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Compendium of Election  
Administration in Canada:  
A Comparative Overview

As of June 27, 2012

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## A. Introduction

Each jurisdiction in Canada conducts the election of members to its Legislative Assembly or Parliament within its own framework of election law and administrative practice.

The *Compendium of Election Administration in Canada: A Comparative Overview* is a comprehensive summary of the federal, provincial and territorial electoral frameworks. It is based on the legislation in force and does not include administrative practices not mentioned in the law with the exception of the section concerning the advisory committee of political parties. The Compendium covers all elements of the electoral process, including the redistribution of electoral boundaries, the administration of elections, the registration of electors, the voting process, the nomination and registration of political entities, election financing and advertising, enforcement of the legislation, and referendums, plebiscites, recalls and initiatives.

In interpreting or applying the Acts, the reader must refer to the official texts.

### A.1 Terminology

Terminology often varies with jurisdiction. To facilitate reference to the original legislation, in most cases the tables in this document use the style of the jurisdiction. The following is a brief explanation of equivalent terms.

#### Chief Electoral Officer

The appointed official who oversees the administration of elections is known as the **Chief Electoral Officer**.

#### Electoral district

For electoral purposes, every jurisdiction is divided into geographic units, each of which elects one member to the legislative body. In Quebec, Manitoba and Alberta, these geographic units are known as **electoral divisions**; in Saskatchewan and Nunavut, they are known as **constituencies**. In Canada and in all other provinces and territories, they are **electoral districts**. Informally, they are often called ridings.

#### Election advertising

Also known as political advertising (Newfoundland, Prince Edward Island, Ontario and Alberta); means the transmission to the public by any means during an election period of an advertising message that promotes or opposes a registered party or candidate, including one that takes a position on an issue with which a registered party or candidate is associated.

#### Enumeration

This is the process by which electors are registered during an electoral period (known as **confirmation of electors** in Prince Edward Island).

#### Legislative Assembly

The legislative body to which members are elected in Canada is **Parliament**, or more specifically, the **House of Commons**. It is the **Legislative Assembly** in all provinces and territories, except for Newfoundland and Labrador, and Nova Scotia, where it is the **House of Assembly**, and Quebec, where it is the **National Assembly**.

#### Lists of electors

Before they can vote, electors must be registered on a list of electors for their polling division. As soon as possible following the issuance of the election writs, **preliminary lists of electors** are generated from a register of electors (or from an enumeration of electors) and are sent to the political parties. These lists are revised and corrected during the revision period and are used to produce the **official lists of electors**. A **list of electors** is called a **voters list** in Manitoba, Nunavut and Saskatchewan, and a **list of voters** in British Columbia.

### Local association

Political parties may have local associations in electoral districts where they are active. In Canada and Nova Scotia, such a local political unit is called an **electoral district association**, and in New Brunswick, a **district association**. In Quebec, it is a **party authority**, while in Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, it is a **constituency association**. Prince Edward Island and Yukon make no reference to such associations in their electoral legislation, and the Northwest Territories and Nunavut do not recognize political parties.

### Official agent (candidate)

Candidates in all jurisdictions must appoint a person to look after financial and administrative matters related to the campaign. In most cases, this person is known as the candidate's **official agent**. In Newfoundland and Labrador, Ontario and Alberta, it is the **chief financial officer**; in Saskatchewan, the **business manager**; and in British Columbia, the **financial agent**.

### Official agent (political party)

A position similar to that of the candidate's official agent is filled on an ongoing basis (i.e. not limited to campaign periods) for political parties by each party's **chief agent** in Canada; its **chief financial officer** in Newfoundland and Labrador, Ontario, Manitoba and Alberta; its **official agent** in Prince Edward Island, Nova Scotia and Quebec; its **chief official agent** in Saskatchewan; and its **financial agent** in British Columbia. In New Brunswick, each party's **chief agent** and **official representative** may be the same person. In its electoral legislation, Yukon refers to **officials of a party**, whereas the Northwest Territories and Nunavut do not recognize political parties.

### Polling day

Election day, the last day of the electoral period and the main day designated for taking the votes of electors, is known as **polling day** everywhere but in Prince Edward Island and Nova Scotia, where it is **ordinary polling day**, and in British Columbia, where it is **general voting day**.

### Polling division

For voting purposes, each electoral district is divided into smaller units, each of which is organized to take the votes of the electors who live within its boundaries. These units are most commonly known as **polling divisions**. In Quebec, Manitoba and Alberta, they are **polling subdivisions**, and in British Columbia, they are **voting areas**.

### Polling station

Each polling division has one or more locations where electors cast their ballots. These are **polling stations** everywhere but in Ontario, Manitoba and Saskatchewan, where they are known as **polling places**, and British Columbia, where they are **voting stations**.

### Returning officer

The appointed official who oversees the administration of elections and referendums in each electoral district, under the direction of the Chief Electoral Officer, is known as the **returning officer** everywhere but in British Columbia, where the title is **district electoral officer**.

## A.2 Overview of major legislative changes (October 2011 – June 2012)

### Canada

**Bill C-13 – *An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011 and other measures* (Royal Assent – December 15, 2011)**

This Act amends the *Canada Elections Act*. It includes the following change:

- Part 18 of this Act deals with the phasing out of quarterly allowances to registered parties.

**Bill C-20 – *An Act to amend the Constitution Act, 1867, the Electoral Boundaries Readjustment Act and the Canada Elections Act* (Royal Assent – December 16, 2011)**

This Act amends the rules in the *Constitution Act, 1867*, for readjusting the number of members of the House of Commons and the representation of the provinces in that House. It includes the following changes:

- The formula used to calculate the number of electoral districts has changed, which resulted in an increase in the number of electoral districts from 308 to 338.
- This Act amends the time periods in several provisions of the *Electoral Boundaries Readjustment Act* and requires that electronic versions of maps be provided to registered parties.
- It also amends the *Canada Elections Act* to allow a returning officer to be appointed for a new term of office if the office of the returning officer is vacant by reason of the expiry of the returning officer's term of office or the revision of the boundaries for federal electoral districts.

### Newfoundland and Labrador

- N/A

### Prince Edward Island

- N/A

### Nova Scotia

**Bill 116 – *An Act to Amend Chapter 5 of the Acts of 2011, the Elections Act* (Royal Assent – December 15, 2011)**

This Act amends the *Elections Act*. It includes the following changes:

- Clause 1 replaces the requirement for the Chief Electoral Officer to disclose the year of birth of an elector with the requirement to provide the age category of the elector.
- Clause 2 provides that any held assets not divested of by a registered party by March 31, 2012, are forfeited to the Crown.

### New Brunswick

**Bill 9 – *An Act to Amend the Electoral Boundaries and Representation Act* (Royal Assent – December 21, 2011)**

This Act amends the *Electoral Boundaries and Representation Act*. It includes the following changes:

- The Lieutenant-Governor in Council shall establish an Electoral Boundaries and Representation Commission within 24 to 25 months before the scheduled general election in September 2014, and within 24 to 25 months before every second scheduled provincial general election.
- The Commission shall establish the electoral quotient for the Province by dividing the total number of electors in all electoral districts in the Province by the total number of electoral districts.

**Bill 69 – *An Act to Amend the Electoral Boundaries and Representation Act* (Royal Assent – June 13, 2012)**

This Act amends the *Electoral Boundaries and Representation Act*. It includes the following change:

- In extraordinary circumstances, when Commissions are establishing an electoral district, the number of electors in the electoral district may deviate by no greater than 25% from the electoral quotient.

**Quebec**

**Bill 120 – *An Act respecting political party leadership campaigns* (Royal Assent – December 9, 2011)**

This Act deals with party leadership campaigns. It includes the following changes:

- It introduces new rules to govern the financing of leadership campaigns of authorized parties.
- The rules, modeled after those relating to the financing of political parties, apply to the solicitation and payment of contributions, to loans and sureties, to expenses incurred by candidates and the party, to claims by creditors and to returns required to be filed.
- Contributions made to candidates participating in a leadership contest may only be solicited under the responsibility of the leadership candidate's financial representative.
- Only electors may make a contribution in support of one or more leadership candidates for a maximum not to exceed \$1,000.
- Leadership contestants may continue to collect contributions during the 12-month period following the leadership vote in order to repay all outstanding claims and loans. An extension period may be provided.
- The Chief Electoral Officer has the power to audit financial statements related to the leadership contest.
- This Act increases the amount of certain fines imposed under the *Election Act*.

**Ontario**

- N/A

**Manitoba**

**Bill 33 – *The Election Financing Act and Elections Amendment Act* (Royal Assent – June 13, 2012)**

This Act is separated into two schedules. It includes the following changes:

- Schedule A – *The Election Financing Act* replaces the *Elections Finances Act* and is written and organized to make it easier to understand.
  - The Act deals with the financing of registered political parties and candidates in relation to provincial elections.
  - Instead of a formula set out to determine the annual allowances for registered parties, the allowance will be determined by a new commissioner.
  - Parts 1 to 10 and 12 to 16 of the Act are not yet in force; the information therein contained will not be included in this version of the Compendium.
- Schedule B – *The Elections Amendment Act* deals with the fixed election date.
  - Should a fixed date election scheduled for October conflict with a federal fixed date election, the provincial general election must be held on the third Tuesday of April in the next calendar year.
  - Within a year after royal assent, the Chief Electoral Officer must examine whether a permanent voters list should be established for *The Elections Act*, and make a report to the Speaker.

**Saskatchewan**

**Bill 35 – *An Act to amend The Legislative Assembly and Executive Council Act, 2007* (Royal Assent – May 16, 2012)**

This Act deals with the fixed election date. It includes the following change:

- If the writ period for a provincial general election overlaps with the writ period for a federal general election, the provincial general election must be held on the first Monday of April in the calendar year following the federal general election.



**Bill 36 – *An Act to amend The Constituency Boundaries Act, 1993* (Royal Assent – May 16, 2012)**

This Act amends the formula to calculate the constituency population quotient.

- The Act takes into account the new number of electoral ridings and changes the divisor from 56 to 59.

**Alberta**

**Bill 21 – *Election Amendment Act, 2011* (Royal Assent – December 8, 2011)**

This Act amends chapter E-1 of the Revised Statutes of Alberta 2000 and sets a fixed election date.

- A general election shall be held within the 3-month period beginning on March 1 and ending on May 31 in the fourth calendar year following polling day in the most recent general election.

**British Columbia**

**Bill 33 – *Justice Statutes Amendment Act (No. 2), 2012* (Royal Assent – May 14, 2012)**

This Act amends the *Election Act* to remove the requirement for Elections British Columbia to conduct a province-wide door-to-door enumeration prior to fixed-date general elections.

**Bill 41 – *Miscellaneous Statutes Amendment Act (No. 2), 2012* (Royal Assent – May 31, 2012)**

This Act proposes to amend the *Election Act* and includes the following changes:

- The Act clarifies definitions that are used within the *Election Act*.
- It changes the length of the pre-campaign period during which there are spending limits for candidates, political parties and election advertising sponsors.
- The amendments have been referred by government to the British Columbia Court of Appeal and will not be enacted unless the Court rules the changes are constitutional.

**Yukon**

- N/A

**Northwest Territories**

- N/A

**Nunavut**

**Bill 22 – *An Act Respecting the Constituencies of Nunavut* (Royal Assent – October 31, 2011)**

This Act implements the recommendations of the Nunavut Electoral Boundaries Commission in its 2011 Report and subsequent Addendum. The Act also amends the *Legislative Assembly and Executive Council Act*. It includes the following changes:

- It increases the number of constituencies from 19 to 22.
- A new schedule to the *Nunavut Elections Act* will list the names of the constituencies and will include maps of the constituencies.



## B. Redistribution of Electoral Boundaries

Across Canada, members of Parliament and the various legislatures are elected to represent a geographical area called an electoral district (also a riding, electoral division or constituency). The number and boundaries of electoral districts are periodically adjusted to reflect changes in population in a process called redistribution. Usually, the size of an electoral district is determined according to a population-based electoral quota, from which a variance of plus or minus 25 percent is allowed. In Quebec, New Brunswick and Nunavut, unlike other jurisdictions, the electoral quota is based on the total number of electors, rather than on the population.

In some jurisdictions, redistribution takes place every 10 years. That is the case in Canada, Newfoundland and Labrador, Nova Scotia, Manitoba, Saskatchewan and Nunavut. In Prince Edward Island, electoral boundaries are reviewed after every third general election. In New Brunswick, they are reviewed within 24 to 25 months before every second scheduled general election. In Quebec, Alberta, British Columbia, Yukon and the Northwest Territories, they are reviewed after every second general election. In Ontario, according to the *Representation Act, 2005*, 11 northern electoral districts were established, as well as 96 southern electoral districts that mirrored the federal districts as they were in 2004. Under the current legislation, Ontario's 107 electoral districts will remain the same until amended by the Legislative Assembly.<sup>1</sup>

In all jurisdictions (except Ontario), an independent electoral boundaries commission is established to determine the location of electoral boundaries. Federally, a separate boundaries commission is established for each province. Electoral boundaries commissions usually consist of a chairperson and two to five members. In most cases, the position of chairperson is reserved for a specific member of the commission, such as the Chief Electoral Officer (Quebec), or a judge or retired judge (Canada, Newfoundland and Labrador, Prince Edward Island, Saskatchewan, Yukon, the Northwest Territories and Nunavut). Usually, the chairperson is appointed by Order in Council, except in Canada, and Newfoundland and Labrador, where the chairperson is appointed by the Chief Justice. Members are generally appointed by the Speaker of the House of Commons or Legislative Assembly or by Order in Council. The legislation in most jurisdictions explicitly states that any person sitting as a Member of Parliament or a Member of a Legislative Assembly is ineligible for a boundaries commission. The remuneration for an electoral boundaries commission is fixed by the Lieutenant-Governor in Council, Commissioner or Commissioner in Executive Council, as the case may be, except in Quebec, where it is linked to the public service salary scale.

All jurisdictions require electoral boundaries commissions to conduct public hearings on proposed changes. The commissions use such hearings to determine social and economic factors that may influence the location of the boundaries. In general, these hearings are conducted at such times and places as the commission deems necessary. Most jurisdictions require reasonable public notice.

All electoral boundaries commissions are required to report their recommendations to the House of Commons or to a Legislative Assembly. In Canada, Nova Scotia, New Brunswick, Quebec, Alberta, British Columbia and Yukon, a preliminary report is also required. In most cases, the law is explicit that new legislation must be introduced to implement the commission's recommendations. The jurisdictions of Canada, New Brunswick, Quebec, Saskatchewan, Alberta, Yukon and Nunavut require boundary changes to come into force either upon dissolution of Parliament or the Legislative Assembly, or before the following election. In all other jurisdictions, the date on which the new boundaries come into effect is specified in the legislation enacting the new electoral boundaries – generally upon the dissolution of the Legislative Assembly.

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<sup>1</sup> At the time of publication, Canada, Nova Scotia and Saskatchewan were reviewing their respective electoral boundaries. As such, some information stemming from Canada's Bill C-20, *An Act to amend the Constitution Act, 1867, the Electoral Boundaries Readjustment Act and the Canada Elections Act*, New Brunswick's Bill 9, *An Act to Amend the Electoral Boundaries and Representation Act*, as well as Saskatchewan's Bill 36, *An Act to amend The Constituency Boundaries Act*, 1993, will not be reflected in the tables until those processes are completed.

Table B.1 Frequency of redistribution and criteria for determining boundaries

| Jurisdiction              | Redistribution frequency                                       | Date of last redistribution | Number of electoral districts after last redistribution | Electoral quota  | Deviance   |
|---------------------------|--|-----------------------------|---|--|--|
| Canada                    | After every decennial census                                   | 2003 <sup>1</sup>           | 308   | Population of each province divided by number of electoral districts in province | 25% of electoral quota   |
| Newfoundland and Labrador | Every 10 years   | 2006                        | 48  | Population of province divided by 47   | 10% of electoral quota   |
| Prince Edward Island      | After every third general election                             | 2004                        | 27  | –  | 25% of average number of electors in all districts   |
| Nova Scotia               | At least once every 10 years                                   | 2002 <sup>2</sup>           | 52  | –  | 25% of average number of electors per constituency   |
| New Brunswick             | 24 to 25 months before every second scheduled general election | 2006                        | 55  | Population of province divided by number of electoral districts                  | 25% of electoral quota   |
| Quebec                    | After every second general election                            | 2011                        | 125   | Total number of electors divided by number of electoral divisions                | 25% of electoral quota   |
| Ontario <sup>3</sup>      | –  | 2005                        | 107   | –  | –  |
| Manitoba                  | Every 10 years   | 2008                        | 57  | Population of province divided by 57   | <ul style="list-style-type: none"> <li>▪ North of 53rd parallel: 25% of electoral quota</li> <li>▪ South of 53rd parallel: 10% of electoral quota</li> </ul> |
| Saskatchewan              | After every decennial census                                   | 2002 <sup>4</sup>           | 58  | Total population minus northern population divided by 56                         | South of the dividing line (all constituencies except two): 5% of electoral quota  |
| Alberta                   | After every second general election                            | 2010                        | 87  | –  | 25% of average population, except for up to 4 electoral divisions, which may be up to 50% below average population   |
| British Columbia          | After every second general election                            | 2008                        | 85  | –  | 25% of common statistical electoral quota  |

<sup>1</sup> At the time of publication, Canada was in the process of redrawing its electoral boundaries, with a projected completion date of September 2013.

<sup>2</sup> At the time of publication, Nova Scotia was in the process of redrawing its electoral boundaries, with a projected completion date of October 2012.

<sup>3</sup> Under the *Representation Act, 2005*, from 2007 onward, Ontario's 107 electoral districts will remain the same until amended by the Legislative Assembly.

<sup>4</sup> At the time of publication, Saskatchewan was in the process of redrawing its electoral boundaries, with a projected completion date of October 2012.

Table B.1 Frequency of redistribution and criteria for determining boundaries (cont.)

| Jurisdiction          | Redistribution frequency            | Date of last redistribution | Number of electoral districts after last redistribution | Electoral quota  | Deviance |
|-----------------------|-------------------------------------|-----------------------------|---|--|----------|
| Yukon                 | After every second general election | 2008                        | 18  | –  | –        |
| Northwest Territories | After every second general election | 2007                        | 20  | –  | –        |
| Nunavut               | Every 10 years                      | 2011                        | 22 <sup>5</sup>   | Number of voters on most current voters list divided by number of constituencies | –        |

<sup>5</sup> As of the day the third Legislative Assembly is dissolved, Nunavut will have 22 constituencies according to the *Act Respecting the Constituencies of Nunavut*.

**Table B.2 Electoral boundaries commissions**

| Jurisdiction              | Composition  | Appointment   | Eligibility  | Remuneration  |
|---------------------------|--|---|--|---|
| Canada                    | One chairperson, two members                           | Chairperson for each province is appointed by Chief Justice of province; members, by Speaker of House of Commons                                      | Not eligible: Members of Senate or House of Commons, members of provincial legislative assemblies or legislative councils  | Fixed by Governor in Council  |
| Newfoundland and Labrador | One chairperson, four members                          | Chairperson is appointed by Chief Justice of Newfoundland and Labrador; members, by Speaker of House of Assembly                                      | Not eligible: Members of Senate or House of Commons (Canada) or House of Assembly  | As authorized by Lieutenant-Governor in Council   |
| Prince Edward Island      | One chairperson, four members                          | Chairperson is appointed by Lieutenant-Governor in Council; members, by Speaker of Legislative Assembly   | Not eligible: Members of Legislative Assembly, members of Parliament (Canada), and employees of Government of Prince Edward Island   | As determined by Lieutenant-Governor in Council   |
| Nova Scotia               | Varies (determined by a select committee of the House) | Chairperson and members are appointed by a select committee of the House  | –  | –   |
| New Brunswick             | Two co-chairpersons, three to five members             | Co-chairpersons and members are appointed by Lieutenant-Governor in Council   | <ul style="list-style-type: none"> <li>▪ Must be resident of province</li> <li>▪ Not eligible as chairperson:                             <p>A candidate, or an official agent, chief agent or campaign manager of a candidate or political party in any two provincial or federal elections immediately prior to establishment of a Commission or in a provincial or federal by-election during that period; and a person who was a member of the Legislative Assembly, House of Commons or Senate in any two Legislative Assemblies or Parliaments immediately prior to current Legislative Assembly or Parliament</p> </li> </ul> | As fixed by Lieutenant-Governor in Council  |
| Quebec                    | One chairperson, two commissioners                     | Chairperson must be Chief Electoral Officer; commissioners appointed by Prime Minister of Quebec, with approval of $\frac{2}{3}$ of National Assembly | Must be qualified electors   | For each day of sitting, commissioners are entitled to 1% of minimum salary received annually by a Class 05 manager |

Table B.2 Electoral boundaries commissions (cont.)

| Jurisdiction         | Composition                   | Appointment   | Eligibility   | Remuneration                                    |
|----------------------|-------------------------------|---|---|---|
| Ontario <sup>1</sup> | –                             | –   | –   | –   |
| Manitoba             | Five members                  | Members must be: Chief Justice of Manitoba, Presidents of the University of Manitoba, Brandon University and University College of the North, and Chief Electoral Officer                                       | (see Appointment)   | As fixed by Lieutenant-Governor in Council      |
| Saskatchewan         | One chairperson, two members  | Chairperson is appointed by Lieutenant-Governor in Council; members, by Lieutenant-Governor in Council on advice of leaders of the opposition and other members of Legislative Assembly                         | Must be a resident of Saskatchewan; may not be: member of Legislative Assembly, member of Parliament (Canada), or member of Saskatchewan public service   | As fixed by Lieutenant-Governor in Council      |
| Alberta              | One chairperson, four members | Chairperson is appointed by Lieutenant-Governor in Council; members, by Speaker of Legislative Assembly – two on nomination of Leader of the Opposition and two on nomination of President of Executive Council | <ul style="list-style-type: none"> <li>▪ Chairperson must be one of the following: Ethics Commissioner, Auditor General, president of a post-secondary educational institution in Alberta, a judge or retired judge of any court in Alberta, or a person whose qualifications are deemed to be similar to those of the above</li> <li>▪ Members must be Canadian citizens, resident in Alberta, and at least 18 years old</li> <li>▪ Members of Legislative Assembly are ineligible</li> <li>▪ Of the pairs of nominees presented to Speaker, one member must reside in a city, and the other must reside outside a city</li> </ul> | As prescribed by Lieutenant-Governor in Council |

<sup>1</sup> Under the *Representation Act, 2005*, from 2007 onward, Ontario's 107 electoral districts will remain the same until amended by the Legislative Assembly.

