



**Report of the Chief Electoral Officer
on the Proceedings of the
Pictou West By-election**

May 21, 2024

Statement of Votes and Statistics
(non-financial)



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Speaker of the House of Assembly Province of Nova Scotia
1726 Hollis Street, Province House
Halifax, NS
B3J 2Y3

Dear Honourable Speaker,

I have the honour to present the report of the Chief Electoral Officer on the Pictou West by-election held May 21, 2024.

I respectfully request that you table this report to the House of Assembly at the next sitting.

This report is submitted to the House of Assembly in accordance with Section 163 of the *Elections Act*.

Respectfully submitted,

Dorothy Rice
Chief Electoral Officer



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Abbreviations

Green Party	Green Party of Nova Scotia
NSNDP	Nova Scotia New Democratic Party
NS United	Nova Scotians United
Liberal	The Nova Scotia Liberal Party
PC	Progressive Conservative Association of Nova Scotia
ACEO	Assistant Chief Electoral Officer
the Act	<i>Elections Act</i>
CEO	Chief Electoral Officer
EMS	Election Management System
ENS	Elections Nova Scotia
OA	Official Agent
PGE	Provincial General Election
RO	Returning Officer
Tariff	Tariff of Fees and Expenses

Introduction

On April 5, 2024, Karla MacFarlane, PC representative for the electoral district of Pictou West, announced her resignation effective April 12, 2024. On Sunday, April 21, 2024, pursuant to an Order of the Lieutenant Governor in Council, a writ of election was issued as per the *Elections Act (the Act)* by the Chief Electoral Officer (CEO) to Returning Officer (RO), Josephine MacDonald, ordering that the election be held on Tuesday, May 21, 2024.

On May 23, 2024, at Official Addition, Marco MacLeod (PC) was confirmed to have received the greatest number of votes and was declared elected with the return of the completed writ on Wednesday, May 29, 2024.

Each by-election provides Elections Nova Scotia (ENS) with the opportunity to test processes and materials. The Pictou West by-election was the second opportunity for ENS to utilize our new e-Ballot system for early voting and our newly designed accessible voter information cards (VIC). The e-Ballot system continued to perform as planned, making early voting quick and easy. The new VIC was also well received in Pictou West, providing easy information to voters on where and when they could cast their ballot.

This report contains all non-financial information for the Pictou West by-election including the statement of votes and statistics. The financial information will be reported later in a subsequent report, when the review of this material is completed.

Voting Opportunities

There were 23 days of early voting prior to May 21st.

Electors had several voting opportunities available to cast their ballot. Voting was available prior to Election Day through write-in ballots and continuous polls at the returning office from April 24th. One advance poll was offered for seven days from Saturday, May 11th to Saturday, May 18th. On Election Day voters could cast their ballot at their assigned voting location and poll or at the district's returning office.

Table 1 provides a summary of the number of votes cast by each voting opportunity.

Table 1 • Number of Votes Cast by Voting Opportunity

Write-in-Ballot Poll	Continuous Poll	Advance Poll	Election Day Poll	Total*
63	2,339	373	3,006	5,781

*Total includes ballots rejected and declined at counting. For a breakdown of rejected and declined ballots by voting opportunity see Table 6.

By-election Results

Table 2 provides a summary of valid votes received by candidate. The candidate that was declared elected is highlighted. Poll-by-poll results are shown in Appendix C.

Table 2 • Votes Received by Candidate

Candidates	Registered Party	Votes Received
Clare Brett	Green Party	82
Melinda MacKenzie	NSNDP	949
Marco MacLeod	PC	4,159
Mary Wooldridge-Elliott	Liberal	548



Analysis

Voter Participation

Early Voting

Since the 41st PGE, ENS has seen a steady increase to the number of electors choosing to vote early. The turnout during the Pictou West by-election kept this trend with 45.3% of those that voted, voting early, and the other 54.7% voting on Election Day.

Table 3 shows early voter turnout in by-elections since the 41st PGE.

Table 3 • Early Voting Turnout

Event	Voted	Early Votes*	% Early Votes
2024 Pictou West	5,781	2,618	45.3%
2023 Preston	4,344	2,165	49.8%
2020 Truro-Bible Hill-Millbrook-Salmon River	5,708	2,191	38.3%
2020 Cape Breton Centre	6,373	2,222	34.8%
2019 Sydney River-Mira-Louisbourg	7,377	1,458	19.8%
2019 Northside-Westmount	7,795	2,489	31.9%
2019 Argyle-Barrington	6,167	1,584	25.7%
2019 Sackville-Cobequid	6,335	2,717	42.9%
2018 Cumberland South	5,790	1,924	33.3%

*Votes cast prior to Election Day

Table 4 shows the ballot types used at each early voting opportunity for the Pictou West by-election.

