vote with respect to more than one division of a rural municipality pursuant to this section:

- (a) that person is eligible to vote only with respect to one division in the rural municipality; and
- (b) the division with respect to which the person is eligible to vote is determined by establishing which is the first subsection of subsections (3) to (15) to apply to that person.

(3) A person who resides in the rural municipality is eligible to vote at the polling place for the division in which he or she resides.

(4) Notwithstanding that he or she resides outside the rural municipality, a person is eligible to vote at the polling place for a division if he or she:

- (a) is assessed with respect to property situated in the division and in that division only; or
- (b) is the occupant of a trailer or a mobile home that is the object of a permit required pursuant to section 306 of *The Municipalities Act* in the division and in that division only.

(5) If a person is assessed with respect to property that he or she owns or occupies in two or more divisions but does not reside in any of those divisions, the person:

- (a) is eligible to vote at the polling place for the division in which his or her total assessment is the highest; and
- (b) in the case of equality of assessment, is eligible to vote at the polling place for the division bearing the lowest number.

(6) If one person is assessed with respect to property jointly held with another person or persons, the total assessed value of that property is to be used with respect to each voter in determining the division in which he or she votes.

(7) Notwithstanding subsection (5), by notifying the administrator in writing before September 1 in any year, a person who does not reside within the rural municipality but is assessed with respect to property situated in two or more divisions may designate the division in which he or she wishes to vote.

- (8) If a person makes a designation pursuant to subsection (7), he or she is:
- (a) eligible to vote at the polling place for the division so designated; and
  - (b) bound by the notice given pursuant to subsection (7) as long as he or she continues to be assessed only in the same divisions.
- (9) If a person is assessed with respect to property situated in one division and his or her spouse is assessed in another division, either person may designate one of those divisions as the division in which they wish to vote by notifying the administrator in writing before September 1 in any year.
- (10) If a person makes a designation pursuant to subsection (9), both spouses are:
- (a) eligible to vote at the polling place for the division so designated; and
  - (b) bound by the notice given pursuant to subsection (9) as long as they continue to be assessed in the same divisions.
- (11) The persons mentioned in subsection (9) may change the designation of the division in which they are eligible to vote pursuant to subsection (9) to another division in which one or the other is assessed by notifying the administrator in writing not less than four years before an election is to be held in the division designated in the new notice.
- (12) A voter mentioned in subclause 36(1)(e)(i) is eligible to vote in the division in which the voter resides.
- (13) A voter mentioned in subclause 36(1)(e)(iv) is eligible to vote in the division in which the spouse of the voter is eligible to vote.
- (14) A chief executive officer mentioned in subclause 36(1)(e)(v) who does not reside in the rural municipality:
- (a) is eligible to vote at the polling place for the division in which the total assessment of the co-operative, corporation or religious association of which he or she is chief executive officer is the highest; and
  - (b) in the case of equality of assessment, is eligible to vote at the polling place for the division bearing the lowest number.
- (15) A person who is the owner of assessable property in more than one division in a rural municipality in which he or she does not reside:
- (a) may obtain a tax notice from the administrator indicating in which division he or she is eligible to vote; and
  - (b) if the person obtained a tax notice pursuant to clause (a), he or she shall present the tax notice to the deputy returning officer when he or she attends the polling place to vote.
- (16) The Lieutenant Governor in Council may make regulations respecting any other matter necessary for determining the division in which a person is eligible to vote.

**40 Repealed.** 2019, c10, s11.**Voting place**

**41** Every voter that has not already voted pursuant to section 29, 30 or 92 shall vote:

- (a) in a rural municipality, only at the polling place for the division in which the voter is eligible to vote, as established by section 39; or
- (b) in a municipality other than a rural municipality, only at the polling place for the polling area in which the voter resides or in which the voter is otherwise eligible to vote, or at a polling place set up in accordance with subsection 25(3).

2015, c.L-30.11, s.41.

## DIVISION 2 Candidates

**Candidates in municipal election**

**42(1)** A person is eligible to be nominated as a candidate in a municipal election and to hold office as a member of council if the person:

- (a) is at least 18 years of age on the day of the election;
- (b) is not disqualified pursuant to this or any other Act;
- (c) is a Canadian citizen at the time that he or she submits the nomination paper;
- (d) has resided in Saskatchewan for at least six consecutive months immediately preceding the date on which he or she submitted the nomination paper and:
  - (i) in the case of a municipality other than a rural municipality or a resort village, has resided in that municipality, or on land now in that municipality, for at least three consecutive months immediately preceding the date on which he or she submitted the nomination paper; or
  - (ii) in the case of a resort village:
    - (A) has resided in that resort village, or on land now in that resort village, for at least three consecutive months immediately preceding the date on which he or she submitted the nomination paper; or
    - (B) is the assessed person with respect to property in the resort village, or property now situated in the resort village, pursuant to section 207 of *The Municipalities Act*, for at least three consecutive months immediately preceding the date on which he or she submitted the nomination paper; or
    - (C) is the spouse of a person mentioned in paragraph (A) or (B); and
- (e) in a rural municipality, subject to subsection 72(1):
  - (i) resides in Saskatchewan; and
  - (ii) is eligible to vote in the rural municipality.