Table B.2 Electoral boundaries commissions (cont.)

| Jurisdiction          | Composition   | Appointment  | Eligibility   | Remuneration                                       |
|-----------------------|---|--|---|--|
| British Columbia      | One chairperson, two members  | <ul style="list-style-type: none"> <li>▪ Lieutenant-Governor in Council appoints the following: a judge or retired judge of Supreme Court or Court of Appeal; a person who is not a member of Legislative Assembly or an employee of government and who is nominated by Speaker of Legislative Assembly; and Chief Electoral Officer</li> <li>▪ One member appointed as chair</li> </ul> | (see Appointment)   | As prescribed by Lieutenant-Governor in Council    |
| Yukon                 | One chairperson, plus Chief Electoral Officer and one representative for each party in Assembly | Commission members are appointed by Commissioner in Executive Council  | <ul style="list-style-type: none"> <li>▪ Chairperson must be a judge or retired judge of Supreme Court of the Yukon</li> <li>▪ Members must be Chief Electoral Officer and Yukon resident chosen by each leader of a registered political party represented in Legislative Assembly</li> </ul>  | As prescribed by Commissioner in Executive Council |
| Northwest Territories | One chairperson, two members  | Chairperson and members are appointed by Commissioner on advice of Legislative Assembly  | Chairperson must be a judge or retired judge of Supreme Court or Court of Appeal; may not be a member of Legislative Assembly, a municipal council or a settlement council  | As determined by Board of Management               |
| Nunavut               | One chairperson, two members  | Chairperson and members are appointed by Commissioner on advice of Legislative Assembly  | <ul style="list-style-type: none"> <li>▪ Chairperson must be a judge or retired judge of Nunavut Court of Justice or Court of Appeal</li> <li>▪ Members must be persons entitled to vote; may not be members of Parliament, Legislative Assembly, a municipal council or members of the legislature of a province or another territory</li> </ul> | As determined by Management and Services Board     |



Table B.3 Public hearings

| Jurisdiction              | Frequency   | Public notice  | Notice of representation  |
|---------------------------|---|--|---|
| Canada                    | At such times and places as commission deems necessary, with at least one sitting in each province  | At least 60 days before start of sittings, notice of sittings must be published in <i>Canada Gazette</i> and at least one newspaper of general circulation in province | Within 53 days of last public notice, a person desiring to make a presentation at hearings must notify secretary of commission, in writing, indicating his or her name, address and nature of the presentation  |
| Newfoundland and Labrador | Times and places determined by commission, with at least one sitting in island portion of province and one sitting in Labrador  | Commission must publish reasonable notice of sittings in at least one newspaper of general circulation in province at least 10 days before start of sittings           | –   |
| Prince Edward Island      | Times and places determined by commission   | Commission must give reasonable public notice of hearings  | –   |
| Nova Scotia               | Commission must hold two sets of public hearings: one before and one after releasing its preliminary report   | –  | –   |
| New Brunswick             | Commission must hold two sets of public hearings: one before and one after releasing its preliminary report   | Commission must give reasonable public notice of hearings  | –   |
| Quebec                    | <ul style="list-style-type: none"> <li>▪ Within 6 months of tabling preliminary report, commission must hold hearings in the various regions of Quebec</li> <li>▪ Commission may hold hearings on amendments to preliminary report within 4 months after expiry of period allowed in the Act</li> </ul> | Commission must give notice of hearings  | –   |
| Ontario                   | –   | –  | –   |
| Manitoba                  | Times and places determined by commission   | Commission must give reasonable public notice of times and places of hearings  | –   |
| Saskatchewan              | Times and places determined by commission   | At least 30 days before a hearing, commission must advertise time and place of hearing in a newspaper having general circulation in that area                          | At least 15 days before a hearing, a person interested in making a presentation to the commission must inform secretary of commission, in writing, of his or her name and address, a summary of the presentation, and his or her political, financial or other interest |

**Table B.3 Public hearings (cont.)**

| Jurisdiction          | Frequency   | Public notice  | Notice of representation |
|-----------------------|---|--|--------------------------|
| Alberta               | Commission must hold two sets of public hearings: before submitting report to Speaker and after report has been made public             | Commission must give reasonable public notice of time, place and purpose of any public hearings        | –                        |
| British Columbia      | Commission may hold hearings before submitting report to Speaker or Clerk, and must hold hearings after its report has been made public | Commission must give reasonable public notice of time, place and purpose of any public hearings        | –                        |
| Yukon                 | Commission must hold public hearings after submission of interim report   | Commission must give reasonable public notice of time, place and purpose of any public hearings        | –                        |
| Northwest Territories | Times and places determined by commission   | –  | –                        |
| Nunavut               | Times and places determined by commission   | Commission must give reasonable notice of the public hearing by such means as it considers appropriate | –                        |

**Table B.4 Submission of report to Parliament or Legislative Assembly**

| Jurisdiction              | Report submitted to  | Time limits for submission of report  | Procedure for enactment  | Coming into force of boundary changes   |
|---------------------------|--|---|--|---|
| Canada                    | <ul style="list-style-type: none"> <li>▪ Report submitted to Chief Electoral Officer who transmits a copy to Speaker, who lays a copy before House of Commons, which refers report to committee</li> <li>▪ Report and any objections returned to Chief Electoral Officer for delivery to commission</li> <li>▪ Commission returns a copy of report, with or without amendment, to Chief Electoral Officer for transmission to Speaker</li> </ul> | <ul style="list-style-type: none"> <li>▪ Commission submits initial report within 1 year of receiving copy of return from Chief Electoral Officer</li> <li>▪ Objections filed with committee within 30 days and considered by committee within 30 days thereafter</li> <li>▪ Commission has 30 days to consider any objections raised by committee</li> </ul> | Chief Electoral Officer transmits to Minister a draft representation order, which must be declared in force by proclamation by Governor in Council within 5 days of having been received by Minister | Effective on first dissolution of Parliament that occurs at least 1 year after proclamation                       |
| Newfoundland and Labrador | Report submitted to Minister, who transmits a copy to Lieutenant-Governor in Council and lays a copy before Legislature  | A copy of report laid before Legislature within 15 days of submission of report to Lieutenant-Governor in Council if Legislature is sitting, or if it is not sitting, within 15 days after start of next session  | Electoral district boundaries adopted by an Act of the Legislative Assembly  | Effective on date specified in Act  |
| Prince Edward Island      | Report submitted to Speaker, who lays a copy before Legislative Assembly   | Report laid before Legislative Assembly immediately, or if it is not sitting, then within 7 days of opening of next session   | Legislative Assembly approves commission's proposals by resolution, and introduces bill to establish new electoral districts   | Effective on date specified in Act  |
| Nova Scotia               | Report submitted to House of Assembly; Premier tables report   | Report tabled next sitting day of House of Assembly, or if House is not sitting, then within 10 days of opening of next session   | Within 10 sitting days after final report tabled in House, the government introduces legislation to implement final report's recommendations   | Effective on date specified in Act  |
| New Brunswick             | Preliminary and final reports submitted without delay to Clerk of Legislative Assembly, who forwards a copy to each member of Legislative Assembly   | <ul style="list-style-type: none"> <li>▪ Preliminary report prepared within 90 days after establishment of commission</li> <li>▪ Final report prepared within 90 days after filing preliminary report</li> </ul>  | Lieutenant-Governor in Council makes a regulation prescribing electoral boundaries in accordance with final report of commission   | Effective on first dissolution of Legislative Assembly after final report is forwarded to Chief Electoral Officer |

Table B.4 Submission of report to Parliament or Legislative Assembly (cont.)

| Jurisdiction         | Report submitted to   | Time limits for submission of report   | Procedure for enactment   | Coming into force of boundary changes   |
|----------------------|---|--|---|---|
| Quebec               | <ul style="list-style-type: none"> <li>▪ Preliminary report submitted to President or Secretary General of National Assembly; President of National Assembly tables report</li> <li>▪ Must be submitted for examination to Committee on the National Assembly</li> <li>▪ Final report submitted to President or Secretary General of National Assembly, who tables it before National Assembly</li> </ul> | <ul style="list-style-type: none"> <li>▪ Preliminary report submitted within 12 months of second general election following last redistribution</li> <li>▪ Report tabled within 15 days of receipt, or if National Assembly is not sitting, then within 15 days after opening of next session</li> <li>▪ Final report debated (for maximum of 5 hours) within 5 days of tabling</li> </ul> | Not later than 10 days following debate, commission establishes boundaries and names of divisions and publishes list in <i>Gazette officielle du Québec</i> | Upon dissolution of National Assembly, unless dissolution occurs less than 3 months after publication of list |
| Ontario <sup>1</sup> | –   | –  | –   | –   |
| Manitoba             | Report submitted to Lieutenant-Governor in Council and to Speaker of the Assembly, who lays a copy before Legislative Assembly  | Report laid before Legislative Assembly immediately, or if it is not sitting, then within 7 days of opening of next session  | Fixed by an Act of the Legislature after consideration of the report  | Effective on date specified in Act  |
| Saskatchewan         | Final report submitted to Speaker of Legislative Assembly, who lays report before Legislative Assembly; or to Clerk of Legislative Assembly, if it is not in session  | Submission to Speaker of Legislative Assembly within 6 months of establishment of commission; must be laid before Legislative Assembly or Clerk within 15 days of Speaker having received report   | Minister introduces bill for establishment of new constituencies in same session  | Upon proclamation, which must be issued before next general election  |
| Alberta              | Interim report and final report submitted to Speaker of Legislative Assembly; final report laid before Legislative Assembly   | <ul style="list-style-type: none"> <li>▪ Interim report submitted within 7 months of appointment of commission</li> <li>▪ Final report may be submitted within 5 months of submission of interim report; must be laid before Legislative Assembly immediately, or if it is not sitting, then within 7 days of beginning of next session</li> </ul>   | Government introduces bill to establish new electoral divisions at same session if Assembly approves, or approves with alterations, commission's proposals  | Upon proclamation, which must be issued before next general election  |

<sup>1</sup> According to Ontario's *Representation Act, 1996*, the electoral boundaries are the same as those established by the federal redistribution process. Under the *Representation Act, 2005*, from 2007 onward, Ontario's current 107 electoral districts will remain unchanged until amended by the Legislative Assembly.

**Table B.4 Submission of report to Parliament or Legislative Assembly (cont.)**

| Jurisdiction          | Report submitted to  | Time limits for submission of report  | Procedure for enactment   | Coming into force of boundary changes  |
|-----------------------|--|---|---|--|
| British Columbia      | Report submitted to Speaker of Legislative Assembly; commission may also submit any amendments to report to Speaker  | <ul style="list-style-type: none"> <li>Submitted within 12 months of appointment of commission; amendments may be submitted within 6 months of initial submission</li> <li>Report and any amendments laid before Legislative Assembly immediately, or if it is not in session, then within 7 days of beginning of next session</li> </ul> | At same session Government introduces bill to establish new electoral districts   | Effective on date specified in Act   |
| Yukon                 | Interim report submitted to Speaker, who tables it in Legislative Assembly, or if it is not sitting, delivers copies to all members of Legislative Assembly; final report submitted in same manner   | Interim report completed within 7 months of date commission was appointed; final report filed within 5 months of interim report   | Government introduces bill to establish new electoral districts no later than sitting of Assembly that follows sitting in which report was tabled | Upon dissolution of Legislative Assembly that passed the bill  |
| Northwest Territories | Submitted to Speaker and Clerk of Legislative Assembly; Speaker lays a copy of commission report before Assembly at first opportunity; Clerk delivers a copy to each member of Assembly and makes it available to public at office of Clerk  | Commission completes its report within six months after the day it is established, or within such time as fixed by resolution of Legislative Assembly   | Electoral district boundaries are adopted by an Act of the Legislative Assembly   | Effective on date specified in Act   |
| Nunavut               | <ul style="list-style-type: none"> <li>Certified copies of report submitted to Chief Electoral Officer, Speaker and Clerk of Legislative Assembly</li> <li>Clerk delivers a copy to each member of Legislative Assembly and makes it available to public at office of Clerk</li> </ul> | <ul style="list-style-type: none"> <li>Report must be completed within 250 days after commission is established</li> <li>Report laid at the first opportunity before Legislative Assembly, which must consider it as soon as practicable</li> </ul>   | Chief Electoral Officer submits draft bill to Speaker who introduces it in Legislative Assembly at earliest opportunity after day of receipt      | Effective on first day following dissolution of Legislative Assembly, but no earlier than 6 months after enactment |



## C. Administration of Elections

In all jurisdictions, a Chief Electoral Officer is responsible for the administration of elections. As the highest-ranking election official, the Chief Electoral Officer is usually responsible for all aspects of electoral administration, including enforcing fairness and impartiality on the part of election officers and ensuring compliance with the legislation governing elections. In New Brunswick, the Chief Electoral Officer also serves as the Supervisor of Political Financing and the Municipal Electoral Officer. In most cases, the Chief Electoral Officer may during an election exercise emergency powers to extend deadlines, change or amend forms, or adapt the Act to meet the circumstances.

In Canada, Newfoundland and Labrador, Prince Edward Island, Quebec and Saskatchewan, the Chief Electoral Officer is appointed by a resolution of the House of Commons or legislature. In all other jurisdictions, the Chief Electoral Officer is appointed by the Lieutenant-Governor in Council (except in British Columbia where the Chief Electoral Officer is appointed by the Lieutenant-Governor), or in the territories, by the Commissioner or Commissioner in Executive Council. In the case of New Brunswick, Ontario, Alberta, British Columbia, the Northwest Territories and Nunavut, the appointment is, however, made on the recommendation of the Legislative Assembly. In some jurisdictions, the Chief Electoral Officer is appointed for a specific period. That is the case in New Brunswick (eight to 10 years), Quebec (seven years), Alberta (one year after a general election), Saskatchewan and British Columbia (one year after every second general election), the Northwest Territories (four years) and Nunavut (seven years). In all jurisdictions, the Chief Electoral Officer reports to the Speaker of the House of Commons or legislature. As a rule, a report is required from the Chief Electoral Officer after every general election, describing the event and typically including his or her recommendations for desirable amendments to the electoral legislation. Newfoundland and Labrador, Nova Scotia, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia and Nunavut require the Chief Electoral Officer to produce an annual report describing the activities of the Office.

The electoral offices in six jurisdictions maintain an advisory committee for consultation with political parties. This committee is established by law in Newfoundland and Labrador, New Brunswick, Quebec and British Columbia; in Canada and Ontario, the committee is established administratively. In Nova Scotia, the law establishes a commission of party representatives, separate from the electoral office, to make recommendations to the Chief Electoral Officer.

Various additional election officers are appointed to conduct elections. These officers include the returning officer (or district electoral officer in British Columbia), who is responsible for the conduct of an election at the electoral district level. In Canada, Newfoundland and Labrador, Nova Scotia, Quebec, Manitoba, Saskatchewan, Alberta, British Columbia, the Yukon, Northwest Territories and Nunavut, returning officers are appointed by the Chief Electoral Officer; in Prince Edward Island, New Brunswick and Ontario they are appointed by the Governor or Lieutenant-Governor in Council. In Ontario the returning officers are appointed by the Lieutenant-Governor in Council on the recommendation of the Chief Electoral Officer. In most cases, returning officers may appoint an assistant or deputy returning officer or both. In Prince Edward Island and British Columbia, this task is the responsibility of the Chief Electoral Officer.

As a rule, returning officers also appoint the election officers who register electors or work in polling stations. In some cases, these officers must be appointed from a list of names supplied by the political parties that finished first and second in the previous election in that electoral district.

The salary of all election officers is determined according to a tariff of fees, generally fixed by the Lieutenant-Governor in Council. In Newfoundland and Labrador and British Columbia, it is set by the Chief Electoral Officer; in Quebec, the government sets it by regulation; in Ontario, the Chief Electoral Officer annually submits his or her fees and expenses to the Board of Internal Economy to be approved; and in Nunavut, it is set by the Management and Services Board.

**Table C.1 Chief Electoral Officer**

| Jurisdiction              | Chief Electoral Officer appointed by  | Term of office  | Reports to Speaker  |
|---------------------------|---|---|---|
| Canada                    | Resolution of House of Commons  | Ceases to hold office at 65 years of age, or may be removed for cause by Governor General on address of House of Commons and Senate | <ul style="list-style-type: none"> <li>▪ Within 90 days of return of writ, Chief Electoral Officer reports on administration of Office since last report or since issuance of writs, including any issues that should be brought to the attention of the House of Commons</li> <li>▪ As soon as possible after a general election, Chief Electoral Officer reports on any amendments that he or she deems desirable for better administration of Act</li> </ul> |
| Newfoundland and Labrador | Resolution of House of Assembly   | May only be removed by a resolution of House of Assembly  | Chief Electoral Officer reports annually on affairs of his or her Office  |
| Prince Edward Island      | Legislative Assembly on recommendation of Standing Committee on Legislative Management, by a resolution of $\frac{2}{3}$ of its members | –   | Before or within 10 days of start of session, Chief Electoral Officer may report on any matter related to administration of Office since last report or on any amendments to Act that he or she deems desirable for better administration of Act  |
| Nova Scotia               | Governor in Council, on approval of the House of Assembly by majority vote  | 10 years, with possible reappointments to further terms   | <ul style="list-style-type: none"> <li>▪ As soon as possible after an election, Chief Electoral Officer reports on voting results, cost, other relevant information and recommended amendments to the Act</li> <li>▪ Chief Electoral Officer reports at least annually on the administration of his or her Office and on any recommendations made by the Election Commission</li> </ul>   |
| New Brunswick             | Lieutenant-Governor in Council, on recommendation of Legislative Administration Committee or other designated committee                 | 8 to 10 years, with possible second term of not more than 5 years   | <ul style="list-style-type: none"> <li>▪ Before or during any session, Chief Electoral Officer reports on any matter or event that occurred relating to any election since date of his or her last report</li> <li>▪ Annual Report of the Supervisor of Political Financing submitted to Legislative Assembly</li> </ul>  |



Table C.1 Chief Electoral Officer (cont.)

| Jurisdiction     | Chief Electoral Officer appointed by  | Term of office   | Reports to Speaker   |
|------------------|---|--|--|
| Quebec           | National Assembly, on a motion of Prime Minister of Quebec, by a resolution of $\frac{2}{3}$ of its members | 7 years  | <ul style="list-style-type: none"> <li>▪ If Chief Electoral Officer adapts Act in a case of emergency, a report must be made within 30 days of polling day or end of revision period</li> <li>▪ After an election, Chief Electoral Officer publishes, as soon as possible, a detailed report on election containing, in particular, results for each electoral division</li> <li>▪ A report on the activities of Chief Electoral Officer, including a financial report for preceding fiscal year, must be submitted no later than September 30 of each year</li> </ul>                       |
| Ontario          | Lieutenant-Governor in Council, on address of Legislative Assembly  | –  | <ul style="list-style-type: none"> <li>▪ Within 4 months after polling day, Chief Electoral Officer reports on the conduct of the election.</li> <li>▪ Makes recommendations to Speaker with respect to amending Act on an annual basis</li> </ul>   |
| Manitoba         | Lieutenant-Governor in Council, on recommendation of Standing Committee on Legislative Affairs              | –  | Chief Electoral Officer reports annually on his or her work and reports on conduct of each election after the election; report may include recommendations for legislative amendments  |
| Saskatchewan     | Resolution of Legislative Assembly  | Until 12 months after day of return of writ for second general election for which he or she is responsible                       | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer reports on conduct of election within 60 days after polling day if emergency action is taken during an election; if not, as soon as possible after an election</li> <li>▪ Report summarizes returns and reports from registered political parties and candidates, use of mobile polls, applications for party registration and disposal of those applications, and any other information that Speaker may direct</li> <li>▪ Chief Electoral Officer reports annually on progress and activities of previous year</li> </ul> |
| Alberta          | Lieutenant-Governor in Council, on recommendation of Legislative Assembly                                   | Until 12 months after polling day for a general election unless reappointed prior to that date by Lieutenant-Governor in Council | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer reports after each enumeration, general election, election under the <i>Senatorial Selection Act</i>, by-election or plebiscite, or plebiscite or referendum under any other Act</li> <li>▪ Chief Electoral Officer reports to the Standing Committee on Legislative Offices annually on exercise of his or her functions under Act</li> </ul>  |
| British Columbia | Lieutenant-Governor, on recommendation of Legislative Assembly  | Until 12 months after day of return of writ for second general election for which he or she is responsible                       | Chief Electoral Officer makes following reports: an annual report; a report after each election, general enumeration or plebiscite; a report with any recommendations for legislative amendments; a report respecting any Member who fails to comply with election financing provisions  |

**Table C.1 Chief Electoral Officer (cont.)**

| Jurisdiction          | Chief Electoral Officer appointed by                    | Term of office | Reports to Speaker   |
|-----------------------|---|----------------|--|
| Yukon                 | Commissioner in Executive Council                       | –              | Chief Electoral Officer may, at any time, report on any matter in connection with his or her duties or on any amendments to Act that are desirable for better administration of Act  |
| Northwest Territories | Commissioner, on recommendation of Legislative Assembly | 4 years        | Within 6 months after a general election, Chief Electoral Officer reports on any matter connected to administration of Act, any significant action taken, the statements of candidates or official agents with any recommendations, a statement of expenditures and any amendments that are desirable for better administration of Act |
| Nunavut               | Commissioner, on recommendation of Legislative Assembly | 7 years        | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer must submit an annual report for each fiscal year, no later than July 1 following the end of the fiscal year</li> <li>▪ Chief Electoral Officer must submit a report on the conduct of an electoral event no later than 280 days after the date of writ</li> </ul>    |

Table C.2 Advisory Committee of Political Parties

| Jurisdiction              | Statutory Requirement | Membership   | Mandate  |
|---------------------------|-----------------------|--|--|
| Canada                    | No                    | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer</li> <li>▪ Two representatives from each registered political party</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Committee discusses any administrative or legislative issue of interest to Elections Canada and political parties</li> <li>▪ Elections Canada shares information, obtains input and maintain open dialogue with political parties</li> </ul>  |
| Newfoundland and Labrador | Yes                   | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer</li> <li>▪ Two representatives of each registered party that had official candidates in at least 1/2 of all electoral districts at immediately preceding general election</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Committee advises Chief Electoral Officer on functioning of the <i>Elections Act, 1991</i>, in particular on political financing</li> <li>▪ Chief Electoral Officer consults committee periodically on application of Act</li> <li>▪ Committee may make results of its work public</li> </ul>   |
| Prince Edward Island      | –                     | –  | –  |
| Nova Scotia               | Yes                   | <ul style="list-style-type: none"> <li>▪ Chair appointed by Governor in Council</li> <li>▪ Two representatives of each recognized party in the House of Assembly</li> <li>▪ Chief Electoral Officer is not a member, but may participate in all meetings</li> <li>▪ Not eligible: members of Legislative Assembly or Parliament of Canada</li> </ul> | <ul style="list-style-type: none"> <li>▪ Committee makes recommendations to Chief Electoral Officer on legislative amendments to improve election process or administration of the Act</li> <li>▪ Committee advises Chief Electoral Officer on administration of elections and electoral finance; on piloting of procedures, equipment or technology; and on initiation or conduct of studies on voting procedures, voting by persons with disabilities and electoral finance</li> </ul> |
| New Brunswick             | Yes                   | <ul style="list-style-type: none"> <li>▪ Supervisor of Political Financing</li> <li>▪ Two representatives of each registered party that had official candidates in at least 1/2 of all electoral districts at immediately preceding general election</li> <li>▪ Not eligible: member of Legislative Assembly</li> </ul>                              | <ul style="list-style-type: none"> <li>▪ Committee gives advice and opinion on any matter or question posed by Supervisor of Political Financing relating to the financing of the political process or application of <i>Political Process Financing Act</i></li> <li>▪ Supervisor of Political Financing consults committee periodically on application of Act</li> <li>▪ Committee may make results of its work public</li> </ul>  |

Table C.2 Advisory Committee of Political Parties (cont.)

| Jurisdiction          | Statutory Requirement | Membership  | Mandate   |
|-----------------------|-----------------------|---|---|
| Quebec                | Yes                   | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer</li> <li>▪ Three representatives of each authorized party represented in National Assembly</li> <li>▪ Party leader designates representatives, at least one of whom is a member of National Assembly</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Committee advises on questions relating to Act, except matters of electoral representation</li> <li>▪ Chief Electoral Officer consults committee periodically on administration of <i>Election Act</i></li> <li>▪ Before issuing any directive on authorization and financing of political parties and independent candidates, and on control of election expenses, Chief Electoral Officer submits it to committee</li> <li>▪ Except during an election period or enumeration period, Chief Electoral Officer submits every other directive he is authorized to issue (including directives to election officers) to committee in advance</li> <li>▪ Committee may make results of its work public</li> </ul> |
| Ontario               | No                    | <ul style="list-style-type: none"> <li>▪ One or two members appointed by each registered party</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Committee may provide recommendations, when consulted by Chief Electoral Officer, on administration of <i>Election Act</i> and <i>Election Finances Act</i></li> </ul>   |
| Manitoba              | –                     | –   | –   |
| Saskatchewan          | –                     | –   | –   |
| Alberta               | –                     | –   | –   |
| British Columbia      | Yes                   | <ul style="list-style-type: none"> <li>▪ Chief Electoral Officer</li> <li>▪ Two representatives for each registered political party represented in Legislative Assembly</li> <li>▪ One representative for each registered political party that had candidates in at least 1/2 of all electoral districts at immediately preceding general election and is not represented in the legislature</li> <li>▪ Not eligible: member of Legislative Assembly</li> </ul> | <ul style="list-style-type: none"> <li>▪ Committee advises Chief Electoral Officer on functioning of <i>Election Act</i>, in particular on political financing</li> <li>▪ Chief Electoral Officer must consult committee: periodically on application of Act; before publishing notice about application of amendment to Act; before making recommendation to Legislative Assembly about an amendment; and before making a regulation outside general election period</li> </ul>  |
| Yukon                 | –                     | –   | –   |
| Northwest Territories | –                     | –   | –   |
| Nunavut               | –                     | –   | –   |