Table 4 • Ballot Types Used

Ballot Type	RO Continuous Poll (RO-CP)	Write-in Ballot Poll	Advance Poll
Paper Ballot	220***	63**	6****
Digital Ballot	2,119**	Not applicable	367

**Total includes those ballots cast on Election Day

***Voting prior to the close of nominations at the RO-CP is done on paper write-in ballots.

****Poll opened after the close of nominations when the e-ballot system (digital ballot) was in use. Paper ballots were used as part of the contingency process to handle technical interruptions.

Of the total ballots cast during the Pictou West by-election, 43% of them were digital ballots.

Voter Turnout

The turnout during this by-election (47%) increased from that of the turnout during the 41st PGE (46.4%) and was equal to the average turnout (47%) for the last seven by-elections held since 2018. Based on studies conducted across Canada, we know that there are factors that affect an elector’s decision to vote or not. One of those factors is access to information about where and when to vote.

Table 5 shows the participation of eligible electors by age group.

Table 5 • Electors by Age Group

Age Range	Eligible Electors	Voted	% Voted
18-24 Years	658	189	29%
25-34 Years	1,260	320	25%
35-44 Years	1,502	496	33%
45-54 Years	1,909	783	41%
55-64 Years	2,439	1,254	51%
65-74 Years	2,491	1,612	65%
75+ Years	1,853	1,087	59%
Unknown Age		40	
Overall turnout	12,112	5,781	47%



Rejected and Declined Ballots

Table 6 provides the number of rejected and declined ballots by voting opportunity.

Table 6 • Reject and Declined Ballots by Voting Opportunity

Type	RO-CP	Write-in Poll	Advance Poll	Election Day
Rejected	18	1	5	19
Declined	0	0	0	0

Number of Seats in the House of Assembly

Just prior to the vacancy in the Nova Scotia House of Assembly on April 12, 2024, the distribution of 55 seats in the House was: 33 PC, 15 Liberal, 6 NSNDP and 1 Independent.

At the conclusion of this by-election, the distribution of 55 seats in the Nova Scotia House of Assembly was: 33 PC, 15 Liberal, 6 NSNDP and 1 Independent.

Innovation and Enhancements

The Pictou West by-election provided ENS with a second opportunity to test new and enhanced materials and procedures. Two specific things that were tested were the newly redesigned VIC as well as e-ballot voting equipment and procedures. The Preston by-election held on August 8, 2023, was the first time these new enhanced materials and procedures were introduced.

Voter Information Card (VIC)

A project was launched following the 2021 PGE to redesign the look and feel of the VIC with the primary goals of simplifying the information provided about where and when electors could vote and being able to have them produced in province (supplier since 2017 PGE was out-of-province).

This redesigned VIC was developed working in partnership with consultants specializing in graphic design and accessibility, and our contacts at Canada Post. Focus groups were used to test this redesign to ensure it met acceptable standards for literacy, readability, and user-friendliness.

The newly redesigned VIC was received well by voters in both Preston and Pictou West.

e-Ballot System Deployment

Using the newly developed e-ballot system for a second time during the Pictou West by-election gave ENS the chance to experience the public's reaction to this new method of voting at early voting polls. This was an important experience that will assist ENS in the eventual rollout of this system across the province during the 42nd PGE.

Overall, the public received the e-ballot system positively. However, there was less voter awareness about e-Ballot before coming to vote in Pictou West than there had been during the Preston by-election. ENS believes this may be due to the tight timing of the Pictou West by-election call. Leading up to the Preston by-election, ENS had time to host a media technical briefing on the new e-Ballot system. Through media coverage, voters in Preston learned about e-Ballot and had an idea of what to expect. ENS was not able to host such a technical briefing prior to the Pictou West by-election due to the tight timing of the election call.

ENS is looking forward to the rest of the province's electorate having the opportunity to use this new method of voting.



Compliance

The CEO is responsible for enforcing fairness, impartiality, and compliance with the Act, and may investigate matters during an election period that might constitute an offence under the Act.

During the Pictou West by-election, there were no compliance issues.

Chief Electoral Officer Recommendations

The CEO has no recommendations for legislative change following the Pictou West by-election.