**Table C.3 Appointment of election officers**

| Jurisdiction              | Appointments made by Governor or Lieutenant-Governor in Council | Appointments made by Chief Electoral Officer   | Appointments made by returning officer   | Appointments made by deputy returning officer   |
|---------------------------|---|--|--|---|
| Canada                    | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Special Voting Rules Administrator</li> <li>▪ Six special ballot officers: 3 on advice of Prime Minister, 2 on advice of Leader of Opposition, 1 on advice of leader of registered party that has third largest number of members in House of Commons</li> </ul>                              | <ul style="list-style-type: none"> <li>▪ Assistant returning officers</li> <li>▪ Registration officers and revising agents, from lists submitted by political parties that finished first and second in last election in electoral district</li> <li>▪ Deputy returning officers, from a list submitted by political party that finished first in last election in electoral district</li> <li>▪ Poll clerks, from a list submitted by political party whose candidate finished second in last election in electoral district</li> <li>▪ Central poll supervisors, where a central polling place has more than 4 polling stations</li> <li>▪ Information officers, with approval of Chief Electoral Officer, where there is a central polling place</li> </ul> | Interpreters                                    |
| Newfoundland and Labrador | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Special Ballot Administrator</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Election clerks and deputy returning officers, with approval of Chief Electoral Officer</li> <li>▪ Enumerators, under direction of Chief Electoral Officer</li> </ul>   | Poll clerks, with approval of returning officer |
| Prince Edward Island      | Returning officers  | <ul style="list-style-type: none"> <li>▪ Confirmation officers, from lists submitted by the two registered political parties whose candidates came first and second in last election in electoral district</li> <li>▪ Deputy returning officers, from a list submitted by the two registered political parties that elected most members at last election</li> </ul> | <ul style="list-style-type: none"> <li>▪ Election clerk</li> </ul>   | Poll clerks                                     |

Table C.3 Appointment of election officers (cont.)

| Jurisdiction  | Appointments made by Governor or Lieutenant-Governor in Council | Appointments made by Chief Electoral Officer | Appointments made by returning officer  | Appointments made by deputy returning officer   |
|---------------|---|--|---|---|
| Nova Scotia   | –   | Returning officers                           | <ul style="list-style-type: none"> <li>▪ Assistant returning officer (if required)</li> <li>▪ Constable</li> <li>▪ Election clerk</li> <li>▪ 2 enumerators and 2 revising agents, from lists submitted by the 2 political parties whose candidates received the highest and second highest number of votes at last election in electoral district</li> <li>▪ Revision assistants</li> <li>▪ Deputy returning officers from list supplied by candidate of political organization whose candidate was elected in electoral district</li> <li>▪ Poll clerks from list supplied by political organization whose candidate came second in electoral district</li> <li>▪ Supervising deputy returning officers, where a central polling place has 5 or more polling stations</li> <li>▪ Presiding officers</li> </ul> | <ul style="list-style-type: none"> <li>▪ Interpreters</li> <li>▪ Constable</li> </ul> |
| New Brunswick | Returning officers  | –  | <ul style="list-style-type: none"> <li>▪ Election clerk</li> <li>▪ Revision officers</li> <li>▪ Poll supervisor</li> <li>▪ Voters list officer</li> <li>▪ Ballot issuing officer</li> <li>▪ Poll revision officer</li> <li>▪ Vote tabulation machine officer</li> <li>▪ Ballot counting officer</li> <li>▪ Technical support officer</li> <li>▪ Special voting officer</li> <li>▪ Constable</li> <li>▪ Any other officers necessary for holding the vote</li> </ul>   | –   |

Table C.3 Appointment of election officers (cont.)

| Jurisdiction | Appointments made by Governor or Lieutenant-Governor in Council | Appointments made by Chief Electoral Officer  | Appointments made by returning officer  | Appointments made by deputy returning officer |
|--------------|---|---|---|---|
| Quebec       | –   | <ul style="list-style-type: none"> <li>▪ Returning officers, after a competition among qualified electors</li> <li>▪ Three-member board of revisers for electors with right to vote outside Quebec: first on advice of party that won last election; second on advice of party that finished second; chair on advice of Chief Electoral Officer with approval of parties above</li> <li>▪ For counting the votes of inmates or electors outside Quebec: <ul style="list-style-type: none"> <li>▪ Deputy returning officers, recommended by the party that received the greatest number of votes in the last general election.</li> <li>▪ Poll clerks, recommended by the party that received the second greatest number of votes in the last general election.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>▪ Assistant returning officer</li> <li>▪ Enumerators, 2 per polling subdivision: first on advice of party that won last election, or the elected independent member; second on advice of party that finished second</li> <li>▪ Revisers, 3 per board: 2 revisers appointed as above; chair appointed on advice of returning officer with approval of two parties above</li> <li>▪ Revising officers, in groups of 2, appointed to one or several boards of revisers</li> <li>▪ Secretary of a board of revisers</li> <li>▪ Deputy returning officers, recommended by authorized party whose candidate won last election</li> <li>▪ Poll clerks, recommended by candidate of authorized party whose candidate finished second at last election</li> <li>▪ Officers in charge of information and order</li> <li>▪ Three-member panel in every polling station to verify the identity of electors who do not have one of the five pieces of ID required to vote: one member recommended by candidate of party that won last election, second recommended by candidate of party that came second. If there are three or fewer polling stations on the premises, the returning officer may allow the deputy returning officer and the poll clerk to act as panel members.</li> <li>▪ Officer in charge of voters list, 1 per polling station, recommended by candidate of authorized party whose candidate came third in the last election</li> </ul> | –   |

**Table C.3 Appointment of election officers (cont.)**

| Jurisdiction     | Appointments made by Governor or Lieutenant-Governor in Council           | Appointments made by Chief Electoral Officer   | Appointments made by returning officer   | Appointments made by deputy returning officer   |
|------------------|---|--|--|---|
| Ontario          | Returning officers (on the recommendation of the Chief Electoral Officer) | <ul style="list-style-type: none"> <li>▪ Election clerk</li> <li>▪ Special ballot officers</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Deputy returning officers</li> <li>▪ Poll clerks</li> <li>▪ Revising agents</li> <li>▪ Registration agents</li> </ul>   | –   |
| Manitoba         | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Assistant returning officers</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Enumerators</li> <li>▪ Revising agents</li> <li>▪ Revising officers</li> <li>▪ Voting officers</li> <li>▪ Senior voting officers</li> <li>▪ Registration officers</li> <li>▪ Assistant voting officers</li> </ul>   | –   |
| Saskatchewan     | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Assistant Chief Electoral Officer</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Election clerk</li> <li>▪ Enumerators</li> <li>▪ Deputy returning officers</li> <li>▪ Supervisory deputy returning officers, where a central polling place has 5 or 6 polling divisions</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Poll clerks</li> <li>▪ Interpreters</li> </ul> |
| Alberta          | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Acting returning officer</li> <li>▪ Election clerk</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Administrative assistants</li> <li>▪ Enumerators</li> <li>▪ Deputy returning officers</li> <li>▪ Poll clerks</li> <li>▪ Supervisory deputy returning officers, where a polling place has 2 or more polling stations</li> <li>▪ Registration officers</li> <li>▪ Interpreters</li> </ul> | <ul style="list-style-type: none"> <li>▪ Interpreters</li> </ul>                        |
| British Columbia | –   | <ul style="list-style-type: none"> <li>▪ District electoral officers</li> <li>▪ Deputy district electoral officers</li> <li>▪ District registrar of voters, deputy district registrar of voters</li> </ul> | <ul style="list-style-type: none"> <li>▪ Any election officers, as prescribed under the Act, including voting officers.</li> </ul>   | –   |



Table C.3 Appointment of election officers (cont.)

| Jurisdiction          | Appointments made by Governor or Lieutenant-Governor in Council | Appointments made by Chief Electoral Officer   | Appointments made by returning officer   | Appointments made by deputy returning officer  |
|-----------------------|---|--|--|--|
| Yukon                 | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Assistant returning officers, after consultation with returning officers</li> </ul>           | <ul style="list-style-type: none"> <li>▪ Enumerators</li> <li>▪ Revising officers</li> <li>▪ Deputy returning officers</li> <li>▪ Poll attendants</li> <li>▪ Interpreters</li> <li>▪ Ballot box messengers</li> <li>▪ Information and resource officers</li> </ul> | <ul style="list-style-type: none"> <li>▪ Poll clerks</li> <li>▪ Poll attendants</li> <li>▪ Interpreters</li> </ul> |
| Northwest Territories | –   | <ul style="list-style-type: none"> <li>▪ Returning officers</li> <li>▪ Multi-district polling officer</li> <li>▪ Assistant multi-district polling officer</li> </ul> | <ul style="list-style-type: none"> <li>▪ Enumerators</li> <li>▪ Deputy returning officers</li> <li>▪ Poll clerks</li> <li>▪ Central poll supervisors, where a central polling place has 3 or more polling stations</li> </ul>                                      | <ul style="list-style-type: none"> <li>▪ Interpreters</li> </ul>   |
| Nunavut               | –   | Returning officers   | <ul style="list-style-type: none"> <li>▪ Assistant returning officers</li> <li>▪ Deputy returning officers</li> <li>▪ Poll clerks</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Interpreters</li> </ul>   |

**Table C.4 Staff and payment**

| <b>Jurisdiction</b>       | <b>Staff of Chief Electoral Officer</b>  | <b>Tariff of fees fixed by</b>  | <b>Payment from</b>  |
|---------------------------|--|---|--|
| Canada                    | Assistant Chief Electoral Officer and any other officers, clerks and employees that may be required  | Governor in Council, on recommendation of Chief Electoral Officer                             | Unappropriated moneys forming part of Consolidated Revenue Fund              |
| Newfoundland and Labrador | Officers, clerks and any employees Chief Electoral Officer considers necessary, with approval of Commission of Internal Economy of House of Assembly | Chief Electoral Officer, with approval of Commission of Internal Economy of House of Assembly | Legislature, approved by Commission of Internal Economy of House of Assembly |
| Prince Edward Island      | Deputy Chief Electoral Officer and any employees Chief Electoral Officer considers necessary   | Lieutenant-Governor in Council, upon recommendation of Chief Electoral Officer                | Moneys appropriated for that purpose   |
| Nova Scotia               | Assistant Chief Electoral Officer and any employees Chief Electoral Officer considers necessary  | Governor in Council, upon recommendation of Chief Electoral Officer                           | Consolidated Fund of Province  |
| New Brunswick             | Two Assistant Electoral Officers and any employees Chief Electoral Officer considers necessary   | Lieutenant-Governor in Council  | Minister of Finance, out of Consolidated Fund                                |
| Quebec                    | Assistant Chief Electoral Officer and any persons Chief Electoral Officer considers necessary  | Government  | Consolidated Revenue Fund  |
| Ontario                   | Any persons Chief Electoral Officer considers necessary  | Annual submission by Chief Electoral Officer to Board of Internal Economy                     | Consolidated Revenue Fund  |
| Manitoba                  | Deputy Chief Electoral Officer and any employees Chief Electoral Officer considers necessary   | Lieutenant-Governor in Council  | Consolidated Fund  |
| Saskatchewan              | Assistant Chief Electoral Officer and any persons Chief Electoral Officer considers necessary  | Lieutenant-Governor in Council  | General Revenue Fund   |
| Alberta                   | Deputy Chief Electoral Officer and any officers Chief Electoral Officer considers necessary  | Lieutenant-Governor in Council  | –  |
| British Columbia          | Deputy Chief Electoral Officer and any employees Chief Electoral Officer considers necessary   | Chief Electoral Officer   | Consolidated Revenue Fund  |
| Yukon                     | Assistant Chief Electoral Officer and any officers and employees Chief Electoral Officer considers necessary   | Commissioner in Executive Council, after consultation with Chief Electoral Officer            | Yukon Consolidated Revenue Fund  |
| Northwest Territories     | Deputy Chief Electoral Officer and any persons Chief Electoral Officer considers necessary   | Commissioner, on recommendation of Chief Electoral Officer                                    | –  |
| Nunavut                   | Any persons Chief Electoral Officer considers necessary  | Management and Services Board   | From any unappropriated monies in Consolidated Revenue Fund                  |

## D. Entitlement to Vote and Registration of Electors

Every Canadian citizen is guaranteed the right to vote by the *Canadian Charter of Rights and Freedoms* (section 3). This right is, however, restricted by law. All jurisdictions require an elector to be at least 18 years old and a Canadian citizen. In Saskatchewan, individuals who are British subjects are also qualified to vote. However, some jurisdictions explicitly disqualify the Chief Electoral Officer, the Assistant Chief Electoral Officer and/or returning officers from voting. In most provincial and territorial jurisdictions, the elector must also meet residency requirements. As a rule, electors must either be ordinarily resident (in the case of Canada, Newfoundland and Labrador, and Ontario) or be a resident of their province or territory for a period of 6 to 12 months before polling day or before the issuance of the writ. (In New Brunswick, it is 40 days before polling day.) In Canada, Nova Scotia, Saskatchewan, Ontario, British Columbia, and the Northwest Territories, voters must prove both their identity and place of residence at the polls. In Quebec, voters must only prove their identity; however, their faces must be visible when doing so.

All jurisdictions require an elector to be registered on a list of electors before voting. Eleven jurisdictions produce their lists of electors from a permanent register (Canada, Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta, British Columbia, Northwest Territories and Nunavut). In all of these cases, except for Canada, the respective legislation provides for updates of the register through enumeration or a door-to-door canvassing of electors. In all cases, enumeration may take place outside the electoral period. In most cases, the permanent register may also be updated through data-sharing agreements with other government bodies. In jurisdictions without a permanent register of electors, enumeration takes place during the electoral period, usually in the first week or two weeks. Preliminary lists of electors are produced from an extract of the permanent register of electors or following the enumeration, as the case may be (in Alberta, the preliminary list is called the official list). In Saskatchewan, the preliminary lists are prepared by enumerators; based on these, secondary lists are produced either by returning officers or by the Chief Electoral Officer for use during revision.

In all jurisdictions, there is a revision period, when names may be added to, deleted from, or corrected on the preliminary lists of electors. The length of the revision period varies from one jurisdiction to another. Following revision, revised or official lists of electors are produced for use at the polling stations on polling day or at the advance polls.

An elector whose name does not appear on a list of electors has the option to register on polling day, except in Quebec. This process usually requires the elector to either produce identification, sign a declaration, take an oath, be vouched for by another elector or a combination of the above.

Some jurisdictions require that preliminary lists, revised lists, and official lists be provided to candidates or political parties, or both, during the electoral period. Only the legislation of six jurisdictions (Canada, Nova Scotia, New Brunswick, Quebec, Alberta and Nunavut) states clearly that the final list of electors (or post-polling day list in Alberta) for each district, which is produced after polling day and includes all revisions and polling day registrations, must also be provided to the elected member of that district and to political parties, where applicable.

Table D.1 Right to vote and voter identification requirements at the polls

| Jurisdiction              | Canadian citizenship requirement                         | Minimum age | Residency requirement   | Electoral officers who may not vote | Inmates disqualification               | Mental disability disqualification | Other disqualifications   | Voter identification requirements at the poll |
|---------------------------|--|-------------|---|-------------------------------------|--|------------------------------------|---|---|
| Canada                    | ✓  | 18          | Ordinarily resident   | CEO/ACEO                            | Serving more than 2 years <sup>1</sup> | –                                  | –   | Prove identity and residence                  |
| Newfoundland and Labrador | ✓  | 18          | Ordinarily resident   | –                                   | –                                      | –                                  | –   | –   |
| Prince Edward Island      | ✓  | 18          | 6 months before date of writ  | CEO/ACEO/RO                         | –                                      | –                                  | –   | –   |
| Nova Scotia               | ✓  | 18          | 6 months before date of writ  | CEO/ACEO                            | –                                      | –                                  | –   | Prove identity and residence                  |
| New Brunswick             | ✓  | 18          | 40 days before date of election   | CEO/RO <sup>2</sup>                 | –                                      | –                                  | Disqualified from voting under any law relating to the disqualification of electors for corrupt or illegal practices  | –   |
| Quebec                    | ✓  | 18          | 6 months before polling day; for electors outside Quebec, 12 months upon departure date | –                                   | –                                      | –                                  | <ul style="list-style-type: none"> <li>▪ Convicted of corrupt election practices in previous 5 years</li> <li>▪ Under guardianship of Public Curator</li> </ul> | Show face and prove identity                  |
| Ontario                   | ✓  | 18          | Ordinarily resides in the electoral district  | –                                   | –                                      | –                                  | –   | Prove identity and residence                  |
| Manitoba                  | ✓  | 18          | 6 months before polling day   | CEO                                 | –                                      | –                                  | –   | –   |
| Saskatchewan              | Yes, or British subject if qualified as of June 23, 1971 | 18          | 6 months before date of writ  | CEO/ACEO                            | –                                      | –                                  | Convicted of corrupt practices in previous 5 years  | Prove identity and residence                  |

<sup>1</sup> This provision appears in the *Canada Elections Act* but has been ruled of no force or effect by the Supreme Court of Canada.

<sup>2</sup> Except when there is an equality of votes.

Table D.1 Right to vote and voter identification requirements at the polls (cont.)

| Jurisdiction          | Canadian citizenship requirement | Minimum age | Residency requirement        | Electoral officers who may not vote | Inmates disqualification | Mental disability disqualification   | Other disqualifications   | Voter identification requirements at the poll |
|-----------------------|----------------------------------|-------------|------------------------------|-------------------------------------|--------------------------|--|---|---|
| Alberta               | ✓                                | 18          | 6 months before polling day  | –                                   | –                        | –  | Convicted of corrupt practices during previous 8 years  | –   |
| British Columbia      | ✓                                | 18          | 6 months before polling day  | CEO/ACEO                            | –                        | –  | Convicted of specific offences under <i>Election Act</i> during previous 7 years  | Prove identity and residence                  |
| Yukon                 | ✓                                | 18          | 12 months before polling day | CEO/ACEO                            | –                        | –  | –   | –   |
| Northwest Territories | ✓                                | 18          | 12 months before polling day | –                                   | –                        | –  | Convicted of an election offence during previous 5 years  | Prove identity and residence                  |
| Nunavut               | ✓                                | 18          | 12 months before polling day | –                                   | –                        | <ul style="list-style-type: none"> <li>▪ Person subject to a regime to protect his/her property or person due to incapacity to understand nature and consequences of his/her acts</li> <li>▪ Person acquitted of a <i>Criminal Code</i> offence by reason of mental disorder, involuntarily in a psychiatric or other institution</li> </ul> | Convicted of an offence under the <i>Nunavut Elections Act</i> or any other elections offence in Nunavut or another province or territory in the previous 5 years | –   |

**Table D.2 Registers of electors, enumeration and revision**

| Jurisdiction              | Contents of permanent register of electors   | Register of electors updated  | Enumeration period  | Revision period   | Polling day registration  |
|---------------------------|--|---|---|---|---|
| Canada                    | Surname, given names, sex, date of birth, civic address, mailing address and identifier assigned to elector by Chief Electoral Officer | From information expressly provided to Chief Electoral Officer by a federal department or body or other reliable source   | –   | Starts as soon as possible after issue of writs and ends at 6:00 p.m. on 6th day before polling day | Electors must produce proper identification or be vouched for by another elector and take an oath |
| Newfoundland and Labrador | –  | Through enumeration, swear-ins, exchange of information with Chief Electoral Officer of Canada and individual applications  | Determined by returning officer   | Determined by Chief Electoral Officer   | Electors must produce proper identification and take an oath                                      |
| Prince Edward Island      | Civic address (or mailing address, if different), including postal code; surname, given names, telephone number, sex, date of birth    | <ul style="list-style-type: none"> <li>▪ From information obtained through a confirmation of electors</li> <li>▪ From information used for compiling lists of electors for a general election, by-election or referendum conducted by Chief Electoral Officer of Canada</li> <li>▪ From any other information obtained by or available to Chief Electoral Officer</li> <li>▪ From revisions as Chief Electoral Officer considers necessary</li> </ul> | Determined by Chief Electoral Officer   | During period starting on nomination day and ending 3 days thereafter, except Sundays               | Electors must take an oath and provide name and address   |
| Nova Scotia               | Given names and surname by which elector is known in polling division, date of birth, address, sex                                     | –   | <ul style="list-style-type: none"> <li>▪ Between elections: commences within 20 days from the receipt of the notice of enumeration</li> <li>▪ During an election: commences no later than 5 days from the issuance of the writ</li> </ul> | Starts as soon as possible after issue of writs and ends at 8:00 p.m. on 6th day before polling day | Electors must complete application form and provide evidence of identification and residence      |

**Table D.2 Registers of electors, enumeration and revision (cont.)**

| Jurisdiction  | Contents of permanent register of electors  | Register of electors updated  | Enumeration period   | Revision period  | Polling day registration   |
|---------------|---|---|--|--|--|
| New Brunswick | Surname, given names, sex, date of birth, civic or mailing addresses, and optional telephone number | Through targeted revision, administrators of treatment centres, the Chief Electoral Officer of Canada or a provincial department or agency  | Determined by the returning officer  | From the day the returning officer receives the preliminary list to 4th day before polling day | Electors must prove identity and residence or be vouched for by another elector and may be asked by an election officer to take an oath                |
| Quebec        | Name, domiciliary address, sex and date of birth  | Through electors, the Régie de l'assurance maladie du Québec, school boards, the Public Curator <sup>1</sup> , the Registrar of Civil Status, the Chief Electoral Officer of Canada, Citizenship and Immigration Canada, provincial and municipal revision; through enumeration, agreements with municipal, provincial and federal bodies, municipal or referendum voters lists | Ordered by Government on the recommendation of the parliamentary committee having examined the report of the Chief Electoral Officer | From 21st to 4th day before polling day  | –  |
| Ontario       | Name, age, sex and current address  | Through any source the Chief Electoral Officer deems reliable at least once each calendar year and as soon as possible after a writ is issued for a general election, unless the most recent previous updating was done within two months before the day the writ is issued   | –  | Up to and including the day before polling day   | Electors must produce proper identification and make a statutory declaration or may be vouched for by another elector (only rural electoral districts) |

<sup>1</sup> Elsewhere known as Public Guardian or Public Trustee

Table D.2 Registers of electors, enumeration and revision (cont.)

| Jurisdiction     | Contents of permanent register of electors   | Register of electors updated   | Enumeration period   | Revision period   | Polling day registration  |
|------------------|--|--|--|---|---|
| Manitoba         | The voter's name, telephone number, and voter's civic and mailing address (urban); the voter's geographic location and mailing address (rural) | Through enumeration, the Chief Electoral Officer of Canada, other federal or provincial government agencies or any municipality  | At least 43 days before fixed election date or at least three days before the close of nominations, in the case of any other election. In both cases an earlier date can be specified by the returning officer | From Monday after day voters list is completed for 6 consecutive days   | Electors must produce proper identification and take an oath  |
| Saskatchewan     | –  | –  | Starts immediately after writ is issued for constituency and ends within 10 days   | Any time from posting of secondary <sup>2</sup> voters list until 10:00 p.m. on revision day, the 4th day before polling day  | Electors must make a declaration and produce proper identification or be vouched for by another elector |
| Alberta          | Name, residential address, mailing address, telephone number, sex, date of birth, citizenship and unique identifier number                     | Through door-to-door enumeration, the Chief Electoral Officer of Canada, a municipality, a public body as defined in the <i>Freedom of Information and Protection of Privacy Act</i> , a public telephone directory or any other source available to Chief Electoral Officer | Determined by Chief Electoral Officer  | Determined by Chief Electoral Officer with respect to enumeration; during election period, revisions taken from 5th day after issue of writ until the Saturday before advance polls | Electors must produce proper identification, sign a declaration or be vouched for by another elector    |
| British Columbia | Name, residential address and other information determined by Chief Electoral Officer  | From voters, through enumeration, and the Insurance Corporation of BC  | The enumeration period in BC is not specified in the Act   | Applications for registration not taken between 8th day after election is called and 2nd day after polling day  | Electors must complete an application form and provide proper identification                            |

<sup>2</sup> The secondary list is produced for revision purposes from the preliminary list prepared by enumerators.



Table D.2 Registers of electors, enumeration and revision (cont.)

| Jurisdiction          | Contents of permanent register of electors  | Register of electors updated  | Enumeration period  | Revision period  | Polling day registration   |
|-----------------------|---|---|---|--|--|
| Yukon                 | Surname, initials and residence address   | –   | <ul style="list-style-type: none"> <li>▪ Election period: ends no later than 13th day after issue of writs</li> <li>▪ Outside election period: ends no later than 21st day after Chief Electoral Officer gives public notice or 13 days after issue of writs</li> </ul> | 9:00 a.m. to 9:00 p.m. on 18th and 19th days after issue of writ, and 4:00 p.m. to 9:00 p.m. on 28th day after issue of writ   | Electors must either make a declaration, be vouched for by another elector or produce proper identification (name and residential address)   |
| Northwest Territories | Surname, given names, residential address, including house number and postal code, mailing address and postal code if different from residential address, telephone number, sex, date of birth, date on which elector commenced residence in community of residence | From information obtained in an enumeration or provided by the Chief Electoral Officer of Canada, Director of Medical Insurance, Student Financial Assistance Program and any other information obtained by Chief Electoral Officer | Determined by Chief Electoral Officer   | Determined by Chief Electoral Officer  | Electors must prove identity to returning officer (identification or personal acquaintance) and take oath or make affirmation  |
| Nunavut               | Full name, sex, date of birth and residential address   | Through enumeration, Chief Electoral Officer of Canada, municipal voters lists, or any source available to Chief Electoral Officer  | Determined by Chief Electoral Officer   | <ul style="list-style-type: none"> <li>▪ No fixed revision period</li> <li>▪ Voters list revised continuously during the election period</li> <li>▪ Objections to list allowed until 20th day before election day</li> </ul> | <ul style="list-style-type: none"> <li>▪ Electors must complete application form establishing identity and place of residence and sign declaration of right to vote</li> <li>▪ Documented evidence required if election officer registering a potential voter is not personally aware of both the voter's identity and address</li> <li>▪ Voters who move into a constituency after the writ is issued in a general election may vote by registering at the poll.</li> </ul> |

Table D.3 Lists of electors

| Jurisdiction              | Preliminary list provided                          | Preliminary list provided to   | Revised list provided       | Revised list provided to  | Official list provided                                    | Official list provided to   | Final list provided                   | Final list provided to   |
|---------------------------|--|--|-----------------------------|---|---|---|---------------------------------------|--|
| Canada                    | As soon as possible after issue of writ            | Returning officers and each candidate who requests one   | 11th day before polling day | Deputy returning officers and each candidate  | 3rd day before polling day                                | Deputy returning officers and each candidate  | As soon as possible after polling day | Each registered party that endorsed a candidate in electoral district and elected member |
| Newfoundland and Labrador | –  | Returning officers   | –                           | Chief Electoral Officer for production of final lists   | –   | Returning officers  | –                                     | –  |
| Prince Edward Island      | As soon as possible after confirmation of electors | Returning officers, each registered political party and deputy returning officers                  | –                           | –   | On receipt of confirmation records from returning officer | Returning officers  | –                                     | –  |
| Nova Scotia               | Not later than Monday, 15th day before polling day | Returning officers and political organizations   | Before an advance poll      | Appropriate poll officials and each candidate   | Before election day                                       | Appropriate poll officials and each candidate   | As soon as possible after polling day | Each elected member and each registered party  |
| New Brunswick             | Forthwith after the issue of the writ              | Returning officers, each political party that nominated candidates, and each independent candidate | 10th day before polling day | Appropriate poll officials, and each party and candidate who was provided with preliminary list | 3rd day before polling day                                | Appropriate poll officials, and each party and candidate who was provided with preliminary list | As soon as possible after polling day | Each elected member and upon request to each registered political party                  |

Table D.3 Lists of electors (cont.)

| Jurisdiction | Preliminary list provided   | Preliminary list provided to   | Revised list provided                                     | Revised list provided to                       | Official list provided  | Official list provided to   | Final list provided                                   | Final list provided to           |
|--------------|---|--|---|--|---|---|---|----------------------------------|
| Quebec       | Upon issue of order for an election, as soon as changes received before election order have been processed                    | Returning officers, and, no later than 27th day before polling day, to authorized parties, other parties that make a request, independent members and each candidate | No later than Saturday of 2nd week preceding polling week | Each candidate and political parties           | –   | –   | No later than Saturday of week preceding polling week | Candidates and political parties |
| Ontario      | As soon as possible after issue of writ   | Returning officers, municipal clerks and each candidate  | –   | –  | –   | Deputy returning officers   | –   | –                                |
| Manitoba     | At least 40 days before fixed election date or at least 2 days before close of nominations, in the case of any other election | The returning officer must provide the Chief Electoral Officer and each candidate in the election with a copy of the preliminary voters list                         | No later than the second Thursday before election day     | The Chief Electoral Officer and each candidate | –   | Voting officers   | –   | –                                |
| Saskatchewan | Within 10 days of issue of writ   | Chief Electoral Officer, returning officers and candidates   | –   | –  | Immediately after certifying voters list; not later than 2nd day before polling day for deputy returning officers | Returning officers, deputy returning officers and each candidate or representative upon request | –   | –                                |

Table D.3 Lists of electors (cont.)

| Jurisdiction          | Preliminary list provided  | Preliminary list provided to   | Revised list provided   | Revised list provided to   | Official list provided              | Official list provided to   | Final list provided                    | Final list provided to  |
|-----------------------|--|--|---|--|-------------------------------------|---|--|---|
| Alberta               | (Official list) As soon as possible after issue of writ  | Each registered political party and members of Legislative Assembly who are <u>not</u> members of registered political parties | Following commencement of revision period   | Candidates or candidates' official agents may request copies of additions to list of electors                            | (see Preliminary list)              | (see Preliminary list)  | As soon as possible after polling day  | Each registered political party and each member of Legislative Assembly |
| British Columbia      | As soon as possible after election is called   | District registrars of voters, district electoral officers and candidates, and registered parties and members on request       | As soon as possible after beginning of closed period for general registration       | District registrars of voters, district electoral officers and candidates, and registered parties and members on request | –                                   | –   | –                                      | –   |
| Yukon                 | Election period: no later than 13th day after issue of writ<br>Outside election period: no later than 21st day after issue of writ | Returning officers, Chief Electoral Officer and registered parties   | As soon as applications have been processed, at end of revision or special revision | Returning officers and deputy returning officers   | –                                   | Deputy returning officers (for polling day) and each registered political party (within 6 months of election) | –                                      | –   |
| Northwest Territories | Issued with writ of election or plebiscite proclamation  | Returning officers and official agent for each candidate   | –   | –  | Within 5 days after revision period | Returning officers  | –                                      | –   |
| Nunavut               | (Official list) As soon as possible after issue of writ, but no later than the 20th day before election day                        | Returning officers and candidates who request it   | Revisions done whenever necessary to correct information                            | No later than the 20th day before election day to each candidate   | –                                   | –   | As soon as possible after election day | To member elected in each constituency                                  |

## E. Voting Process

For voting purposes, each electoral district is divided into polling divisions, established by the returning officer for that electoral district. Each polling division has at least one polling station, to which electors are assigned to cast their ballots. All jurisdictions, except Saskatchewan, require every polling station to provide level access for electors with a disability or in wheelchairs.

The minimum election period, from the issuance of the writ to polling day, ranges from 21 days in Newfoundland and Labrador to 36 days in Canada. In Canada, Prince Edward Island, New Brunswick, Quebec, Saskatchewan, Yukon, the Northwest Territories and Nunavut, polling day is a Monday, unless that day is a holiday. In that case, the following day is designated. In Newfoundland and Labrador, Nova Scotia, Manitoba and British Columbia, polling day must be a Tuesday. In Ontario, it must be a Thursday, while in Alberta, no day is specified. Electors are allowed between 10 and 12 hours for voting on polling day (10 in Prince Edward Island, New Brunswick and Nunavut; 12 in Canada, Newfoundland and Labrador, Nova Scotia, Manitoba, British Columbia and Yukon; 10.5 in Quebec; and 11 in the rest). Canada, Newfoundland and Labrador, Prince Edward Island, New Brunswick, Ontario, Manitoba, Saskatchewan, British Columbia and the Northwest Territories have legislated fixed election dates.

In addition to the ordinary polls on polling day, all jurisdictions have established alternative methods of voting to ensure that all electors can cast their ballots. These supplementary methods include advance polls, mail-in or special ballots, voting at the office of the returning officer and mobile polls. Some jurisdictions also allow proxy voting, a method by which an elector who is absent from his or her polling division on polling day authorizes a relative or another elector to cast his or her ballot. Proxy voting is permitted in Yukon and Nunavut.

Mobile polls are travelling polling stations, usually meant for hospitals or senior citizens' care facilities. In Quebec, they visit the facilities in the 10th, 9th, 6th, 5th and 4th days preceding polling day; in other jurisdictions, they are made available at the time of the advance polls, or on polling day, or at any time designated by the returning officer between those dates. Mobile polls are provided in 11 jurisdictions (Canada, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, the Northwest Territories and Nunavut). The Northwest Territories also permits the establishment of multi-district mobile polls when the Chief Electoral Officer deems it to be necessary.

All jurisdictions hold advance polls. Any electors who will not be able to vote on polling day may cast ballots at an advance poll. Advance polls usually take place on two or three different days, one week before polling day.

All jurisdictions have introduced mail-in or special ballots. As a rule, this method of voting is available to any elector, though it is especially meant for those unable to vote on polling day or at an advance poll. Electors must apply for a special ballot before a specified deadline, and ballots must be received by a specified time to be counted. Deadlines for both the application and the return of the ballot vary from one jurisdiction to another. However, except in Saskatchewan, the deadline for receipt of the ballot never falls after polling day, nor are mail-in ballots received after the deadline counted toward the final vote.

All jurisdictions also permit assistance if an elector needs help to vote. The deputy returning officer (or another election officer), a friend, or a relative may accompany the elector behind the voting screen to help mark the ballot, with slight variations among jurisdictions. A template is provided for electors who have difficulty seeing or reading, although not in Prince Edward Island, British Columbia, Yukon or the Northwest Territories (although a template is not legislated in Nova Scotia, a template is, in fact, provided). In all jurisdictions except Newfoundland and Labrador, and Prince Edward Island, an interpreter may also be provided.

All jurisdictions ensure that electors are entitled to time off from their employment for voting. In most jurisdictions, employers must allow electors up to three consecutive hours for voting, but in Newfoundland and Labrador, Quebec, British Columbia and Yukon, employers must allow up to four consecutive hours. In Prince Edward Island, employers must provide not less than one hour. In Nunavut, employers must provide two consecutive hours.

In Canada, Nova Scotia and New Brunswick, the legislation allows the issuance of transfer certificates to candidates or their agents, election officers, and electors with a disability. In Ontario, electors who have recently moved are also eligible. In Canada, electors whose polling station has moved are eligible to receive transfer certificates. Electors with certificates may vote on polling day at a polling station other than the one to which they were assigned, either because they are employed at another polling station or their assigned polling station does not have level access. The certificates are usually provided by the returning officer or election clerk.

Immediately after the close of polls, the deputy returning officer is responsible for counting the votes at each polling station. The official addition of the votes (validation of the votes in Canada) usually takes place at the office of the returning officer some time later, as prescribed by law. In most jurisdictions, a judicial recount must occur if the number of votes separating the candidates who placed first and second at the official addition is less than a given number or fraction. A judicial recount may also be requested if there is reason to believe that there may have been irregularities in the official addition of votes. The applicant for such a recount usually has to make a deposit. An appeal of a judicial recount is permitted in Nova Scotia, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, the Northwest Territories and Nunavut. In the case of a tie between the first two candidates after a judicial recount, the seat is generally declared vacant and a by-election is called. In New Brunswick and Ontario, the returning officer casts the deciding vote, while in Prince Edward Island, Nova Scotia and Yukon, the returning officer must draw lots or toss a coin.

In a number of jurisdictions (Canada, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta, British Columbia and Nunavut), the Act authorizes the Chief Electoral Officer to explore alternative voting methods, procedures and/or technology, including electronic voting machines. In some cases, prior approval of Parliament or the legislative assembly is required.

Table E.1 Polling divisions, polling stations and polling day

| Jurisdiction              | Number of electors per polling division  | Polling station level access | Electoral period   | Polling day   | Hours of voting  |
|---------------------------|--|------------------------------|--|---|--|
| Canada                    | At least 250 electors  | ✓                            | Minimum 36 days  | 3rd Monday in October every four years (scheduled for October 19, 2015)   | <ul style="list-style-type: none"> <li>▪ Newfoundland and Labrador, Atlantic and Central time zones: 8:30 a.m. – 8:30 p.m.</li> <li>▪ Eastern time zone: 9:30 a.m. – 9:30 p.m.</li> <li>▪ Mountain time zone: 7:30 a.m. – 7:30 p.m.</li> <li>▪ Pacific time zone: 7:00 a.m. – 7:00 p.m.</li> </ul> |
| Newfoundland and Labrador | No more than 275 electors  | ✓                            | Minimum 21 days, maximum 30 days   | 2nd Tuesday in October every four years (scheduled for October 13, 2015)  | 8:00 a.m. – 8:00 p.m.  |
| Prince Edward Island      | Approximately 350 electors   | ✓                            | Minimum 26, maximum 32 days  | 1st Monday in October every four years (scheduled for October 5, 2015)  | 9:00 a.m. – 7:00 p.m.  |
| Nova Scotia               | Approximately 450 electors   | ✓                            | Minimum 30 days  | Tuesday   | 8:00 a.m. – 8:00 p.m.  |
| New Brunswick             | As directed by Chief Electoral Officer   | ✓                            | <ul style="list-style-type: none"> <li>▪ Scheduled general election: 32 days</li> <li>▪ All other elections: minimum 28, maximum 38 days</li> </ul>  | 4th Monday in September in the fourth calendar year following the most recent general election (scheduled for September 22, 2014)   | 10:00 a.m. – 8:00 p.m. (must be open for 10 full hours)  |
| Quebec                    | No more than 425 electors  | ✓                            | Minimum 33, maximum 39 days  | Monday  | 9:30 a.m. – 8:00 p.m.  |
| Ontario                   | As directed by Chief Electoral Officer   | ✓                            | Must be 28 days  | 1st Thursday in October every four years (scheduled for October 1, 2015)  | <ul style="list-style-type: none"> <li>▪ 9:00 a.m. – 8:00 p.m.</li> <li>▪ In electoral district that lies entirely west of 90°W longitude, 8:00 a.m. – 7:00 p.m.</li> </ul>  |
| Manitoba                  | <ul style="list-style-type: none"> <li>▪ Urban area: 350–400 electors</li> <li>▪ Rural area: approximately 250 electors</li> </ul> | ✓                            | <ul style="list-style-type: none"> <li>▪ Minimum 28, maximum 35 days in the case of a fixed election date.</li> <li>▪ Minimum 32, maximum 39 days if not a fixed election date.</li> </ul> | <ul style="list-style-type: none"> <li>▪ 1st Tuesday in October in the fourth calendar year following the most recent general election (scheduled for October 6, 2015)</li> <li>▪ If the writ period overlaps a federal general election in October, on the 3rd Tuesday of April in the next calendar year</li> </ul> | 8:00 a.m. – 8:00 p.m.  |

Table E.1 Polling divisions, polling stations and polling day (cont.)

| Jurisdiction          | Number of electors per polling division  | Polling station level access | Electoral period  | Polling day  | Hours of voting   |
|-----------------------|--|------------------------------|---|--|---|
| Saskatchewan          | No more than 300 electors  | –                            | Minimum 28, maximum 34 days                               | <ul style="list-style-type: none"> <li>1st Monday in November every four years (scheduled for November 2, 2015)</li> <li>If the writ period overlaps a federal general election, on the 1st Monday of April in the calendar year following the federal general election</li> </ul> | 9:00 a.m. – 8:00 p.m.   |
| Alberta               | No more than 450 electors  | ✓                            | Must be 28 days   | Any time between March 1 and May 31 every four years (scheduled for 2016)  | 9:00 a.m. – 8:00 p.m.   |
| British Columbia      | No more than 400 electors  | ✓                            | Must be 28 days   | 2nd Tuesday in May every four years (scheduled for May 14, 2013)   | 8:00 a.m. – 8:00 p.m.   |
| Yukon                 | 400 electors   | ✓                            | Minimum 31 days   | Monday   | 8:00 a.m. – 8:00 p.m.   |
| Northwest Territories | At least 200 electors  | ✓                            | Minimum 28 days   | 1st Monday in October every four years (scheduled for October 5, 2015)   | 9:00 a.m. – 8:00 p.m.   |
| Nunavut               | No reference to polling divisions; however, not more than 550 voters per polling station | ✓                            | Maximum 35 days, or 36 if election day falls on a holiday | Monday   | 9:00 a.m. – 7:00 p.m. Central Standard Time, as modified by Daylight Saving Time when applicable, for all constituencies. |



Table E.2 Alternative methods of voting

| Jurisdiction              | Proxy voting | Establishment eligible for mobile polling   | Mobile poll voting time                        | Advance poll period   | Advance poll eligibility | Level access necessary for advance poll location | Mail-in or special ballot eligibility   | Mail-in or special ballot deadline  |
|---------------------------|--------------|---|--|---|--------------------------|--|---|---|
| Canada                    | –            | Where there are 2 or more institutions in which seniors or persons with a disability reside | Polling day, at times set by returning officer | Noon – 8:00 p.m. on 10th, 9th and 7th days before polling day | Any elector              | ✓  | Canadian Forces electors; public servants of Canada or a province or employees of international organizations of which Canada is a member posted outside Canada; persons absent from Canada less than 5 consecutive years and intending to return to reside in Canada; incarcerated electors; any other elector in Canada | <ul style="list-style-type: none"> <li>▪ Application: by 6:00 p.m. on 6th day before polling day</li> <li>▪ Ballot: by 6:00 p.m. on polling day</li> </ul>  |
| Newfoundland and Labrador | –            | –   | –  | One or more of the 7 days immediately before polling day      | Any elector              | ✓  | Electors who would have difficulty voting at advance polls or on polling day and inmates  | <ul style="list-style-type: none"> <li>▪ Application: by 6:00 p.m. on a day before polling day specified by Chief Electoral Officer</li> <li>▪ Ballot: by 4:00 p.m. on a day before polling day specified by Chief Electoral Officer</li> </ul> |

Table E.2 Alternative methods of voting (cont.)

| Jurisdiction         | Proxy voting | Establishment eligible for mobile polling | Mobile poll voting time  | Advance poll period   | Advance poll eligibility | Level access necessary for advance poll location | Mail-in or special ballot eligibility   | Mail-in or special ballot deadline  |
|----------------------|--------------|---|--|---|--------------------------|--|---|---|
| Prince Edward Island | –            | –   | –  | 9:00 a.m. – 7:00 p.m. on Saturday the 9th, Monday the 7th and Friday the 3rd days before polling day  | Any elector              | ✓  | Electors who will be unable to vote at advance polls or on polling day and Canadian Forces electors | <ul style="list-style-type: none"> <li>▪ Application: by 6:00 p.m. on or before 13th day before polling day</li> <li>▪ Ballot: by noon on ordinary polling day</li> </ul> |
| Nova Scotia          | –            | Long-term care facilities                 | Minimum of 2 hours fixed by returning officer                                | <ul style="list-style-type: none"> <li>▪ 10:00 a.m. – 8:00 p.m. on the Friday and Saturday before polling day</li> <li>▪ Additional special polls: 12th to 6th days, excluding Sunday, at prescribed times</li> </ul> | Any elector              | ✓  | Any elector   | <ul style="list-style-type: none"> <li>▪ Application: by the 5th day before ordinary polling day</li> <li>▪ Ballot: by close of polls on polling day</li> </ul>           |
| New Brunswick        | –            | Treatment centres                         | Fixed by returning officer in consultation with administrator of institution | 10:00 a.m. – 8:00 p.m. on 9th and 7th days before polling day   | Any elector              | ✓  | Any elector   | <ul style="list-style-type: none"> <li>▪ Application: any time after writ is issued</li> <li>▪ Ballot: by 8:00 p.m. on polling day</li> </ul>                             |

Table E.2 Alternative methods of voting (cont.)

| Jurisdiction | Proxy voting | Establishment eligible for mobile polling   | Mobile poll voting time   | Advance poll period  | Advance poll eligibility                           | Level access necessary for advance poll location | Mail-in or special ballot eligibility  | Mail-in or special ballot deadline   |
|--------------|--------------|---|---|--|--|--|--|--|
| Quebec       | –            | <ul style="list-style-type: none"> <li>Health institutions</li> <li>Residences for the elderly recognized by the Ministère de la Santé et des Services sociaux</li> <li>Domicile of an elector unable to move about for health reasons</li> </ul> | The 10th, 9th, 6th, 5th and 4th days before polling day during hours determined by returning officer; On the last day, voting ends at 2:00 p.m. | <ul style="list-style-type: none"> <li>9:30 a.m. – 8:00 p.m. on 8th and 7th days before polling day</li> <li>Voting at office of the returning officer: the 10th, 9th, 6th, 5th and 4th days before polling day, during opening hours of main office</li> </ul>  | Any elector  | ✓  | Electors who leave Quebec temporarily after having been domiciled there for 12 months, up to two years after departure | <ul style="list-style-type: none"> <li>Application: before 19th day before polling day</li> <li>Ballot: by close of polls on polling day</li> </ul>  |
| Ontario      | –            | Canadian Forces sites, hospitals, psychiatric facilities and long-term care homes   | At the discretion of the CEO  | <ul style="list-style-type: none"> <li>General election: 18th to 6th days before polling day, at returning office and other locations, from 10:00 a.m. – 8:00 p.m. or during hours determined by Chief Electoral Officer</li> <li>By-election: For 6 days from 12th to 6th days before polling day, at returning office and other locations</li> </ul> | Electors who will be unable to vote on polling day | ✓  | Any elector  | <ul style="list-style-type: none"> <li>Application: begins on the 28th day before polling day and ends at 6:00 p.m. on the last day before polling day (in person) or at 6:00 p.m. on the 6th day before polling day (by mail)</li> <li>Ballot: by 6:00 p.m. on polling day</li> </ul> |

Table E.2 Alternative methods of voting (cont.)

| Jurisdiction | Proxy voting | Establishment eligible for mobile polling                              | Mobile poll voting time  | Advance poll period   | Advance poll eligibility  | Level access necessary for advance poll location | Mail-in or special ballot eligibility  | Mail-in or special ballot deadline  |
|--------------|--------------|--|--|---|---|--|--|---|
| Manitoba     | –            | In sparsely populated areas, health care and correctional institutions | During hours between 8:00 a.m. and 8:00 p.m. specified by returning officer                              | Noon – 6:00 p.m. on Sundays, 8:00 a.m. – 8:00 p.m. other days, from 2nd Sunday before polling day to Saturday before polling day  | Any elector   | ✓  | Electors who cannot go in person to polling station; who are providing care to a person unable to leave home; who expect to be absent during advance polls and polling day | <ul style="list-style-type: none"> <li>▪ Application: by Monday before polling day (housebound voters); by Saturday before polling day (absentee voters)</li> <li>▪ Ballot: by 8:00 p.m. on polling day</li> </ul>  |
| Saskatchewan | –            | In a special situation   | Any hours returning officer deems necessary, from first day of advance polls to 8:00 p.m. on polling day | <ul style="list-style-type: none"> <li>▪ Any 5 of the 7 clear days before polling day, excluding holidays and last day before polling day</li> <li>▪ If on Saturday or Sunday, noon – 7:00 p.m.; if on another day, 3:00 p.m. – 10:00 p.m.</li> </ul> | Electors who have a physical disability or will be away on polling day; election officers and candidates' representatives | –  | Electors who provide evidence that they will be unable to vote at advance polls or on polling day  | <ul style="list-style-type: none"> <li>▪ Application: at least 8 days before polling day</li> <li>▪ Ballot: by close of polls on polling day, if delivered by hand; by noon on 10th day after polling day, if delivered by registered mail and postmarked before close of polls on polling day</li> </ul> |

Table E.2 Alternative methods of voting (cont.)

| Jurisdiction     | Proxy voting | Establishment eligible for mobile polling                                       | Mobile poll voting time  | Advance poll period  | Advance poll eligibility   | Level access necessary for advance poll location | Mail-in or special ballot eligibility   | Mail-in or special ballot deadline  |
|------------------|--------------|---|--|--|--|--|---|---|
| Alberta          | –            | In treatment centres and supportive living facilities with at least 10 electors | Fixed by returning officer in consultation with facility staff | 9:00 a.m.–8:00 p.m. on Thursday through Saturday of the full week before polling day | Any elector  | ✓  | Inmates, election officers, candidates, agents, scrutineers, peace officers and interpreters  | <ul style="list-style-type: none"> <li>▪ Application: by close of polls on polling day</li> <li>▪ Ballot: by close of polls on polling day</li> </ul>                       |
| British Columbia | –            | As established by district electoral officer                                    | As established by district electoral officer                   | 8:00 a.m. – 8:00 p.m. on Wednesday through Saturday of the week before polling day   | Any elector who will be away on polling day, have a physical disability, or live in remote areas | –  | Electors who will be away on polling day, have a physical disability, live in remote areas, or for another reason beyond elector's control cannot vote at polls | <ul style="list-style-type: none"> <li>▪ Application: up to 4 hours before close of polls on polling day</li> <li>▪ Ballot: before close of polls on polling day</li> </ul> |

Table E.2 Alternative methods of voting (cont.)

| Jurisdiction | Proxy voting  | Establishment eligible for mobile polling | Mobile poll voting time | Advance poll period  | Advance poll eligibility | Level access necessary for advance poll location | Mail-in or special ballot eligibility   | Mail-in or special ballot deadline   |
|--------------|---|---|-------------------------|--|--------------------------|--|---|--|
| Yukon        | Any elector who may be away from Yukon on polling day; or who resides in electoral district with no highway access to polling station or regular postal service | –   | –                       | 2:00 p.m. – 8:00 p.m. on 23rd and 24th days after issue of writs | Any elector              | –  | Electors who are housebound; unable to vote at advance or regular poll; students in an educational institution in Yukon, but outside electoral district and their accompanying spouses or dependants; temporarily resident in a transition home; unable to vote at polling station on polling day after close of advance poll | <ul style="list-style-type: none"> <li>▪ Application: before polls open on polling day; if exposure of elector's name or address might put elector at personal risk, by 9:00 p.m. on 28th day after writ</li> <li>▪ Ballot: before 2:00 p.m. on polling day</li> </ul> |

**Table E.2 Alternative methods of voting (cont.)**

| Jurisdiction          | Proxy voting  | Establishment eligible for mobile polling   | Mobile poll voting time  | Advance poll period                             | Advance poll eligibility | Level access necessary for advance poll location | Mail-in or special ballot eligibility   | Mail-in or special ballot deadline  |
|-----------------------|---|---|--|---|--------------------------|--|---|---|
| Northwest Territories | –   | A multi-district mobile poll may be established by the Chief Electoral Officer, if he or she considers it necessary | A multi-district mobile poll may be established by the Chief Electoral Officer between the 7th and 4th days before polling day | Noon – 8:00 p.m. on 11th day before polling day | Any elector              | –  | Any elector   | <ul style="list-style-type: none"> <li>▪ Application: by 2:00 p.m. on 2nd day before polling day</li> <li>▪ Ballot: by close of polls on polling day</li> </ul> |
| Nunavut               | <ul style="list-style-type: none"> <li>▪ Any elector who is unexpectedly absent from his or her constituency and has no other opportunity to vote</li> <li>▪ Electors can apply from the 5th day before the election until 3:00 p.m. the day of the vote</li> </ul> | As established by the Chief Electoral Officer and returning officer   | As determined by returning officer on advance polling days   | Noon – 7:00 p.m. on 7th day before polling day  | Any elector              | –  | Electors who believe that they will be unable to vote at a polling station on polling day | <ul style="list-style-type: none"> <li>▪ Application: available after writ is issued</li> <li>▪ Ballot: prior to 5:00 p.m. on election day</li> </ul>           |

Note: Nunavut allows the use of a telecommunications device to cast a ballot. This device is used if the elector is unable to vote by any other methods due to the elector's remote location.