Conclusion

The Pictou West by-election was the second by-election held since the 41st PGE that took place on August 17, 2021. It was also the second by-election where the newly re-designed VIC and the new e-Ballot system were used.

Overall, the administration of the Pictou West by-election was successful, with very few challenges encountered. ENS is proud to have kept the core values of fairness, security, accessibility, reliability, transparency, and independence during this by-election.

Appendix A

May 21st, 2024, By-election Calendar

30 / Sunday, April 21

- Writ issued s.30
- Notice of Election issued s.30
- Returning Office established s.27 with no public hours
- Begin to secure voting locations s.90

29 / Monday, April 22

- Returning Office hours: 9:00 am to 6:00 pm
- Sign and Post Notice of Election s.31 (b)
- Issuing write-in ballot kits may begin s.101-108
- Returning Office continuous poll may begin s.140-143
- Nominations accepted s.65
- Revision to the list of electors begins s.55

28 / Tuesday, April 23

- Returning Office hours: 9:00 am to 6:00 pm

27 / Wednesday, April 24

- Returning Office hours: 9:00 am to 6:00 pm
- Final day to post Notice of Election s.31(b)
- Issuing write-in ballots must begin (by mail or by agent) s.101-108
- Returning Office continuous poll must begin s.140-143 (in-district and out-of-district)
- Final day for Establishment of Mobile Polls

26 / Thursday, April 25

- Returning Office hours: 9:00 am to 6:00 pm

25 / Friday, April 26

- Returning Office hours: 9:00 am to 6:00 pm
- Final day to secure election day voting locations s. 90 and assign polling divisions to voting locations in EMS
- Generate the VIC file in EMS if all early voting and election day voting locations have been confirmed. s.53
 - Before generating VICS, exclude addresses of Residential Centres where mobile polls are scheduled

24 / Saturday, April 27

- Returning Office hours: 9:00 am to 6:00 pm

23 / Sunday, April 28

- Returning Office hours: no public hours

22 / Monday, April 29

- Returning Office hours: 9:00 am to 6:00 pm
- Deadline to Certify Preliminary List of Electors is 2:00 pm
- Voting by write-in ballot team begins s.101(6)(b)
- Last day for VICs to be generated in EMS by 2:00 pm s.53

21 / Tuesday, April 30

- Returning Office hours: 9:00 am to 6:00 pm
- Provide Certified Preliminary List of Electors to each officially nominated candidate s.52(3)

20 / Wednesday, May 1

- Returning Office hours: 9:00 am to 6:00 pm
- Nominations close: 2:00 pm s.66(2)

19 / Thursday, May 2

- Returning Office hours: 9:00 am to 6:00 pm
- Final day to provide Certified Preliminary List of Electors to officially nominated candidates s.52(3)

18 / Friday, May 3

- Returning Office hours: 9:00 am to 6:00 pm

17 / Saturday, May 4

- Returning Office hours: 9:00 am to 6:00 pm

16 / Sunday, May 5

- Returning Office hours: no public hours

15 / Monday, May 6

- Returning Office hours: 9:00 am to 6:00 pm
- Applications for Transfer Certificates available s.99(1)(3) for a candidate, candidate's representative or elector physically impeded from voting at their assigned polling station.

14 / Tuesday, May 7

- Returning Office hours: 9:00 am to 6:00 pm

13 / Wednesday, May 8

- Returning Office hours: 9:00 am to 6:00 pm

10**ELECTIONS NOVA SCOTIA****12 / Thursday, May 9**

- Returning Office hours: 9:00 am to 6:00 pm

11 / Friday, May 10

- Returning Office hours: 9:00 am to 6:00 pm
- Revised List of electors certified after 6:00 pm s.57(1)
 - Revised List provided to each officially nominated candidate s.57(1)(c)

10 / Saturday, May 11

- Returning Office hours: 9:00 am to 6:00 pm
- Advance poll voting begins 9:00 am
- 6:00 pm deadline to receive an application for write-in ballot by mail, fax, e-mail, online if the ballot is to be mailed s.101(3)(e)

9 / Sunday, May 12

- Returning Office hours: no public hours
- Begin training election day workers

8 / Monday, May 13

- Returning Office hours: 9:00 am to 6:00 pm

7 / Tuesday, May 14

- Returning Office hours: 9:00 am to 6:00 pm

6 / Wednesday, May 15

- Returning Office hours: 9:00 am to 6:00 pm

5 / Thursday, May 16

- Returning Office hours: 9:00 am to 8:00 pm
- RO Continuous poll remains open until 8:00 pm
- WIB poll remains open until 8:00 pm