Table E.3 Assistance to voters on polling day

| Jurisdiction              | Assistance to vote provided by   | Template              | Interpreter                   | Time off for voting  | Transfer certificates eligibility   | Transfer certificates deadline   |
|---------------------------|--|-----------------------|-------------------------------|----------------------|---|--|
| Canada                    | Deputy returning officer, friend (may assist only one elector), relative or designated election officer  | ✓                     | ✓                             | 3 consecutive hours  | Candidates; election officers appointed to another polling station; electors whose polling station has moved; electors with a disability whose polling station does not have level access | –  |
| Newfoundland and Labrador | Deputy returning officer or friend   | ✓                     | –                             | 4 consecutive hours  | –   | –  |
| Prince Edward Island      | Deputy returning officer or friend who is an elector (may assist only one elector)   | –                     | –                             | Not less than 1 hour | –   | –  |
| Nova Scotia               | Deputy returning officer or friend (may assist only one elector)   | ✓<br>(not legislated) | ✓                             | 3 consecutive hours  | Candidates, agents; election officers appointed to another polling station; electors with physical disability whose polling station does not have level access                            | For candidates and agents, application must be received before 8:00 p.m. on Saturday, 3rd day before polling day |
| New Brunswick             | Election officer or friend (may assist only one elector)   | –                     | ✓                             | 3 consecutive hours  | Electors with physical disability whose polling station does not have level access. Curbside voting provided if unable to access polling station.   | –  |
| Quebec                    | Spouse or relative, deputy returning officer in presence of poll clerk, or another person in presence of deputy returning officer and poll clerk (may assist only one elector other than relative) | ✓                     | ✓<br>(only for sign language) | 4 consecutive hours  | –   | –  |



Table E.3 Assistance to voters on polling day (cont.)

| Jurisdiction          | Assistance to vote provided by  | Template              | Interpreter | Time off for voting | Transfer certificates eligibility  | Transfer certificates deadline  |
|-----------------------|---|-----------------------|-------------|---------------------|--|---|
| Ontario               | Deputy returning officer or friend  | ✓<br>(not legislated) | ✓           | 3 consecutive hours | Change of address, restricted mobility, deputy returning officers, poll clerks, scrutineers  | Application must be received up to and including the day immediately before polling day |
| Manitoba              | Voting officer or another person (may assist two electors)  | ✓                     | ✓           | 3 consecutive hours | –  | –   |
| Saskatchewan          | Deputy returning officer, for voter with physical incapacity or inability to read; or friend, for voter who does not understand English | ✓                     | ✓           | 3 consecutive hours | –  | –   |
| Alberta               | Deputy returning officer or friend  | ✓                     | ✓           | 3 consecutive hours | –  | –   |
| British Columbia      | Election official or individual accompanying voter (may assist only one elector aside from a relative)                                  | ✓<br>(not legislated) | ✓           | 4 consecutive hours | –  | –   |
| Yukon                 | Deputy returning officer  | –                     | ✓           | 4 consecutive hours | –  | –   |
| Northwest Territories | Friend or relative (may assist two electors) or deputy returning officer  | –                     | ✓           | 3 consecutive hours | –  | –   |
| Nunavut               | Deputy returning officer, friend or relative (may assist only one elector)  | ✓                     | ✓           | 2 consecutive hours | <ul style="list-style-type: none"> <li>▪ No transfer certificate needed</li> <li>▪ Electors who move into a constituency after the writ is issued in a general election may vote by registering at the polls.</li> </ul> | Close of polls on election day  |

**Table E.4 Addition of votes**

| Jurisdiction              | Place   | Time  | Automatic recount required when   | Judicial recount may be requested by <sup>1</sup> | Time limits  | Deposit required | Appeal of a judicial recount | In case of a tie   |
|---------------------------|---|---|---|---|--|------------------|------------------------------|--|
| Canada                    | Office of returning officer                       | Stated in notice of election                      | Difference between first 2 candidates is less than 1/1000 of votes cast       | Elector   | Request must be made within 4 days after results are validated; judge must fix a date within 4 days of request   | \$250            | –                            | By-election called   |
| Newfoundland and Labrador | At place fixed for official addition of the polls | 3rd day after polling day                         | There is a tie or difference between first 2 candidates is 10 votes or less   | Elector or candidate                              | Chief Electoral Officer must apply within 7 days of official addition of votes; electors or candidates, within 10 days of addition of votes by returning officer | \$100            | –                            | By-election called   |
| Prince Edward Island      | Office of returning officer                       | 10:00 a.m. on Monday, 7th day after polling day   | –   | Candidate   | Request must be made within 4 days of official addition; judge must fix a time and place within 6 days of request  | \$200            | –                            | Returning officer must toss a coin to determine the winning candidate in the presence of at least two authorized persons.  |
| Nova Scotia               | Office of returning officer                       | 10:00 a.m. on Thursday, 2nd day after polling day | There is a tie or difference between first 2 candidates is less than 10 votes | Candidate or candidate's official agent           | Request must be made within 4 days of official addition; judge must fix a time and place within 2 days of request  | \$100            | –                            | Returning officer must draw a lot in the presence of the election clerk, the candidates or their agents (if none are present, then in the presence of two electors) and the judge who conducted the recount. |

<sup>1</sup> Only when there is reason to believe that there may have been irregularities in the official addition of votes

Table E.4 Addition of votes (cont.)

| Jurisdiction  | Place                       | Time  | Automatic recount required when                             | Judicial recount may be requested by <sup>1</sup> | Time limits   | Deposit required                                  | Appeal of a judicial recount   | In case of a tie                 |
|---------------|-----------------------------|---|---|---|---|---|--|----------------------------------|
| New Brunswick | Fixed by proclamation       | Fixed by proclamation (4th day after polling day)   | –   | Elector   | Request must be made within 4 days of official addition; recount must be held within 4 days of application to judge | \$200 (if request is not about closeness of vote) | –  | Returning officer casts a ballot |
| Quebec        | Office of returning officer | 9:00 a.m. on day following polling day  | There is a tie  | Any person  | Request must be made within 4 days of addition of votes; recount must begin within 4 days of request                | –   | –  | By-election called               |
| Ontario       | Stated in notice of poll    | Stated in notice of poll  | Difference between first 2 candidates is less than 25 votes | Elector or candidate                              | Request must be made within 4 days of official addition; recount must be within 10 days of request                  | \$200   | A party to a recount may appeal decision, in writing, within 2 days of recount | Returning officer casts a ballot |
| Manitoba      | –                           | As soon as possible after all ballot boxes received from voting officers and non-resident advance vote and institutional write-in ballots are counted | Difference between first 2 candidates is less than 50 votes | Elector or candidate                              | Request must be made within 6 days of official addition   | –   | A party to a recount may appeal the decision, in writing, within 5 days        | By-election called               |

<sup>1</sup> Only when there is reason to believe that there may have been irregularities in the official addition of votes

Table E.4 Addition of votes (cont.)

| Jurisdiction     | Place                                | Time                                  | Automatic recount required when   | Judicial recount may be requested by <sup>1</sup>                             | Time limits  | Deposit required | Appeal of a judicial recount   | In case of a tie   |
|------------------|--------------------------------------|---------------------------------------|---|---|--|------------------|--|--------------------|
| Saskatchewan     | Fixed by proclamation                | Fixed by proclamation                 | Difference between first 2 candidates is less than total number of all unopened ballot envelopes, rejected ballots, and ballots objected to | Candidate or candidate's business manager                                     | <ul style="list-style-type: none"> <li>Request to returning officer must be made within 4 days of official addition; judge must fix a time and place not less than 10 days after request</li> <li>Application to a judge must be made within 10 days after candidate has been declared elected; judge must fix a time that is not less than 10 days after application</li> </ul> | \$300            | <ul style="list-style-type: none"> <li>Any party to a recount may file written appeal within 5 days; cross appeal may be filed within 5 days of appeal</li> <li>On filing of cross appeal or 10 days after recount, Chief Justice must make an order to direct delivery of evidence to designated judge of Court of Appeal and to fix a time for hearing, no later than 10 days after order</li> </ul> | By-election called |
| Alberta          | Fixed by proclamation                | Fixed by proclamation                 | There is a tie  | Candidate, candidate's official agent or returning officer                    | Request must be made within 8 days of announcement of official count; clerk of Court must fix day and time within 10 days of application   | –                | Any party may appeal decision within 2 days of receiving notice of decision concerning recount   | By-election called |
| British Columbia | Office of district electoral officer | Not before 13th day after polling day | Difference between first 2 candidates is less than 1/500 of total ballots   | Elector, candidate, candidate's representative, or district electoral officer | Request must be made within 6 days of official addition  | –                | A candidate may appeal decision within 2 days of recount   | By-election called |

<sup>1</sup> Only when there is reason to believe that there may have been irregularities in the official addition of votes

Table E.4 Addition of votes (cont.)

| Jurisdiction          | Place   | Time                                    | Automatic recount required when  | Judicial recount may be requested by <sup>1</sup> | Time limits   | Deposit required | Appeal of a judicial recount                                      | In case of a tie  |
|-----------------------|---|---|--|---|---|------------------|---|---|
| Yukon                 | Fixed by proclamation                                   | 10:00 a.m. on day fixed by proclamation | There is a tie or difference between first 2 candidates is 10 votes or less                            | Any person  | Request must be made prior to end of 6th day after official addition; judge must fix day and time within 4 days of request                        | \$200            | –   | Returning officer must draw lots in the presence of a judge and any candidate or agent. |
| Northwest Territories | Fixed by proclamation                                   | Fixed by proclamation                   | There is a tie or difference between first 2 candidates is less than 2% of total number of votes cast  | Elector, Chief Electoral Officer or candidate     | Request must be made within 5 days of official addition; judge must fix a date and time within 10 days of request                                 | \$250            | A party to a recount may appeal decision within 8 days of recount | By-election called  |
| Nunavut               | Every polling station that was open during the election | Immediately after close of polls        | The difference between first two candidates is nil or less than 2% of total votes cast in constituency | Voter   | <ul style="list-style-type: none"> <li>Returning officer: without delay</li> <li>Electors: within 8 days of the declaration of results</li> </ul> | \$250            | Any party may appeal a decision within 8 days of the recount      | By-election called  |

<sup>1</sup> Only when there is reason to believe that there may have been irregularities in the official addition of votes



## F. Nomination and Registration of Political Entities

In all Canadian jurisdictions, those who wish to run as candidates at an election or establish a registered or authorized political party must meet certain requirements. In some cases, there are also registration requirements for local associations, leadership contestants and third parties.

The right to be a candidate is guaranteed by the *Canadian Charter of Rights and Freedoms* (section 3). In all jurisdictions, anyone who meets the eligibility requirements for voting is also eligible to be a candidate. Each jurisdiction also specifies who is not eligible to run, for instance, people who have been convicted of an election-related offence, the Chief Electoral Officer or returning officers, or inmates. Disqualifying criteria vary among jurisdictions and may result indirectly from Legislative Assembly or civil service Acts that disqualify certain people from sitting as members.

To encourage those who wish to seek nomination, some jurisdictions have provisions giving candidates the right to a leave of absence from work. That is the case in Canada, Quebec, Manitoba, British Columbia and Nunavut (for public service employees). In Canada, an employer may grant a leave of absence with or without pay, but in Quebec, Manitoba, British Columbia and Nunavut, a leave of absence may only be granted without pay.

To be a candidate, a person must file nomination or declaration papers with the returning officer. All jurisdictions require prospective candidates to gather a certain number of signatures, except Nunavut, which requires a simpler form of declaration of candidacy. Most jurisdictions require them to pay a deposit, Quebec, Ontario and Manitoba being the exceptions. The deposit is usually reimbursed to candidates if they obtain a certain percentage of valid votes. In Canada, Newfoundland and Labrador, New Brunswick, the Northwest Territories and Nunavut, however, the deposit is entirely reimbursed if the candidate has completed and returned all required documents and forms, regardless of the percentage of votes.

With the exception of the Northwest Territories and Nunavut, where political parties do not exist, a political party may register with the Chief Electoral Officer in its jurisdiction. Political parties must meet several criteria for registration. In particular, all jurisdictions except Quebec require political parties to nominate a certain number of candidates, ranging from 1 in Canada to 51 in Ontario. In addition, a specified number of elector signatures is required, except in New Brunswick and British Columbia. In all jurisdictions, the Chief Electoral Officer may refuse a registration if he or she is of the opinion that the party name or its abbreviation so nearly resembles another party's name or its abbreviation that it may cause confusion. Like candidates, registered political parties must appoint an official agent or representative for financial matters.

Most jurisdictions do not specify when a political party's registration must come into effect. In some cases, the date is determined by the Chief Electoral Officer. However, in Canada, Prince Edward Island, Manitoba and British Columbia, the registration of a political party becomes effective only when certain criteria are met. For example, in Canada, political parties must have submitted their applications to the Chief Electoral Officer at least 60 days before the issuance of a writ and must confirm at least one candidate for an election, whereas in Prince Edward Island, the application must be received before the 23rd day before polling day. In Manitoba, a party becomes registered upon receipt by the Chief Electoral Officer of all financial statements and related documents. British Columbia, meanwhile, requires the Chief Electoral Officer to rule on the registration application within 30 days, unless an election is called.

Only Canada and Quebec have legislation covering the merger of two registered political parties. In Canada, registered political parties may merge at any time except during the period beginning 30 days before the issue of a writ and ending on polling day. Registered political parties in Quebec may merge at any time, so long as the Chief Electoral Officer is notified and the merger is certified by two or more officers from each of the merging parties.

Canada, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta and British Columbia require local associations of political parties to register with the Chief Electoral Officer.

In Canada, Ontario, Quebec and Manitoba, registered parties proposing to hold a leadership contest must submit a statement to the Chief Electoral Officer setting out the dates on which the leadership contest is to begin and end. As well, leadership contestants must submit an application for registration to the Chief Electoral Officer. In Quebec, financing of leadership campaigns is regulated as well.

In Canada, Nova Scotia, New Brunswick, Quebec, Alberta and British Columbia, third parties are required to register with the Chief Electoral Officer. Third parties are those individuals or groups – other than candidates, registered political parties or local associations – who spend, or intend to spend, money on election advertising to promote or oppose a registered political party or a candidate during the course of an election campaign. In Canada, Nova Scotia and New Brunswick, third parties are required to register if they spend more than \$500 on election advertising. In Alberta, the limit is \$1,000, while in Quebec and British Columbia, third parties must register if they wish to advertise at all.



**Table F.1 Requirements to be a candidate**

| Jurisdiction              | 18 years of age | Canadian citizen | Ordinarily resident |
|---------------------------|-----------------|------------------|---------------------|
| Canada                    | ✓               | ✓                | ✓                   |
| Newfoundland and Labrador | ✓               | ✓                | ✓                   |
| Prince Edward Island      | ✓               | ✓                | ✓                   |
| Nova Scotia               | ✓               | ✓                |                     |
| New Brunswick             | ✓               | ✓                | ✓                   |
| Quebec                    | ✓               | ✓                | ✓                   |
| Ontario                   | ✓               | ✓                | ✓                   |
| Manitoba                  | ✓               | ✓                | ✓                   |
| Saskatchewan              | ✓               | ✓                | ✓                   |
| Alberta                   | ✓               | ✓                | ✓                   |
| British Columbia          | ✓               | ✓                | ✓                   |
| Yukon                     | ✓               | ✓                | ✓                   |
| Northwest Territories     | ✓               | ✓                | ✓                   |
| Nunavut                   | ✓               | ✓                | ✓                   |

Table F.2 Impediments to being a candidate

| Jurisdiction              | Convicted of corrupt or illegal practice | Disqualified under any Act | Member of Legislature or Parliament | Chief Electoral Officer | Assistant Chief Electoral Officer | Returning officer | Other election officer | Judge | Inmate | Mayor or councillor of municipality | Sheriff, clerk or Crown attorney | Previous candidate who has not filed financial return |
|---------------------------|--|----------------------------|-------------------------------------|-------------------------|-----------------------------------|-------------------|------------------------|-------|--------|-------------------------------------|----------------------------------|---|
| Canada                    | ✓  |                            | ✓                                   | ✓                       | ✓                                 | ✓                 | ✓                      | ✓     | ✓      |                                     | ✓                                | ✓   |
| Newfoundland and Labrador |  | ✓                          |                                     |                         |                                   |                   |                        |       |        |                                     |                                  |   |
| Prince Edward Island      |  | ✓                          |                                     |                         |                                   |                   |                        |       |        |                                     |                                  |   |
| Nova Scotia               | ✓  | ✓                          | ✓                                   |                         |                                   |                   |                        |       |        |                                     |                                  |   |
| New Brunswick             | ✓  |                            |                                     | ✓                       |                                   | ✓                 |                        | ✓     |        |                                     |                                  |   |
| Quebec                    | ✓  |                            | ✓                                   | ✓                       |                                   | ✓                 |                        | ✓     | ✓      |                                     |                                  | ✓   |
| Ontario                   | ✓  | ✓                          |                                     |                         |                                   | ✓                 | ✓                      |       |        |                                     |                                  |   |
| Manitoba                  | ✓  |                            | ✓                                   | ✓                       |                                   | ✓                 | ✓                      |       | ✓      | ✓                                   |                                  |   |
| Saskatchewan              | ✓  | ✓                          |                                     | ✓                       | ✓                                 | ✓                 | ✓                      | ✓     | ✓      |                                     |                                  |   |
| Alberta                   | ✓  | ✓                          | ✓                                   |                         |                                   |                   |                        |       | ✓      |                                     |                                  | ✓   |
| British Columbia          | ✓  | ✓                          | ✓                                   | ✓                       | ✓                                 | ✓                 | ✓                      | ✓     |        |                                     |                                  | ✓   |
| Yukon                     |  | ✓                          | ✓                                   | ✓                       | ✓                                 |                   |                        |       |        |                                     |                                  |   |
| Northwest Territories     |  |                            | ✓                                   | ✓                       |                                   |                   |                        |       | ✓      |                                     |                                  |   |
| Nunavut                   |  | ✓                          | ✓                                   | ✓                       | ✓                                 | ✓                 | ✓                      | ✓     | ✓      |                                     |                                  | ✓   |

Table F.3 Requirements for nomination and registration

| Jurisdiction              | Political parties registration – number of signatures                                   | Political parties registration – number of candidates nominated | Registration – local associations and leadership contestants; Requirement to provide statement of assets and liabilities and/or identify financial institutions  | Third parties – registration  | Candidates nomination – number of signatures                                       | Candidates nomination – deposit |
|---------------------------|---|---|--|---|--|---------------------------------|
| Canada                    | 250 electors who are party members  | 1   | <ul style="list-style-type: none"> <li>▪ <u>Local associations</u>: Must provide Chief Electoral Officer with statement of assets and liabilities within 6 months after becoming registered</li> <li>▪ <u>Leadership contestants</u>: Must register with Chief Electoral Officer if they accept contributions or incur expenses for leadership campaign</li> </ul> | Must register with Chief Electoral Officer after spending \$500 on election advertising           | 100 electors in electoral district; 50 electors in special districts listed in Act | \$1,000                         |
| Newfoundland and Labrador | 1,000 electors  | 12  | –  | –   | 10 electors in electoral district  | \$200                           |
| Prince Edward Island      | 0.35% of number of persons eligible to vote at last election and still eligible to vote | 10  | –  | –   | 25 electors in electoral district  | \$200                           |
| Nova Scotia               | 25 electors in each of 10 electoral districts   | 10  | <u>Local associations</u> : Must identify their financial institutions and provide account number  | –   | 5 electors in electoral district   | \$100                           |
| New Brunswick             | –   | 10  | <u>Local associations</u> : Must identify their financial institutions   | Must register with Chief Electoral Officer before or after spending \$500 on election advertising | 25 electors in electoral district  | \$100                           |
| Quebec                    | 100 electors who are party members  | –   | <u>Local associations</u> : Must identify their financial institutions   | Must register with returning officer to advertise   | 100 electors on list of electors for electoral division                            | –                               |
| Ontario                   | 1,000 electors  | 2   | <ul style="list-style-type: none"> <li>▪ <u>Local associations</u>: Must provide Chief Electoral Officer with statement of assets and liabilities</li> <li>▪ <u>Leadership contestants</u>: Must identify their financial institutions</li> </ul>  | –   | 25 electors in electoral district  | –                               |

Table F.3 Requirements for nomination and registration (cont.)

| Jurisdiction          | Political parties registration – number of signatures   | Political parties registration – number of candidates nominated | Registration – local associations and leadership contestants; Requirement to provide statement of assets and liabilities and/or identify financial institutions | Third parties – registration   | Candidates nomination – number of signatures | Candidates nomination – deposit |
|-----------------------|---|---|---|--|--|---------------------------------|
| Manitoba              | 2,500 persons eligible to vote in most recent general election  | 5   | –   | –  | 100 electors in electoral division           | –                               |
| Saskatchewan          | 2,500 voters, 1,000 of whom must reside in at least 10 different constituencies (minimum of 100 electors in each) | 2   | –   | –  | 4 electors in constituency                   | \$100                           |
| Alberta               | 0.3% of number of persons eligible to vote at last general election and still eligible to vote                    | In 50% of divisions   | <u>Local associations</u> : Must provide Chief Electoral Officer with statement of assets and liabilities and must identify their financial institutions        | Must register with Chief Electoral Officer after spending or accepting contributions of at least \$1,000 on election advertising | 25 electors in electoral division            | \$500                           |
| British Columbia      | –   | 2   | <u>Local associations</u> : Must provide Chief Electoral Officer with statement of assets and liabilities and must identify their financial institutions        | Must register with Chief Electoral Officer to advertise  | 75 electors in electoral district            | \$250                           |
| Yukon                 | 100 electors who are party members  | 2   | –   | –  | 25 electors in electoral district            | \$200                           |
| Northwest Territories | No political parties  | No political parties  | –   | –  | 15 electors in electoral district            | \$200                           |
| Nunavut               | No political parties  | No political parties  | –   | –  | –  | \$200                           |

## G. Election Financing and Advertising

### Public funding

All jurisdictions provide indirect public funding through a tax credit for political contributions to a candidate or a political party. The maximum tax credit ranges from \$465 in Quebec to \$1,240 in Ontario, though the most common limit is \$500. Most jurisdictions also provide direct public funding, usually by reimbursing part of the election expenses of political parties or candidates, or both. Nine jurisdictions reimburse part of a candidate's election expenses (all but Alberta, British Columbia, Yukon, the Northwest Territories and Nunavut). Five of them also reimburse part of the election expenses of political parties (Canada, Quebec, Ontario, Manitoba and Saskatchewan). In all cases, the reimbursement is issued on the condition that the political party or candidate has obtained a certain percentage of the popular vote.

Another form of direct public funding is the allowance for a political party. Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Manitoba and Alberta pay such allowances. The allowance is based on the number of valid votes received by the party's candidates in the last general election. In Canada, public funding is slowly being phased out, and by April 2014, there will be no more direct public funding provided to political parties. In Alberta, the allowance is determined by a commissioner, who decides on the amounts to be paid to registered parties while considering factors such as number of votes, expenses incurred, and so forth.

Finally, in some jurisdictions there are provisions for ensuring that a political party can broadcast its political message. In New Brunswick and Quebec, network operators may make free time available to political parties on an equitable basis. In Nunavut, community or educational broadcasting services must make equal broadcasting time available to all candidates. Federally, every broadcaster must make 6.5 hours during prime time available to political parties for purchase. Free time must also be made available, and shared among political parties based on their allocation of paid time. All broadcasting time is allocated by the Broadcasting Arbitrator (appointed by the Chief Electoral Officer of Canada) according to a formula in the *Canada Elections Act*.

### Contributions

All jurisdictions restrict in some way the contributions that a political party, a candidate or any other political entity may receive. Generally, a contribution may be monetary or non-monetary, although volunteer labour is not usually included. Nine jurisdictions limit the amount of money that may be contributed to political parties, candidates or other political entities. This is the case in Canada, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Alberta, the Northwest Territories and Nunavut.

Anonymous contributions are allowed in eight jurisdictions – Canada, Newfoundland, Manitoba, Saskatchewan, Alberta, British Columbia, the Northwest Territories and Nunavut. Those contributions are allowed up to a specified amount ranging from \$20 to \$250. For any contributions over those amounts, the identity of the contributor must be disclosed or the contributions remitted to the Chief Electoral Officer.

Seven jurisdictions – Canada, Quebec, Manitoba, Saskatchewan, Alberta, the Northwest Territories and Nunavut – prohibit foreign contributions or contributions from outside the jurisdiction. Canada, Quebec, Nova Scotia and Manitoba also prohibit contributions from a corporation or a trade union, so only contributions from an elector (Quebec) or an individual (Canada, Nova Scotia and Manitoba) are allowed. In Quebec, since 2011, contributions are made directly to the Chief Electoral Officer, who remits them to the entity concerned after verifying that the contribution is in compliance with the law.

## Expenses

The definition of election expenses varies from one jurisdiction to another. However, they typically include all costs incurred to promote or oppose the election of a candidate or a political party. In most jurisdictions, both direct and indirect expenses are covered, but in Canada, Yukon, the Northwest Territories and Nunavut, only direct expenses are covered. Usually, the personal expenses of a candidate, such as for food and lodging, are not included in the definition of election expenses if they are reasonably incurred, except in Yukon. To ensure a level playing field among participants, most jurisdictions limit the election expenses that may be incurred by a political party or a candidate. Alberta and Yukon are the only two jurisdictions that do not impose limits on the amount political parties or candidates may spend during an election campaign. Limits are usually established according to a formula based on the number of electors – for a party, in the electoral districts where it endorses candidates, and for a candidate, in the electoral district where he or she is running. Some jurisdictions, however, have fixed amounts (British Columbia, the Northwest Territories and Nunavut).

Jurisdictions that register third parties (Canada, Nova Scotia, New Brunswick, Quebec and British Columbia) also establish a limit on election advertising expenses incurred by them (with the exception of Alberta). The limit is a fixed amount specified in the legislation and is not linked to the number of electors in the electoral district.

Canada is the only jurisdiction to regulate nomination campaign expenses. Nomination contestants are allowed 20% of the amount allowed for candidates' election expenses in that electoral district, during the immediately preceding general election, if the boundaries for that electoral district have not changed. In any other case, maximum nomination campaign expenses are as determined by the Chief Electoral Officer.

## Reporting

To ensure transparency and compliance in election financing, all jurisdictions require candidates and political parties to report to the Chief Electoral Officer all contributions received and expenses incurred. Candidates must submit an election expenses report, but political parties in most jurisdictions are required to submit both an expenses return for any election campaign and an annual report on their finances. Local associations, leadership contestants and third parties, where required to register, must also submit a financial report. In Canada, nomination contestants (through their financial agents) must submit a nomination campaign return reporting contributions accepted (if they total \$1,000 or more) and expenses incurred (if they total \$1,000 or more), within four months after the selection date. The contents of the reports, as well as the deadlines for submitting them, vary from one jurisdiction to another. In most cases, an auditor's report confirming the accuracy of the candidate's or political party's report must also be submitted. Almost all jurisdictions require the name and address of each donor who contributed more than a specified amount. Some jurisdictions also require all receipts and vouchers to be submitted with the financial report.

## Advertising and surveys

To ensure fair competition, all jurisdictions regulate election advertising. In all jurisdictions, election advertising must identify the person or party on whose behalf the advertisement was produced. This is also true of third party advertising in Canada, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta, British Columbia and Nunavut. In Alberta, election advertising also includes advertising via electronic media such as telephone, fax, Internet, e-mail and text messaging.

Several jurisdictions also impose a blackout on election advertising broadcasts either on polling day (Canada, Nova Scotia, Quebec and British Columbia) or on polling day and the previous day (Newfoundland and Labrador, New Brunswick, Ontario, the Northwest Territories and Nunavut). An additional blackout period is imposed at the beginning of the election period in Ontario, from the day the writ is issued until the 22nd day before polling day, unless it is a fixed date election, and in Quebec, for the seven days following the issuance of the writ.

Five jurisdictions – Canada, Nova Scotia, Ontario, Alberta and British Columbia – regulate the transmission to the public of the results of an election survey or opinion poll. In Canada, Nova Scotia and Alberta, anyone who transmits the results of an election survey to the public within 24 hours of the first transmission is required to provide the name of the sponsor, the name of the organization that conducted the survey and statistical information related to the population sample and the margin of error. Canada, Nova Scotia and Alberta also require survey sponsors to produce a report on the survey upon request. In Canada, Nova Scotia, Ontario, Alberta and British Columbia, an individual or organization must not publish, broadcast or transmit to the public, in an electoral district on general voting day before the close of all of the voting stations in the electoral district, the results of an election opinion survey that have not previously been made available to the public.

Table G.1 Public funding and reimbursement

| Jurisdiction              | Reimbursement of election expenses to political party  | Reimbursement of election expenses to candidate  | Allowances to political parties  | Tax credit for political contributions   | Reimbursement of candidate's deposit  |
|---------------------------|--|--|--|--|---|
| Canada                    | Receives 50% of expenses incurred, if obtains 2% of valid votes overall or 5% of valid votes in electoral districts where it ran a candidate | <ul style="list-style-type: none"> <li>▪ If obtains 10% of valid votes, then receives 15% of expenses limit</li> <li>▪ If also incurs more than 30% of expenses limit, then receives lesser of 60% of actual expenses (minus 15% above), or 60% of expenses limit (minus 15% above)</li> </ul> | <ul style="list-style-type: none"> <li>▪ For each calendar quarter, to each registered party that received at least 2% of valid votes at the preceding general election; or 5% of valid votes in electoral districts where it endorsed a candidate</li> <li>▪ Calculation: <math>\\$0.3825 \times</math> number of valid votes cast for the party in preceding general election<sup>1</sup></li> </ul> | <ul style="list-style-type: none"> <li>▪ Up to \$400: 75%</li> <li>▪ Over \$400 and up to \$750: \$300 plus 50% of amount by which contribution exceeds \$400</li> <li>▪ Over \$750: lesser of \$650, or \$475 plus 33.33% of amount over \$750</li> </ul>     | Yes, to candidate who files required financial documents, including candidate who withdraws before close of nominations                         |
| Newfoundland and Labrador | –  | If obtains 15% of popular vote, receives $\frac{1}{3}$ of actual expenses, to a maximum of $\frac{1}{3}$ of expenses limit   | –  | <ul style="list-style-type: none"> <li>▪ Up to \$100: 75%</li> <li>▪ Over \$100 and up to \$550: \$75 + 50% of amount over \$100 but less than \$550</li> <li>▪ Over \$550: \$300 + 33.33% of amount over \$550</li> <li>▪ Maximum deduction: \$500</li> </ul> | Yes, to candidate who files required financial documents, when writ is withdrawn, or candidate is acclaimed                                     |
| Prince Edward Island      | –  | If obtains 15% of popular vote, receives the lesser of total election expenses reported, or \$0.75 per elector on official list; minimum payment of \$1,500, maximum payment of \$3,000  | <ul style="list-style-type: none"> <li>▪ Annually, to each registered party with one or more seats</li> <li>▪ Calculation: number of valid votes for party's candidates at last general election <math>\times</math> amount fixed by Lieutenant-Governor in Council, adjusted for inflation (maximum \$2.00)<sup>2</sup></li> </ul>  | <ul style="list-style-type: none"> <li>▪ Up to \$100: 75%</li> <li>▪ Over \$100 and up to \$550: \$75 + 50% of amount over \$100</li> <li>▪ Over \$550: lesser of \$300 + 33.33% of amount over \$550, or \$500</li> </ul>                                     | Yes, to candidate who files the required financial documents within the legislated time frame, or candidate who dies before close of the polls. |

<sup>1</sup> Starting April 1, 2013, the amount will be \$0.255, and starting April 1, 2014, the amount will be \$0.1275.

<sup>2</sup> Allowance has not been paid to political parties since 1993.



Table G.1 Public funding and reimbursement (cont.)

| Jurisdiction  | Reimbursement of election expenses to political party | Reimbursement of election expenses to candidate  | Allowances to political parties  | Tax credit for political contributions  | Reimbursement of candidate's deposit   |
|---------------|---|--|--|---|--|
| Nova Scotia   | –   | If obtains 10% of valid votes, receives amount of election expenses not exceeding \$1.43 per elector on final list   | \$1.53 for each vote received by candidates representing a political party in the most recent general election, to be paid in two equal instalments in April and October, adjusted for inflation at the beginning of each year   | <ul style="list-style-type: none"> <li>Up to \$100: 75%</li> <li>Over \$100 and up to \$550: \$75 + 50% of amount over \$100</li> <li>Over \$550: lesser of \$300 + 33.33% of amount over \$550, or \$500</li> </ul>  | Yes, to elected candidate and candidate who receives at least 15% of valid votes and conforms with expenses provisions, and when by-election is superseded by general election |
| New Brunswick | –   | If obtains 15% of valid votes overall, receives lesser of actual expenses incurred or \$0.35 per elector on the preliminary list of electors for the electoral district + cost of mailing 1 oz. first-class letter to each elector | <p>For each fiscal year, an annual allowance will be paid in quarterly instalments to each party in Legislature or a party that ran at least 10 candidates in last general election</p> <p>Calculation: <math>(A-B) \times (C/D)</math></p> <p>Where:</p> <p>A = amount of appropriation authorized</p> <p>B = amount to be paid for audit fee reimbursements to all parties during fiscal year</p> <p>C = total number of valid votes cast for all candidates of that political party in preceding general election</p> <p>D = total number of votes cast for all official candidates of all qualifying political parties in preceding general election</p> | <ul style="list-style-type: none"> <li>Up to \$200: 75%</li> <li>Over \$200 and up to \$550: \$150 + 50% of amount over \$200</li> <li>Over \$550: lesser of \$325 + 33.33% of amount over \$550, or \$500</li> </ul> | Yes, to candidate once candidate's official agent submits statement of election expenses to the Supervisor of Political Financing.   |

Table G.1 Public funding and reimbursement (cont.)

| Jurisdiction | Reimbursement of election expenses to political party  | Reimbursement of election expenses to candidate  | Allowances to political parties   | Tax credit for political contributions  | Reimbursement of candidate's deposit   |
|--------------|--|--|---|---|--|
| Quebec       | If obtains 1% of valid votes, receives 50% of incurred expenses, to a maximum of \$0.71 (indexed) per elector for all electoral divisions in which it ran candidates | If obtains 15% of valid votes, receives 50% of incurred expenses, to a maximum of \$1.23 (indexed) per elector in electoral division                       | <ul style="list-style-type: none"> <li>Annually, to authorized parties</li> <li>Calculation: percentage of valid votes obtained by party at last general election x \$0.83 (indexed) x number of electors on lists for that election, adjusted for inflation each January 1st</li> </ul>  | <ul style="list-style-type: none"> <li>85% of first \$100</li> <li>75% of next \$300</li> </ul>   | No deposit required  |
| Ontario      | Receives \$0.05 per elector in any electoral district where it received 15% of popular vote  | If obtains 15% of popular vote, receives lesser of 20% of incurred expenses or 20% of expenses limit   | –   | <ul style="list-style-type: none"> <li>Up to \$300: 75%</li> <li>Over \$300 and up to \$1,000: 75% of \$300 + 50% of amount over \$300</li> <li>Over \$1,000: lesser of \$1,000 adjusted for inflation, or amount obtained using the formula <math>0.75 \times \\$300 + 0.50 \times (\\$1,000 - \\$300) + 0.333 \times (\text{total amount contributed} - \\$1,000)</math></li> </ul> | Yes, to candidate who receives at least 10% of valid votes, or candidate who withdraws before close of nominations |
| Manitoba     | If obtains 10% of valid votes, receives lesser of 50% of expenses limit and 50% of actual expenses   | If obtains 10% of valid votes, receives 100% of childcare and disability expenses, and lesser of 50% of expenses limit, or 50% of actual election expenses | <p>Maximum annual allowance:</p> <p>(a) <math>\\$1.25 \times \text{number of valid votes received by each candidate}</math> to a maximum of \$250,000</p> <p>(b) the total expenses paid by the party in the year</p> <p>Minimum annual allowance:</p> <p>(a) \$10,000, if the party is represented in Assembly by at least one member</p> <p>(b) \$600 in any other case</p> | <ul style="list-style-type: none"> <li>Up to \$400: 75%</li> <li>Over \$400 and up to \$750: \$300 + 50% of amount over \$400</li> <li>Over \$750: lesser of \$475 + amount over \$750/3, or \$650</li> </ul>   | No deposit required  |

Table G.1 Public funding and reimbursement (cont.)

| Jurisdiction     | Reimbursement of election expenses to political party            | Reimbursement of election expenses to candidate                  | Allowances to political parties  | Tax credit for political contributions  | Reimbursement of candidate's deposit  |
|------------------|--|--|--|---|---|
| Saskatchewan     | If obtains 15% of valid votes, receives 50% of incurred expenses | If obtains 15% of valid votes, receives 60% of incurred expenses | –  | <ul style="list-style-type: none"> <li>Up to \$400: 75%</li> <li>Over \$400 and up to \$750: \$300 + 50% of amount over \$400</li> <li>Over \$750: lesser of \$475 + 33% of amount over \$750, or \$650</li> </ul>            | Yes, to elected candidate, candidate who receives at least half the votes received by elected candidate and who conforms with expenses provisions, candidate where election is found void, and candidate whose nomination is refused by returning officer   |
| Alberta          | –  | –  | Determined by the appointed commissioner. The commissioner must decide on the amounts to be paid, when they are to be paid, and whether they are to be adjusted for cost of living. In determining the amount, the commissioner must take into consideration factors such as expenses incurred, public support and/or number of candidates endorsed. | <ul style="list-style-type: none"> <li>Up to \$200: 75%</li> <li>Over \$200 and up to \$1,100: \$150 + 50% of amount over \$200</li> <li>Over \$1,100: lesser of \$1,000, or \$600 + 33.33% of amount over \$1,100</li> </ul> | Yes, one half of deposit to elected candidate, candidate who receives at least half the number of votes received by elected candidate, and candidate who withdraws within 48 hours of filing his or her nomination paper; and one half of deposit to candidate who files required financial statement |
| British Columbia | –  | –  | –  | <ul style="list-style-type: none"> <li>Up to \$100: 75%</li> <li>Over \$100 and up to \$550: \$75 + 50% of amount over \$100</li> <li>Over \$550: lesser of \$300 + 33.33% of amount over \$550, or \$500</li> </ul>          | Yes, to candidate who receives at least 15% of total votes counted, and when candidate's electoral district is disestablished before election   |

Table G.1 Public funding and reimbursement (cont.)

| Jurisdiction          | Reimbursement of election expenses to political party | Reimbursement of election expenses to candidate | Allowances to political parties | Tax credit for political contributions   | Reimbursement of candidate's deposit   |
|-----------------------|---|---|---------------------------------|--|--|
| Yukon                 | –   | –   | –                               | <ul style="list-style-type: none"> <li>▪ Up to \$100: 75%</li> <li>▪ Over \$100 and up to \$550: \$75 + 50% of amount over \$100</li> <li>▪ Over \$550: lesser of \$300 + 33.33% of amount over \$550, or \$500</li> </ul> | Yes, to candidate who receives at least 25% of number of votes received by elected candidate                                   |
| Northwest Territories | No political parties                                  | –   | –                               | <ul style="list-style-type: none"> <li>▪ Up to \$100: 100%</li> <li>▪ Over \$100: lesser of \$100 + 50% of amount over \$100, or \$500</li> </ul>  | Yes, to candidate who files required financial documents, and when writ is withdrawn   |
| Nunavut               | No political parties                                  | –   | –                               | <ul style="list-style-type: none"> <li>▪ Up to \$100: 100%</li> <li>▪ Over \$100: lesser of \$100 + 50% of amount over \$100, or \$500</li> </ul>  | Yes, to candidate who files required financial documents when writ is withdrawn, or when candidate dies before close of polls. |

**Table G.2 Contributions – limits; allowable sources**

| Jurisdiction              | Limit on contributions  | Contributors outside jurisdiction | Individuals    | Corporations | Trade unions | Anonymous contributors |
|---------------------------|---|-----------------------------------|----------------|--------------|--------------|------------------------|
| Canada                    | <ul style="list-style-type: none"> <li>From an individual, \$1,000 total per year to each registered party; \$1,000 total per year to the registered associations, nomination contestants and candidates of each registered party; \$1,000 total to each candidate for a particular election not of a registered party; and \$1,000 total to the leadership contestants in a particular leadership contest</li> <li>Limits are adjusted for inflation</li> </ul>                                | No                                | Yes            | No           | No           | Yes (up to \$20)       |
| Newfoundland and Labrador | –   | Yes                               | Yes            | Yes          | Yes          | Yes (up to \$100)      |
| Prince Edward Island      | –   | Yes                               | Yes            | Yes          | Yes          | No                     |
| Nova Scotia               | \$5,000 per year from an individual to each registered party and all electoral district associations and candidates of that party, as well as to registered third parties   | Yes                               | Yes            | No           | No           | No                     |
| New Brunswick             | \$6,000 per year from an individual, corporation or trade union to each registered political party or its district associations and to one independent candidate  | Yes                               | Yes            | Yes          | Yes          | No                     |
| Quebec                    | <ul style="list-style-type: none"> <li>\$1,000 in total from same elector in same year to each party, independent member and independent candidate</li> <li>\$1,000 in total for support to one or more leadership candidates</li> </ul>  | No                                | Yes (electors) | No           | No           | No                     |
| Ontario                   | From a person, corporation or trade union: <ul style="list-style-type: none"> <li>To each party: \$7,500 per year x indexation factor</li> <li>To each constituency association: \$1,000 per year x indexation factor</li> <li>To constituency associations of any one party: \$5,000 per year x indexation factor</li> <li>To each candidate: \$1,000 per campaign x indexation factor</li> <li>To candidates endorsed by one party: \$5,000 total per campaign x indexation factor</li> </ul> | Yes                               | Yes            | Yes          | Yes          | No                     |

**Table G.2 Contributions – limits; allowable sources (cont.)**

| Jurisdiction          | Limit on contributions   | Contributors outside jurisdiction     | Individuals | Corporations | Trade unions | Anonymous contributors                           |
|-----------------------|--|---------------------------------------|-------------|--------------|--------------|--|
| Manitoba              | \$3,000 in a calendar year from an individual to candidates, constituency associations or registered political parties or any combination of them; and \$3,000 in leadership contest period to one or more contestants   | No                                    | Yes         | No           | No           | Yes (up to \$10)                                 |
| Saskatchewan          | –  | Yes (must be from a Canadian citizen) | Yes         | Yes          | Yes          | Yes (up to \$250)                                |
| Alberta               | <p>From any person, corporation, trade union or employee organization:<br/>In a year –</p> <ul style="list-style-type: none"> <li>▪ To a party: \$15,000</li> <li>▪ To a constituency association: \$1,000</li> <li>▪ To constituency associations of each party: \$5,000</li> <li>▪ To a third party: \$15,000</li> </ul> <p>During a campaign –</p> <ul style="list-style-type: none"> <li>▪ To a party: \$30,000</li> <li>▪ To a candidate: \$2,000</li> <li>▪ To candidates of each party: \$10,000</li> <li>▪ To a third party: \$30,000</li> </ul> | No                                    | Yes         | Yes          | Yes          | Yes (up to \$50)                                 |
| British Columbia      | <ul style="list-style-type: none"> <li>▪ Political parties and constituency associations must not accept more than \$10,000 in anonymous contributions in a calendar year.</li> <li>▪ Pre-campaign period: Third parties may contribute up to \$3,000 per electoral district or \$150,000 overall.</li> <li>▪ Candidates, leadership contestants and nomination contestants may only accept up to \$3,000 from anonymous sources in relation to any one election or contest.</li> </ul>  | Yes                                   | Yes         | Yes          | Yes          | Yes – at fundraising functions only (up to \$50) |
| Yukon                 | –  | Yes                                   | Yes         | Yes          | Yes          | No   |
| Northwest Territories | From an individual, association or organization to a candidate during a campaign: \$1,500 <sup>1</sup>   | No                                    | Yes         | Yes          | Yes          | Yes (up to \$100)                                |
| Nunavut               | From an individual, corporation, association or organization to a candidate during a campaign: \$2,500 <sup>1</sup>  | No                                    | Yes         | Yes          | Yes          | Yes (up to \$100)                                |

<sup>1</sup> Political parties do not exist in the Northwest Territories or Nunavut.

Table G.3 Limits on expenses<sup>1</sup>

| Jurisdiction              | Political parties – election expenses  | Candidates – election expenses   | Third parties – advertising expenses  |
|---------------------------|--|--|---|
| Canada                    | \$0.70 x number of names on preliminary or revised lists of electors (whichever is greater) in electoral districts where party endorses a candidate x inflation index factor<br><br>By-election: same as above | Aggregate of:<br>▪ \$2.07 x first 15,000 electors on preliminary or revised lists of electors (whichever is greater)<br>▪ \$1.04 x next 10,000 electors<br>▪ \$0.52 x number of remaining electors<br><br>By-election: same as above | ▪ No more than \$150,000 during an election period relating to a general election. Of that, no more than \$3,000 shall be incurred to promote or oppose the election of one or more candidates in a given electoral district.<br>▪ No more than \$3,000 in a given electoral district during the election period for a by-election. |
| Newfoundland and Labrador | \$3.125 x number of names on revised list of electors in electoral districts where party endorses a candidate; minimum \$12,000 for each electoral district<br><br>By-election: same as above                  | \$3.125 x number of names on revised list of electors; minimum \$12,000<br><br>By-election: same as above  | –   |
| Prince Edward Island      | \$6.00 x number of electors entitled to vote in electoral districts where party endorses an official candidate<br><br>By-election: same as above   | \$1.75 x number of electors entitled to vote<br><br>By-election: same as above   | –   |
| Nova Scotia               | ▪ \$2.29 x number of electors in electoral districts where party endorses an official candidate<br>▪ By-election: \$5,723.20   | Aggregate of:<br>▪ \$5.72 x first 5,000 electors<br>▪ \$4.86 x next 5,000 electors<br>▪ \$4.29 x number of remaining electors<br><br>By-election: same as above  | ▪ No more than \$10,000 during an election period relating to a general election. Of that, no more than \$2,000 shall be incurred to promote or oppose the election of one or more candidates in a given electoral district.<br>▪ No more than \$2,000 in a given electoral district during the election period for a by-election.  |
| New Brunswick             | ▪ \$1.00 x number of electors in electoral districts where party endorses a candidate<br>▪ By-election: \$7,000  | ▪ \$1.75 x number of electors; minimum \$11,000, maximum \$22,000<br>▪ By-election: \$2.00 x number of electors; minimum \$11,000, maximum \$22,000  | 1.3% of election expenses limit of registered parties; only 10% of this amount may be spent on election advertising that relates to a single electoral district.  |

<sup>1</sup> All jurisdictions except Alberta, Yukon, Northwest Territories and Nunavut adjust spending limits according to the Consumer Price Index (CPI).