4 / Friday, May 17

- Returning Office hours: 9:00 am to 8:00 pm
- RO Continuous poll remains open until 8:00 pm
- WIB poll remains open until 8:00 pm

3 / Saturday, May 18

- Returning Office hours: 9:00 am to 6:00 pm
- Last day of advance poll(s)
- Application for Transfer Certificate end at 6:00 pm
- Last day to provide a list of election day workers to candidates s.85

2 / Sunday, May 19

- Returning Office hours: no public hours
- Certify Official List of Electors
- After 1:00 pm provide Official List of Electors to candidates s.57(3) and 97(1)

1 / Monday, May 20

- Returning Office hours: 9:00 am to 6:00 pm
- Final day to train election day workers
- Final day to supply list of election day officers to candidates s.85
- Provide ballots and Official List of Electors to election workers
- Transfer Certificates available for an election day worker who has been appointed after the last day of advance poll s.99(2)

0 / Tuesday, May 21

- Returning Office hours: 8:00 am until all poll results are received
- Election day poll 8:00 am to 8:00 pm s.80

- Returning Office continuous poll continues 8:00 am to 8:00 pm s.140(2)(a)
- Write-in ballot voting (by agent or write-in ballot team) applications cease 3:00 pm s.101(3)(b)(d)
- Receive and report all unofficial results from polling station counts

+1 / Wednesday, May 22

- Returning Office hours: no public hours
- Begin to complete Returning Office Core Staff Assessments

+2 / Thursday, May 23

- Returning Office hours: no public hours
- Official Addition commences 10:00 am s.145(1)
- Receive, from candidates, the USB sticks containing the List of Electors and complete the remaining portion of F109

+6 / Monday, May 27

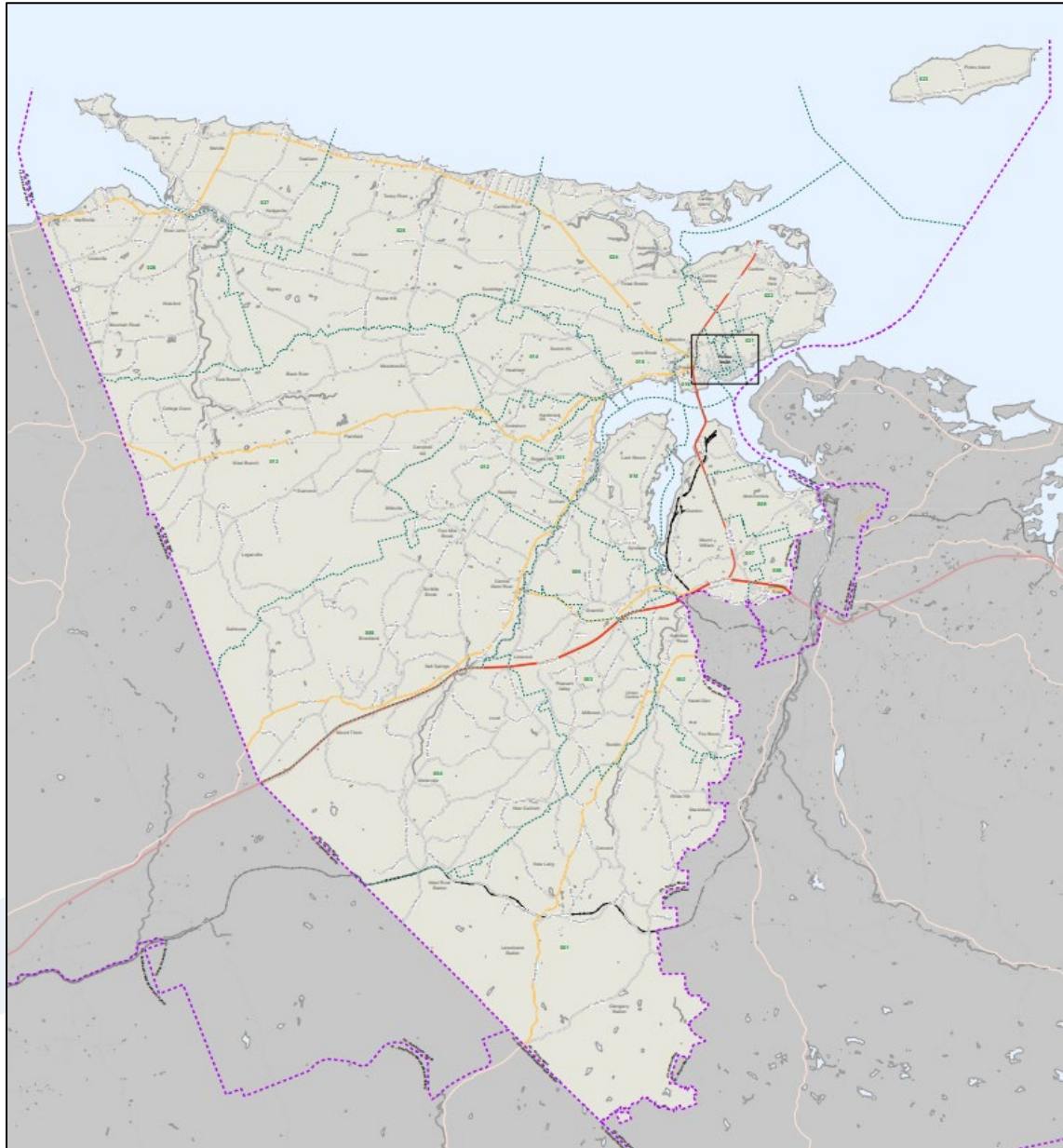
- Returning Office hours: no public hours
- Last day for application for judicial recount s.149(1)