Table G.3 Limits on expenses<sup>1</sup> (cont.)

| Jurisdiction | Political parties – election expenses  | Candidates – election expenses   | Third parties – advertising expenses           |
|--------------|--|--|--|
| Quebec       | <ul style="list-style-type: none"> <li>▪ \$0.69 (indexed) x number of electors in electoral divisions where party endorses an official candidate</li> <li>▪ By-election: political parties may not incur expenses</li> </ul>   | <ul style="list-style-type: none"> <li>▪ \$1.19 (indexed) x number of electors</li> <li>▪ By-election: \$1.88 (indexed) x number of electors</li> </ul>  | Up to \$300 per authorized private intervener. |
| Ontario      | <p>\$0.60 x indexation factor x number of electors on list of electors or number of electors entitled to vote, whichever is greater, in an electoral district where a party endorses an official candidate</p> <p>By-election: same as above</p>   | <p>\$0.96 x indexation factor x number of electors on list of electors or number of electors entitled to vote, whichever is greater; increased by \$7,000 in specified districts</p> <p>By-election: same as above</p>   | –  |
| Manitoba     | <ul style="list-style-type: none"> <li>▪ \$1.79 x number of names on final voters lists in electoral divisions where party endorses a candidate</li> <li>▪ By-election: \$3.22 x number of names on final voters lists</li> </ul>  | <p>Electoral divisions with</p> <ul style="list-style-type: none"> <li>▪ less than 30,000 square miles<sup>2</sup>: \$2.72 x number of names on final voters lists</li> <li>▪ more than 30,000 square miles: \$4.33 x number of names on final voters lists</li> </ul> <p>By-election: same as above</p>                             | –  |
| Saskatchewan | <p>\$673,783 (adjusted)</p> <p>By-election:</p> <ul style="list-style-type: none"> <li>▪ Northern constituencies (2 constituencies): \$39,082 (adjusted) per candidate endorsed</li> <li>▪ Southern constituencies: the greater of \$32,567 (adjusted) or \$2.60 (adjusted) x number of names on voters list, per candidate</li> </ul> | <ul style="list-style-type: none"> <li>▪ Northern constituencies: the greater of \$52,108 (adjusted) or \$5.21 (adjusted) x number of names on voters list</li> <li>▪ Southern constituencies: the greater of \$39,082 (adjusted) or \$2.60 (adjusted) x number of names on voters list</li> </ul> <p>By-election: same as above</p> | –  |
| Alberta      | –  | –  | –  |

<sup>1</sup> All jurisdictions except Alberta, Yukon, Northwest Territories and Nunavut adjust spending limits according to the Consumer Price Index (CPI).

<sup>2</sup> 1 square mile = 2.59 km<sup>2</sup>.



Table G.3 Limits on expenses<sup>1</sup> (cont.)

| Jurisdiction          | Political parties – election expenses   | Candidates – election expenses  | Third parties – advertising expenses  |
|-----------------------|---|---|---|
| British Columbia      | <ul style="list-style-type: none"> <li>▪ During the period beginning 60 days before the campaign period, expenses must not exceed \$1.1 million.</li> <li>▪ During the campaign period expenses must not exceed \$4.4 million.</li> <li>▪ By-election: The total value of by-election expenses incurred by a registered political party during the campaign period must not exceed \$70,000.</li> </ul> | <ul style="list-style-type: none"> <li>▪ The total value of election expenses incurred by a candidate during the period beginning 60 days before the campaign period must not exceed \$70,000.</li> <li>▪ During the campaign period, expenses must not exceed \$70,000.</li> </ul> | Contribution limits are regulated during the pre-campaign period: \$3,000 in relation to a single electoral district and \$150,000 overall. |
| Yukon                 | –   | –   | –   |
| Northwest Territories | No political parties  | \$30,000  | –   |
| Nunavut               | No political parties  | \$30,000 plus travel and living expenses, childcare expenses, and expenses approved in advance by the Chief Electoral Officer and related to a disability suffered by the candidate.  | –   |

<sup>1</sup> All jurisdictions except Alberta, Yukon, Northwest Territories and Nunavut adjust spending limits according to the Consumer Price Index (CPI).

**Table G.4 Deadline for reporting contributions and expenses**

| Jurisdiction              | Candidates   | Political parties – annual fiscal return  | Political parties – election expenses return | Local associations  | Other  |
|---------------------------|--|---|--|---|--|
| Canada <sup>1</sup>       | 4 months after polling day   | 6 months after end of fiscal year   | 6 months after polling day                   | 5 months after end of fiscal period   | <ul style="list-style-type: none"> <li>▪ <u>Third parties</u>: 4 months after polling day</li> <li>▪ <u>Leadership contestants</u>: 6 months after end of leadership contest</li> <li>▪ <u>Nomination contestants</u>: 4 months after selection date</li> </ul>          |
| Newfoundland and Labrador | 4 months after polling day   | On or before April 1  | 4 months after polling day                   | –   | –  |
| Prince Edward Island      | 120 days after return of writ  | On or before May 31   | 120 days after return of writ                | –   | –  |
| Nova Scotia               | 80 days after return of writ   | On or before April 30   | 120 days after return of writ                | Annual; on or before March 31 (only contributions)  |  |
| New Brunswick             | 60 days after return of writ   | Semi-annual; on or before October 1 and April 1                                       | 120 days after return of writ                | Annual; on or before April 1  | <u>Third parties</u> : 90 days after polling day   |
| Quebec                    | 90 days after polling day  | On or before April 30   | 120 days after polling day                   | Annual; on or before April 1  | <u>Third parties</u> : 30 days after polling day<br><u>Leadership contestants</u> : 90 days after vote   |
| Ontario                   | 6 months after polling day   | On or before May 31   | 6 months after polling day                   | <ul style="list-style-type: none"> <li>▪ Annual: on or before May 31</li> <li>▪ Election: 6 months after polling day</li> </ul> | <ul style="list-style-type: none"> <li>▪ <u>Leadership contestants</u>: For period beginning at official call until 2 months after vote: within 6 months after leadership vote</li> <li>▪ For 12-month period beginning 2 months after vote: within 20 months</li> </ul> |
| Manitoba                  | 4 months after polling day   | 3 months after end of year  | 4 months after polling day                   | 30 days after end of year   | <u>Leadership contestants</u> : 30 days after end of leadership contest period   |
| Saskatchewan              | 3 months after polling day   | 4 months after end of fiscal year   | 6 months after polling day                   | –   | –  |
| Alberta                   | 4 months after polling day (unless annual revenue and expenses do not each exceed \$1,000) | On or before March 31 (unless annual revenue and expenses do not each exceed \$1,000) | 6 months after polling day                   | Annual; on or before March 31   | Third parties' election advertising reports: 6 months after polling day, or, if third party accepts or incurs election advertising expenses outside of an election, it must submit an annual report on or before March 31 the following year                             |

<sup>1</sup> The chief agent of a registered party that is entitled to a quarterly allowance must provide the Chief Electoral Officer with a return within 30 days after the end of each quarter of the fiscal period.

Table G.4 Deadline for reporting contributions and expenses (cont.)

| Jurisdiction          | Candidates                   | Political parties – annual fiscal return | Political parties – election expenses return | Local associations   | Other  |
|-----------------------|------------------------------|--|--|--|--|
| British Columbia      | 90 days after polling day    | On or before March 31                    | 90 days after polling day                    | <ul style="list-style-type: none"> <li>▪ Annual: on or before March 31</li> <li>▪ Election: 90 days after polling day</li> </ul> | <ul style="list-style-type: none"> <li>▪ <u>Third parties</u>: 90 days after polling day</li> <li>▪ <u>Leadership contestants</u>: 90 days after vote</li> </ul> |
| Yukon                 | 90 days after return of writ | On or before March 31                    | 90 days after return of writ                 | –  | –  |
| Northwest Territories | 60 days after polling day    | No political parties                     | No political parties                         | –  | –  |
| Nunavut               | 60 days after polling day    | No political parties                     | No political parties                         | –  | –  |

**Table G.5 Entities required to report**

| Jurisdiction              | Candidates | Political parties | Local associations | Third parties | Leadership contestants | Nomination contestants |
|---------------------------|------------|-------------------|--------------------|---------------|------------------------|------------------------|
| Canada                    | ✓          | ✓                 | ✓                  | ✓             | ✓                      | ✓                      |
| Newfoundland and Labrador | ✓          | ✓                 | –                  | –             | –                      | –                      |
| Prince Edward Island      | ✓          | ✓                 | –                  | –             | –                      | –                      |
| Nova Scotia               | ✓          | ✓                 | ✓                  | –             | –                      | –                      |
| New Brunswick             | ✓          | ✓                 | ✓                  | ✓             | –                      | –                      |
| Quebec                    | ✓          | ✓                 | ✓                  | ✓             | –                      | –                      |
| Ontario                   | ✓          | ✓                 | ✓                  | –             | ✓                      | –                      |
| Manitoba                  | ✓          | ✓                 | ✓                  | –             | ✓                      | –                      |
| Saskatchewan              | ✓          | ✓                 | –                  | –             | –                      | –                      |
| Alberta                   | ✓          | ✓                 | ✓                  | ✓             | –                      | –                      |
| British Columbia          | ✓          | ✓                 | ✓                  | ✓             | ✓                      | –                      |
| Yukon                     | ✓          | ✓                 | –                  | –             | –                      | –                      |
| Northwest Territories     | ✓          | 1                 | –                  | –             | –                      | –                      |
| Nunavut                   | ✓          | 1                 | –                  | –             | –                      | –                      |

<sup>1</sup> Political parties do not exist in the Northwest Territories or Nunavut.

**Table G.6 Requirements of financial reports**

| Jurisdiction              | Auditor's report   | Personal expenses<br>(candidates only) | Donations by<br>class | Amount of<br>contribution that<br>requires detailed<br>disclosure | Name and<br>address of donor           | Receipts and vouchers                             |
|---------------------------|--|--|-----------------------|---|--|---|
| Canada                    | Candidates, political parties,<br>leadership contestants (if required),<br>nomination contestants (if required),<br>registered associations (if required) <sup>1</sup> | ✓                                      | Third parties         | Over \$200  | All                                    | Third parties on request                          |
| Newfoundland and Labrador | All  | ✓                                      | –                     | Over \$100  | All                                    | –   |
| Prince Edward Island      | All  | –                                      | –                     | Over \$250  | Annual returns of<br>political parties | All   |
| Nova Scotia               | Election expenses and tax receipts   | –                                      | –                     | Over \$50   | All                                    | Candidates, political parties                     |
| New Brunswick             | Political parties, semi-annual<br>financial returns  | –                                      | Third parties         | Over \$100  | All                                    | All   |
| Quebec                    | Political parties  | –                                      | –                     | All contributions   | All                                    | All   |
| Ontario                   | All  | –                                      | –                     | Over \$100  | All                                    | –   |
| Manitoba                  | All  | ✓                                      | –                     | \$250 or more   | All                                    | Leadership contestants                            |
| Saskatchewan              | All  | ✓                                      | All                   | Over \$250  | Name only for all<br>reports           | All   |
| Alberta                   | Political parties, third parties <sup>2</sup>  | –                                      | –                     | Over \$375  | All                                    | Third parties: if requested by<br>CEO (over \$50) |
| British Columbia          | Candidates, political parties,<br>constituency associations <sup>3</sup>   | ✓                                      | All                   | Over \$250  | All                                    | –   |
| Yukon                     | –  | –                                      | –                     | Over \$250  | All                                    | All   |
| Northwest Territories     | –  | –                                      | –                     | Over \$100  | Candidates                             | Candidates  |
| Nunavut                   | Candidates (independent auditor<br>working for Elections Nunavut)  | –                                      | –                     | Over \$100  | Candidates                             | Candidates  |

<sup>1</sup> An auditor's report is required from nomination contestants whose expenses or contributions exceed \$10,000; and from leadership contestants and registered electoral district associations that accept contributions or incur expenses of \$5,000 or more in a fiscal period.

<sup>2</sup> Third parties in Alberta are required to provide an audited financial statement within 6 months after polling day if their election expenses are over \$100,000.

<sup>3</sup> Only if the value of contributions, election expenses, or contestant expenses is \$10,000 or more.

**Table G.7 Specific provisions governing advertising and opinion polls**

| Jurisdiction              | Limit on advertising spending  | Blackout period  | Government advertising                   | Authorization   | Restrictions on opinion polls   |
|---------------------------|--|--|--|---|---|
| Canada                    | Third party: (adjusted) \$3,000 per electoral district, to a maximum of \$150,000 nationally per election period | Polling day until close of all polls in electoral district | No transmission through government means | Any advertising must indicate that it was authorized by candidate's official agent or registered agent of political party   | <ul style="list-style-type: none"> <li>▪ Upon first release and upon release within 24 hours of first release, any opinion poll or survey must publish identifying information, dates, number of people contacted and margin of error. For published surveys, must provide wording of questions, and more detailed and statistical information upon request</li> <li>▪ On election day, no person is authorized to publish the results of an election survey that has not previously been released to the public before all the polls close in an electoral district</li> </ul> |
| Newfoundland and Labrador | –  | Polling day and day before polling day                     | –  | Authorizing person, union, corporation, candidate or political party, as well as sponsor of the advertising, must be identified in writing to publisher   | –   |
| Prince Edward Island      | –  | –  | –  | Authorizing person, union, corporation or political party, as well as sponsor of the advertising, must be identified in writing to publisher or broadcaster, and all election advertising must make reference to this information | –   |

Table G.7 Specific provisions governing advertising and opinion polls (cont.)

| Jurisdiction  | Limit on advertising spending  | Blackout period  | Government advertising | Authorization   | Restrictions on opinion polls   |
|---------------|--|--|------------------------|---|---|
| Nova Scotia   | Third party: \$2,000 to promote or oppose a candidate in a given electoral district, to a maximum of \$10,000 provincially in an election period   | Polling day until close of all polls in electoral district | –                      | Every advertisement must indicate that it was authorized by candidate's or party's agent and on whose behalf it was printed, published, broadcast or distributed  | <ul style="list-style-type: none"> <li>▪ Upon first release and upon release within 24 hours of first release, opinion poll or survey must provide sponsor's name, person or organization that conducted it, dates, population from which sample was drawn, number of people contacted and margin of error</li> <li>▪ Published surveys must provide wording of questions and how to obtain survey report</li> <li>▪ On election day, no person is authorized to publish the results of an election survey not previously released to the public</li> </ul> |
| New Brunswick | <p>Outside election period:</p> <ul style="list-style-type: none"> <li>▪ Political party: \$35,000 per year</li> <li>▪ District association or independent candidate: \$2,000 per year</li> </ul> <p>Third party during general election:</p> <ul style="list-style-type: none"> <li>▪ Cannot exceed 1.3% of the election expenses limit for political parties, and only 10% of this amount may be spent on advertising relating to a single electoral district</li> </ul> | Polling day and day before polling day                     | –                      | <p>Every printed advertisement must bear the name and address of the printer and the name of the political party or candidate on whose behalf it was ordered. Where not ordered by a chief or official agent, it must also bear the name of the person who ordered its publication.</p> <p>Third parties must identify themselves and provide the name, telephone number and address of the person responsible for the books and records.</p> | –   |

Table G.7 Specific provisions governing advertising and opinion polls (cont.)

| Jurisdiction | Limit on advertising spending        | Blackout period  | Government advertising | Authorization   | Restrictions on opinion polls  |
|--------------|--------------------------------------|--|------------------------|---|--|
| Quebec       | Authorized private intervenor: \$300 | The 7 days following election order; polling day   | –                      | All election advertising must mention name and title of the official agent or deputy who has it disseminated, along with name of printer or manufacturer, if applicable | –  |
| Ontario      | –                                    | From issue of writ until 22nd day before polling day, polling day and day before polling day; does not apply: <ul style="list-style-type: none"> <li>▪ to fixed-date elections</li> <li>▪ to official Web site of registered candidate or registered constituency association</li> </ul> | –                      | –   | On election day, no person, corporation, trade union, third party, constituency association or political party is authorized to publish, broadcast or transmit to the public the results of an election survey that has not previously been released to the public before all the polls close in an electoral district |



Table G.7 Specific provisions governing advertising and opinion polls (cont.)

| Jurisdiction | Limit on advertising spending   | Blackout period | Government advertising  | Authorization  | Restrictions on opinion polls |
|--------------|---|-----------------|---|--|-------------------------------|
| Manitoba     | <ul style="list-style-type: none"> <li>Political party: (adjusted)</li> <li>During an election: \$0.92 x number of names on voters lists for all electoral divisions in which party endorses candidates</li> <li>During a by-election: \$1.61 x number of names on voters lists for electoral division</li> <li>Outside an election: The total advertising expenses by a registered political party shall not exceed \$250,000</li> <li>Candidate: (adjusted)</li> <li>During an election: \$0.56 x number of names on voters lists for electoral division</li> <li>Outside an election: A candidate shall not exceed \$6,000 per year</li> </ul> | –               | No government department or Crown agency may publish or advertise any information about its programs or activities in the last 90 days before polling day, and on polling day, in the case of a fixed date election, or during the election period for any other general election | No advertising may be printed, published or distributed without written authorization of official agent or chief financial officer of political party, candidate or constituency association, which must be displayed with advertisement | –                             |

Table G.7 Specific provisions governing advertising and opinion polls (cont.)

| Jurisdiction | Limit on advertising spending   | Blackout period | Government advertising   | Authorization  | Restrictions on opinion polls |
|--------------|---|-----------------|--|--|-------------------------------|
| Saskatchewan | Political party: (adjusted) \$195,407 per year for a registered political party, including its associations, candidates, and members of Legislative Assembly who are members of registered political party and using funds provided by registered political party | –               | <ul style="list-style-type: none"> <li>▪ 30 days prior to the issuance of a writ, no government ministry shall advertise in any manner with respect to the activities of the ministry</li> <li>▪ 90 days prior to 30-day pre-writ restriction, there is a restriction on advertising any information other than that which is intended to inform the public about programs and services for the public benefit</li> <li>▪ 120 days prior to the issuance of a writ for a general election, no government ministry will be allowed to spend more than the average monthly amount for advertising from the previous fiscal year</li> </ul> | No person may distribute advertising that does not indicate that it was authorized by candidate's or party's business manager or official agent to be produced, published or distributed | –                             |

Table G.7 Specific provisions governing advertising and opinion polls (cont.)

| Jurisdiction | Limit on advertising spending   | Blackout period | Government advertising | Authorization  | Restrictions on opinion polls  |
|--------------|---|-----------------|------------------------|--|--|
| Alberta      | <p>Third party: Election advertising contributions made by any person, corporation, trade union, employee organization to third parties cannot exceed, in aggregate:</p> <ul style="list-style-type: none"> <li>▪ \$15,000 in any calendar year in which there is not a general election</li> <li>▪ \$30,000 in any calendar year in which there is a general election</li> </ul> | –               | –                      | Every printed or electronic advertisement must bear name and address of person who sponsored it, unless advertisement includes party's colours and logo, party name or candidate name; this includes third parties | <ul style="list-style-type: none"> <li>▪ Upon first release and within 24 hours of first release, any opinion poll or survey must publish: name of sponsor, name of organization that conducted survey, date(s) survey was conducted, population from which sample was drawn, number of people contacted and margin of error</li> <li>▪ Published surveys must provide wording of questions, and more detailed and statistical information upon request</li> <li>▪ First person who transmits to public results of an election survey not based on recognized statistical methods during an election period, and any person who transmits them within 24 hours after they are first transmitted to public, must indicate that survey was not based on recognized statistical methods</li> <li>▪ On election day, no person is authorized to publish results of an election survey not previously released to public before all polls close in an electoral district</li> </ul> |

**Table G.7 Specific provisions governing advertising and opinion polls (cont.)**

| Jurisdiction          | Limit on advertising spending  | Blackout period   | Government advertising | Authorization  | Restrictions on opinion polls  |
|-----------------------|--|---|------------------------|--|--|
| British Columbia      | Third party: \$3,000 per electoral district, to a maximum of \$150,000 provincially, per election period | Polling day, until the close of all of the voting stations in the electoral district <sup>1</sup> | –                      | All election advertising must identify name of sponsor or financial agent, indicate that it was authorized by that person, and give telephone number or mailing address of that person | An individual or organization must not publish, broadcast or transmit to the public, in an electoral district on general voting day before the close of all of the voting stations in the electoral district, the results of an election opinion survey that have not previously been made available to the public |
| Yukon                 | –  | –   | –                      | All advertising must bear the name and address of person who sponsored it  | –  |
| Northwest Territories | –  | Polling day and day before polling day  | –                      | Any advertisement must bear the name and telephone number of sponsor or official agent   | –  |
| Nunavut               | –  | Polling day and day before polling day  | –                      | All campaign material must identify the candidate and the campaign manager, sponsor or financial agent in accordance with Chief Electoral Officer's guidelines                         | –  |

<sup>1</sup>On March 30, 2009, the BC Supreme Court declared that ss. 235.1 and 228 of the *Election Act* are of no force and effect insofar as they relate to the pre-campaign period, thereby removing the 60-day pre-election blackout period.

## H. Enforcement

In all jurisdictions except Nunavut, the Chief Electoral Officer is responsible for ensuring that electoral legislation is enforced. Federally, enforcement is carried out by the Commissioner of Canada Elections, who is appointed by the Chief Electoral Officer of Canada. As a rule, the Chief Electoral Officer in each jurisdiction has the power to investigate possible breaches of electoral law. However, investigation is often delegated to the police or the Royal Canadian Mounted Police, usually on the advice of the Chief Electoral Officer. In Nunavut, solely the Royal Canadian Mounted Police is responsible for investigating and enforcing violations of the territorial election law.

The Commissioner of Canada Elections may enter into a compliance agreement with any person who has committed or is about to commit an offence against the Act. Similar powers exist in Nova Scotia, the Northwest Territories, Yukon, and Nunavut, where the Chief Electoral Officers or the Integrity Commissioner in the case of Nunavut, may intervene to avoid the commission of an offence or may issue a certificate to order a person to stop contravening the Act. Such provisions do not exist in other jurisdictions. If the Commissioner of Canada Elections believes on reasonable grounds that an offence has been committed, he or she may also refer the matter to the Director of Public Prosecutions, who decides whether to initiate a prosecution.

In most cases, for general offences, court proceedings may be instituted by either the Chief Electoral Officer or the Attorney General of the province. Most jurisdictions set a time limit for prosecuting an offender and also stipulate the level of court that can hear the case.

All jurisdictions impose a standard penalty for offences against their respective electoral legislation, with the exception of Canada, New Brunswick and British Columbia, where specific penalties are matched to infractions. As well, most jurisdictions levy additional penalties for offences that are classified as corrupt or illegal practices. These offences, such as impersonation or intimidation, are usually related to voting and to polling day. In most jurisdictions, a person convicted of such offences may not run for election, sit as a member or be nominated or appointed to an office by the Crown for a period of between five and eight years after conviction. In some cases, convicted persons may also be denied the right to vote for a certain period.