+8 / Wednesday, May 29

- Earliest day for return of the Writ (latest day is day +10), in person or by courier, if official count not delayed and no recount under s. 159



Appendix B – Electoral District Map



Appendix C – Poll-by-Poll Results

Poll	Polling Location	Electors on Official List	Total Votes*	Clare BRET Green Party	Melinda MACKENZIE NSNDP	Marco MACLEOD PC	Mary WOOLDRIDGE-ELLIOTT Liberal	Rejected Ballots	Declined Ballots
001	Union Centre Comm. Hall, Union Centre	408	107	1	20	78	7	1	0
002		439	107	3	6	91	5	2	0
003		413	89	1	10	70	7	1	0
004	Millbrook Community Hall, Millbrook	312	76	3	7	65	1	0	0
005	Central West River Fire Hall, Central West River	541	130	7	26	88	8	1	0
006	DURHAM COMMUNITY HALL, Durham	455	120	1	20	93	6	0	0
007	Abercrombie Volunteer Fire Dept., Abercrombie	364	100	1	7	80	9	3	0
008		472	66	0	10	49	7	0	0
009		479	147	0	23	103	20	1	0
010	DURHAM COMMUNITY HALL, Durham	508	126	2	21	94	8	1	0
011	Scotsburn Fire Dept., Scotsburn	487	96	0	21	63	11	1	0
012		546	185	1	26	151	7	0	0
013	West Branch Comm. Hall, West Branch	459	165	3	26	120	15	1	0
014	Lyons Brook Community Hall, Lyons Brook	444	116	1	19	90	6	0	0
015		486	101	1	16	76	8	0	0
016	Royal Cdn Legion Br 16, Pictou	569	102	0	35	54	11	2	0
017		473	79	4	20	48	7	0	0
018		420	88	3	36	41	8	0	0
019	Stella Maris Hall, Pictou	450	68	4	29	26	8	1	0
020		423	78	2	26	44	5	1	0
021		402	91	4	34	43	8	2	0
022/023	Bayview Community Hall, Bay View	460	127	3	27	72	24	1	0
024	Caribou Fire Hall, Three Brooks	536	126	3	27	78	18	0	0
025	Toney River Comm. Hall, Toney River	501	174	3	17	100	54	0	0
026	Royal Cdn Legion Br 108, Welsford	547	182	5	12	137	28	0	0

Poll	Polling Location	Electors on Official List	Total Votes*	Clare BRET Green Party	Melinda MACKENZIE NSNDP	Marco MACLEOD PC	Mary WOOLDRIDGE-ELLIOTT Liberal	Rejected Ballots	Declined Ballots
027/028	St George's Pres. Church Hall, River John	424	160	2	13	115	30	0	0
ADV1	Union Centre Comm. Hall, Union Centre		373	5	33	295	35	5	0
RO-CP	49 Pine Tree Rd, Pictou		2,339	19	376	1,749	177	18	0
WI			63	0	6	46	10	1	0
		Total	5,781	82	949	4,159	548	43	0