**Table H.1 Enforcement authority**

| Jurisdiction              | Power to investigate  | Power to institute proceedings   | Time limit for prosecution   | Body that renders judgment  |
|---------------------------|---|--|--|---|
| Canada                    | Commissioner of Canada Elections  | Director of Public Prosecutions  | <ul style="list-style-type: none"> <li>5 years from date Commissioner becomes aware of facts giving rise to prosecution and not later than 10 years from date of offence</li> <li>1 year from date of return of defendant if defendant has absconded the jurisdiction</li> </ul> | <ul style="list-style-type: none"> <li>In Canada, Trial Division of Federal Court</li> <li>In Ontario, Superior Court of Justice</li> <li>In Quebec, Superior Court</li> <li>In Nova Scotia, British Columbia, Yukon and Northwest Territories, Supreme Court</li> <li>In New Brunswick, Manitoba, Saskatchewan and Alberta, Court of Queen's Bench</li> <li>In Prince Edward Island, and Newfoundland and Labrador, Trial Division of Supreme Court</li> <li>In Nunavut, Nunavut Court of Justice</li> </ul> |
| Newfoundland and Labrador | Chief Electoral Officer   | Attorney General   | No limit   | Trial Division of Supreme Court of Newfoundland and Labrador  |
| Prince Edward Island      | <ul style="list-style-type: none"> <li>General offences: Police or Royal Canadian Mounted Police</li> <li>Election financing: Chief Electoral Officer</li> </ul>            | <ul style="list-style-type: none"> <li>General offences: Attorney General or Chief Electoral Officer</li> <li>Election financing: Chief Electoral Officer</li> </ul> | <ul style="list-style-type: none"> <li>General offences: No limit</li> <li>Election financing: 1 year after facts become known to Chief Electoral Officer</li> </ul>   | General offences: Varies by case  |
| Nova Scotia               | <ul style="list-style-type: none"> <li>Preliminary investigation: Chief Electoral Officer</li> <li>Further investigation: Appropriate police authorities</li> </ul>         | General offences: Public Prosecution Service   | 1 year after date on which Chief Electoral Officer has reasonable grounds to believe an offence has been committed, and no later than 5 years after date of offence  | Varies by case  |
| New Brunswick             | <ul style="list-style-type: none"> <li>General offences: Police or Royal Canadian Mounted Police</li> <li>Political financing: Supervisor of Political Financing</li> </ul> | Attorney General   | General offences: No limit<br><br>Political financing: <ul style="list-style-type: none"> <li>2 years from date of offence</li> <li>1 year from date of return of defendant to the jurisdiction if defendant has previously absconded out of the jurisdiction</li> </ul>         | <ul style="list-style-type: none"> <li>General offences: Varies by case</li> <li>Political financing: Court of Queen's Bench</li> </ul>   |

Table H.1 Enforcement authority (cont.)

| Jurisdiction          | Power to investigate                                      | Power to institute proceedings  | Time limit for prosecution  | Body that renders judgment        |
|-----------------------|---|---|---|-----------------------------------|
| Quebec                | Chief Electoral Officer or person appointed by him or her | Chief Electoral Officer   | 5 years after date of offence, and 10 years for certain election offences   | Court of Quebec                   |
| Ontario               | Chief Electoral Officer                                   | Chief Electoral Officer   | <ul style="list-style-type: none"> <li>General offences: 90 days following date of official election return, but Chief Electoral Officer may commence an action at any time</li> <li>Election financing: 2 years after facts become known to Chief Electoral Officer</li> </ul> | Varies by case                    |
| Manitoba              | Commissioner or appointed representative                  | Commissioner  | 5 years from date Commissioner becomes aware of facts giving rise to the prosecution  | Varies by case                    |
| Saskatchewan          | Chief Electoral Officer                                   | Attorney General  | 2 years from date of alleged offence  | Varies by case                    |
| Alberta               | Chief Electoral Officer                                   | <ul style="list-style-type: none"> <li>General offences: Attorney General</li> <li>Election financing: Chief Electoral Officer</li> </ul> | 3 years from date of alleged offence  | Court of Queen's Bench of Alberta |
| British Columbia      | Chief Electoral Officer                                   | Attorney General, with consent of Chief Electoral Officer   | 1 year after facts become known to Chief Electoral Officer  | Supreme Court of British Columbia |
| Yukon                 | Chief Electoral Officer                                   | Chief Electoral Officer or any person who is a qualified elector  | 6 months after date of offence or discovery of commission of offence, whichever is later  | Varies by case                    |
| Northwest Territories | Chief Electoral Officer                                   | Chief Electoral Officer   | <ul style="list-style-type: none"> <li>1 year from date of offence</li> <li>1 year from date of return of defendant if defendant has absconded the jurisdiction</li> </ul>  | Varies by case                    |

Table H.1 Enforcement authority (cont.)

| Jurisdiction | Power to investigate  | Power to institute proceedings | Time limit for prosecution   | Body that renders judgment |
|--------------|---|--------------------------------|--|----------------------------|
| Nunavut      | Chief Electoral Officer may request that police investigate | Attorney General               | <ul style="list-style-type: none"> <li>▪ 1 year from date of offence or date action, suit or proceeding was first brought, whichever is later</li> <li>▪ 1 year from date the accused returns if accused has absconded the jurisdiction</li> <li>▪ 60 days after notice of default sent by Integrity Commissioner in a default of compliance agreement</li> <li>▪ 6 months from date of hearing of any application to void an election for offence by returning officer for wilful delay, neglect or refusal to return an elected candidate</li> </ul> | Nunavut Court of Justice   |



**Table H.2 General offences and penalties**

| Jurisdiction              | General offences fines<br>(to a maximum of)   | Prison term not exceeding   | Or both |
|---------------------------|---|---|---------|
| Canada                    | –   | –   | –       |
| Newfoundland and Labrador | \$1,000   | 3 months  | ✓       |
| Prince Edward Island      | \$2,000   | 2 years   | ✓       |
| Nova Scotia               | \$5,000<br>(Election financing offence up to \$50,000 for a registered party)   | 1 year  | ✓       |
| New Brunswick             | <ul style="list-style-type: none"> <li>▪ Election offence: ranges from \$140–\$20,500</li> <li>▪ Political financing offence: ranges from \$140–\$20,500</li> </ul>                                 | For second and subsequent offences, category E-H offence convictions may include imprisonment up to 30–180 days.  | –       |
| Quebec                    | \$500   | –   | –       |
| Ontario                   | \$5,000   | –   | –       |
| Manitoba                  | <ul style="list-style-type: none"> <li>▪ Election offence: \$10,000</li> <li>▪ General offence: \$2,000</li> <li>▪ Election financing offence: \$5,000 (\$25,000 for a registered party)</li> </ul> | <ul style="list-style-type: none"> <li>▪ Election offence: 1 year</li> <li>▪ General offence: 2 months</li> </ul> | ✓       |
| Saskatchewan              | \$5,000   | 2 years   | ✓       |
| Alberta                   | \$500   | –   | –       |
| British Columbia          | –   | –   | –       |
| Yukon                     | \$5,000   | 1 year  | ✓       |
| Northwest Territories     | \$2,000   | 6 months  | ✓       |
| Nunavut                   | \$5,000   | 1 year  | ✓       |

Table H.3 Additional penalties for corrupt or illegal practices and major election offences

| Jurisdiction              | Penalty period   | Cannot be nominated as a candidate | Cannot be elected as a member | Cannot sit as a member | Cannot be nominated or appointed to office | Cannot vote | Cannot be appointed to the Civil Service | Other   |
|---------------------------|--|------------------------------------|-------------------------------|------------------------|--|-------------|--|---|
| Canada                    | <ul style="list-style-type: none"> <li>Illegal practice: 5 years</li> <li>Corrupt practice: 7 years</li> </ul> | –                                  | ✓                             | ✓                      | ✓  | –           | –  | May be ordered to: do community service; pay amount equal to financial benefit or contribution that resulted from offence; pay compensation to person who suffered damages; perform obligation, non-performance of which resulted in offence; take any other reasonable measure court considers appropriate |
| Newfoundland and Labrador | –  | –                                  | –                             | –                      | –  | –           | –  | –   |
| Prince Edward Island      | Corrupt practice: 5 years  | –                                  | ✓                             | ✓                      | ✓  | –           | ✓  | –   |
| Nova Scotia               | Corrupt practice: 5 years  | –                                  | ✓                             | ✓                      | ✓  | –           | –  | Additional fine of up to \$10,000   |
| New Brunswick             | 5 years  | ✓                                  | ✓                             | ✓                      | ✓  | ✓           | –  | –   |
| Quebec                    | Corrupt practice: 5 years  | ✓                                  | ✓                             | ✓                      | ✓  | ✓           | –  | Loses right to engage in partisan work for 5 years  |
| Ontario                   | Corrupt practice: 8 years  | ✓                                  | ✓                             | ✓                      | ✓  | –           | –  | –   |
| Manitoba                  | –  | –                                  | –                             | –                      | –  | –           | –  | May be liable for additional fine equal to double the benefit involved  |
| Saskatchewan              | Corrupt practice: 5 years  | –                                  | ✓                             | ✓                      | –  | ✓           | –  | –   |
| Alberta                   | 8 years  | ✓                                  | ✓ <sup>1</sup>                | ✓                      | ✓  | ✓           | –  | –   |
| British Columbia          | –  | –                                  | –                             | –                      | –  | –           | –  | –   |
| Yukon                     | –  | –                                  | –                             | –                      | –  | –           | –  | –   |
| Northwest Territories     | Major election offence: 5 years  | –                                  | ✓                             | ✓                      | ✓  | ✓           | –  | –   |
| Nunavut                   | 5 years  | –                                  | ✓                             | ✓                      | ✓  | –           | –  | Judge given discretion to make other orders listed in s. 269 of NEA   |

<sup>1</sup> Under any Act of the Alberta Legislature.

Table H.4 Specific offences and penalties

| Offences related to                | Canada                          | Newfoundland and Labrador       | Prince Edward Island           | Nova Scotia   | New Brunswick  | Quebec                                     | Ontario                    | Manitoba                        | Saskatchewan                   | Alberta                         | British Columbia                | Yukon                         | Northwest Territories             | Nunavut                       |
|------------------------------------|---------------------------------|---------------------------------|--------------------------------|---------------|----------------|--|----------------------------|---------------------------------|--------------------------------|---------------------------------|---------------------------------|-------------------------------|-----------------------------------|-------------------------------|
| Access                             | Up to \$2,000, 6 months or both | –                               | –                              | –             | –              | \$500–\$30,000                             | –                          | Up to \$2,000, 2 months or both | –                              | Up to \$1,000                   | –                               | Up to \$5,000, 1 year or both | Up to \$2,000, six months or both | Up to \$5,000, 1 year or both |
| False statements                   | Up to \$5,000, 5 years or both  | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | –              | \$100–\$30,000                             | –                          | Up to \$10,000, 1 year or both  | Up to \$5,000, 2 years or both | Up to \$2,000                   | Up to \$20,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$3,000, 1 year or both     | Up to \$5,000, 1 year or both |
| Beverage alcohol                   | –                               | –                               | \$100                          | –             | –              | –  | –                          | –                               | Up to \$5,000, 2 years or both | –                               | –                               | Up to \$5,000, 1 year or both | Up to \$5,000, 1 year or both     | Up to \$5,000, 1 year or both |
| Gambling and betting               | –                               | –                               | –                              | –             | –              | –  | –                          | –                               | Up to \$5,000, 2 years or both | Up to \$5,000, 2 years or both  | –                               | –                             | –                                 | –                             |
| False information on voters lists  | Up to \$5,000, 5 years or both  | Up to \$1,000, 3 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$500–\$20,500 | \$5,000–\$30,000                           | Up to \$5,000              | Up to \$10,000, 1 year or both  | –                              | Up to \$5,000, 2 years or both  | –                               | Up to \$5,000, 1 year or both | Up to \$5,000, 1 year or both     | Up to \$5,000, 1 year or both |
| Use of information on voters lists | Up to \$5,000, 1 year or both   | Up to \$1,000, 3 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$240–\$10,200 | \$5,000–\$30,000                           | Up to \$5,000              | Up to \$10,000, 1 year or both  | –                              | Up to \$100,000, 1 year or both | Up to \$20,000, 2 years or both | –                             | Up to \$2,000, 6 months or both   | Up to \$5,000, 1 year or both |
| Voting or bribery                  | Up to \$5,000, 5 years or both  | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$500–\$20,500 | \$500–\$2,000<br>Bribery: \$5,000–\$30,000 | Up to \$5,000 and 6 months | Up to \$10,000, 1 year or both  | Up to \$5,000, 2 years or both | Up to \$5,000, 2 years or both  | Up to \$20,000, 2 years or both | Up to \$5,000, 1 year or both | Up to \$5,000, 1 year or both     | Up to \$5,000, 1 year or both |

Table H.4 Specific offences and penalties (cont.)

| Offences related to      | Canada  | Newfoundland and Labrador       | Prince Edward Island           | Nova Scotia   | New Brunswick  | Quebec            | Ontario                         | Manitoba                       | Saskatchewan                   | Alberta  | British Columbia                | Yukon                         | Northwest Territories           | Nunavut                       |
|--------------------------|---|---------------------------------|--------------------------------|---------------|----------------|-------------------|---------------------------------|--------------------------------|--------------------------------|--|---------------------------------|-------------------------------|---------------------------------|-------------------------------|
| Impersonation of elector | –   | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$500–\$20,500 | \$500–\$2,000     | –                               | \$10,000 and up to 1 year      | Up to \$5,000, 2 years or both | Up to \$5,000, 2 years or both   | Up to \$20,000, 2 years or both | Up to \$5,000, 1 year or both | Up to \$5,000, 1 year or both   | Up to \$5,000, 1 year or both |
| Intimidation             | Up to \$5,000, 5 years or both                        | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$500–\$50,000 | \$100–\$30,000    | –                               | Up to \$10,000, 1 year or both | Up to \$5,000, 2 years or both | Up to \$5,000, 2 years or both   | Up to \$20,000, 2 years or both | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |
| Secrecy of the vote      | Up to \$5,000, 5 years or both                        | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$240–\$10,200 | \$5,000–\$200,000 | Up to \$5,000                   | Up to \$10,000, 1 year or both | Up to \$5,000, 2 years or both | Up to \$5,000, 2 years or both   | Up to \$10,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |
| Ballots                  | Up to \$5,000, 5 years or both                        | Up to \$5,000, 6 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$240–\$10,200 | \$100–\$60,000    | Up to \$5,000 and 6 months      | Up to \$10,000, 1 year or both | Up to 2 years                  | Up to \$5,000, 2 years or both   | Up to \$10,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |
| Election officers        | Up to \$1,000, 3 months or both                       | Up to \$1,000, 3 months or both | Up to \$2,000, 2 years or both | Up to \$5,000 | \$140–\$1,100  | \$500–\$30,000    | Up to \$5,000, 6 months or both | Up to \$10,000, 1 year or both | Up to \$5,000, 2 years or both | Up to \$1,000  | Up to \$20,000, 2 years or both | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |
| Advertising and surveys  | Up to \$5,000, 5 years or both, or \$25,000 fine only | Up to \$1,000, 3 months or both | Up to \$10,000                 | –             | \$140–\$10,200 | \$5,000–\$200,000 | Up to \$50,000                  | Up to \$25,000                 | Up to \$5,000, 2 years or both | Up to \$500<br>Third parties: \$10,000 (individual) \$100,000 (organization) | Up to \$10,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |

Table H.4 Specific offences and penalties (cont.)

| Offences related to     | Canada  | Newfoundland and Labrador       | Prince Edward Island | Nova Scotia | New Brunswick  | Quebec          | Ontario        | Manitoba                        | Saskatchewan                   | Alberta   | British Columbia  | Yukon                         | Northwest Territories           | Nunavut                       |
|-------------------------|---|---------------------------------|----------------------|-------------|--|-----------------|----------------|---------------------------------|--------------------------------|---|---|-------------------------------|---------------------------------|-------------------------------|
| Election signs          | Up to \$1,000, 3 months or both                                   | Up to \$5,000, 6 months or both | –                    | –           | \$140–\$1,100  | \$500–\$2,000   | –              | Up to \$2,000, 2 months or both | Up to \$5,000, 2 years or both | Up to \$500   | Up to \$10,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |
| Broadcasting            | \$25,000; or \$5,000, 5 years or both                             | Up to \$1,000, 3 months or both | Up to \$10,000       | –           | \$140–\$10,200   | \$500–\$200,000 | Up to \$50,000 | Up to \$25,000                  | –                              | –   | Up to \$10,000, 1 year or both  | Up to \$5,000, 1 year or both | Up to \$5,000, 6 months or both | Up to \$5,000, 1 year or both |
| Third party advertising | Up to \$5,000, 5 years or both plus fines 5 times excess spending | –                               | –                    | –           | Fine of between \$500 – \$20,500 or up to 180 days in prison or payment of the sum equal to \$50 for each day the Chief Financial Officer is in default of filing the report | \$500–\$10,000  | –              | –                               | –                              | Fine of \$10,000 for an individual, \$100,000 for an organization | Ten times the amount by which the value of the election advertising sponsored exceeds the limit | –                             | –                               | Up to \$5,000, 1 year or both |

Table H.4 Specific offences and penalties (cont.)

| Offences related to | Canada  | Newfoundland and Labrador        | Prince Edward Island | Nova Scotia   | New Brunswick  | Quebec           | Ontario        | Manitoba       | Saskatchewan                   | Alberta        | British Columbia               | Yukon | Northwest Territories           | Nunavut                       |
|---------------------|---|----------------------------------|----------------------|---------------|--|------------------|----------------|----------------|--------------------------------|----------------|--------------------------------|-------|---------------------------------|-------------------------------|
| Election finances   | <ul style="list-style-type: none"> <li>On summary conviction: Up to \$2,000, 1 year or both</li> <li>On conviction on indictment: Up to \$5,000, 5 years or both</li> </ul> | Up to \$10,000, 3 months or both | Up to \$10,000       | Up to \$5,000 | Up to \$20,500 or up to 180 days in prison or payment of the sum equal to \$50 for each day the Chief Financial Officer is in default of filing the report | \$5,000–\$50,000 | Up to \$50,000 | Up to \$50,000 | Up to \$5,000, 2 years or both | Up to \$10,000 | Up to \$10,000, 1 year or both | –     | Up to \$2,000, 6 months or both | Up to \$5,000, 1 year or both |

## I. Referendums, Plebiscites, Recall and Initiative

All jurisdictions permit referendums or plebiscites on a variety of issues. Most jurisdictions have separate legislation for referendums or plebiscites, although for purposes of general administration, these usually refer to the legislation governing the conduct of elections. Several jurisdictions, including Newfoundland and Labrador, New Brunswick, Alberta, British Columbia and the Northwest Territories, have provisions for the conduct of a plebiscite in the election legislation itself. The Chief Electoral Officer of Canada and that of Quebec are required to adapt their respective election legislation for the purposes of a referendum and to include this adaptation as regulations for the referendum legislation.

In each jurisdiction, the Office of the Chief Electoral Officer administers all referendums and plebiscites. In Nova Scotia, the Office of the Chief Electoral Officer conducts plebiscites under the *Liquor Control Act* to authorize the sale of liquor in the plebiscite area on behalf of the Nova Scotia Liquor Corporation. In Nunavut, plebiscites related to liquor licensing or liquor prohibition or restrictions are conducted under the *Liquor Act* by the Chief Electoral Officer, through an administrative arrangement.

In most cases, referendums or plebiscites can be held on any issue deemed to be of public concern. However, several jurisdictions specify the subject matter of a referendum or plebiscite that may or must be held. Federally, a referendum may be held only on constitutional issues, while citizens in Nova Scotia may vote only on the sale of liquor, and Manitobans only to authorize the government to proceed with a tax increase or to privatize Manitoba Hydro. In Ontario, a referendum must be held to authorize an increase in the rate of taxation in the province; however, a referendum can also be held on a non-tax-related issue if enabling legislation is introduced and passed beforehand, as was the case for the 2007 referendum on electoral system reform. In Saskatchewan, a referendum or plebiscite may be held on any issue, and a public vote may be held in specific areas to determine the standard time to be used in that area (called a time option vote). In Alberta and British Columbia, a plebiscite may be held on any matter of public concern, but a referendum must be held before the respective governments may proceed with an amendment to the Constitution of Canada. Similarly, the government of Yukon may only initiate an increase in the rate of taxation after conducting a referendum, but it may hold a plebiscite on any issue. In New Brunswick, a referendum must be held before any new tax or toll may be implemented, unless a political party included it as part of its platform in a general election. In all other jurisdictions, a referendum or plebiscite may be held on any issue.

Most referendums or plebiscites are proclaimed by the Lieutenant-Governor in Council, Commissioner or Commissioner in Executive Council, as the case may be. However, in Nova Scotia, plebiscites are held when the Chief Electoral Officer is satisfied that the request for a vote has been made in accordance with the *Liquor Control Act*. In Nunavut, liquor plebiscites may be initiated by petition or by the Minister. Saskatchewan is the only other jurisdiction in which a plebiscite may be instigated by a petition. There, a plebiscite may be proclaimed by the Lieutenant-Governor in Council, by the Legislative Assembly as a whole, or by a minister of the Crown upon receipt of a petition signed by 15 percent of the electors in Saskatchewan. A time option vote may also be initiated by a petition.

As a rule, referendums and plebiscites may be proclaimed at any time. However, in Quebec and federally, a referendum is cancelled if the writ for an election is issued during the referendum period.

In half of Canadian jurisdictions, the results of referendums and plebiscites are not binding. In other words, governments are not required to act on the results of a referendum or plebiscite. However, in Nova Scotia, the Nova Scotia Liquor Corporation must respect the outcome of a plebiscite, as must the governments of Ontario, Manitoba and Yukon of a referendum on an increase in the taxation rate. In New Brunswick, Alberta and British Columbia, only the results of a referendum are binding; the results of a plebiscite are not. In Nunavut, the results of a liquor plebiscite are binding in certain circumstances. In most cases where a referendum or plebiscite is binding, the outcome must be endorsed by a simple majority (50 percent + 1). However, a referendum or plebiscite is binding on the government of Saskatchewan only when more than 60 percent of electors vote in favour of a particular option and more than 50 percent of electors actually cast ballots (a time option area vote, however, is binding if endorsed by a simple majority of electors). In addition, if any

referendum concerns the separation of a province, the federal government, under the *Clarity Act*, must determine that the question presented in the referendum was clear and unambiguous before entering into negotiations on secession with the province in question.

Referendum committees exist only in Quebec and at the federal level. However, Ontario requires an individual or group campaigning or advertising in favour of a particular option to apply for registration with the Chief Electoral Officer if the person or group spends more than the designated amount. In Quebec, members of the National Assembly must register their choice of option with the Chief Electoral Officer within five days of the adoption by the National Assembly of the question, thus forming the committees in favour of each option. If no members of the Assembly come forward, the Chief Electoral Officer may invite up to 20 electors to register to form a committee. Since 1980, there have been only two referendum committees in Quebec, one for each option (i.e. the Yes option and the No option). There could be more than two committees if there were more than two options. Moreover, private intervenors (a neutral intervenor or non-affiliated elector), after obtaining the Chief Electoral Officer's authorization, may spend up to \$1,000 in advertising.

Federally, there is no limit on the amount an individual or group may contribute to a referendum committee. However, no committee is permitted to spend more than  $\$0.30 \times$  the number of names on the preliminary list of electors in the areas where the committee has indicated it will be active. In Quebec, the National Assembly must give each referendum committee an equal subsidy for its referendum fund. All expenses related to the referendum must be paid out of this fund. Contributions may be made only to the fund and no elector may contribute more than \$3,000. Expenses must not exceed \$1.00 per elector. For a tax referendum in Ontario, no person may contribute more than \$7,500 in total to campaign organizers who are promoting the same result in a referendum. Expenses for such campaign organizers are limited to  $\$0.60 \times$  the number of electors in the electoral district where the organizer is registered. The reporting requirements for referendum committees in all three jurisdictions (Canada, Quebec and Ontario) are similar to the reporting requirements during general elections.

Federally, each network broadcaster that broadcasts in the same language as the mother tongue of the majority of its listeners and is licensed for more than a particular series of programs or type of programming must provide a total of three hours to all registered referendum committees that have indicated they would like to receive broadcasting time. The time is then allocated by the Broadcasting Arbitrator, who must take into consideration the regional and national interests of the various committees and the different views on the referendum question.

A blackout period is enforced federally and in Quebec and Ontario. In Canada, the blackout period applies only on polling day and extends until the close of all polling stations in an electoral district. In Quebec, no referendum-related broadcasting may take place in the seven days following the referendum order or on polling day. For a tax referendum in Ontario, the blackout period lasts from the time of the issue of the writ until the 22nd day before polling day and again throughout polling day and the day immediately preceding it.

## Recall and initiative

British Columbia is the only Canadian jurisdiction that has provisions for recall and initiative. Recall is the process whereby an elector may petition other electors in the electoral district for the removal of their elected member of the provincial legislature between elections. A member cannot be subject to a recall petition within the first 18 months after his or her election. A recall proponent must obtain an application from the Chief Electoral Officer, as well as provide a statement of no more than 200 words explaining why, in the proponent's opinion, the member should be recalled. If the Chief Electoral Officer approves, a proponent has 60 days to gather signatures from 40 percent of those on the list of electors for that electoral district in the last election who are currently registered to vote. For example, if there were 30,000 registered electors in the district at the last election, a proponent would be required to gather the signatures of 12,000 electors who were registered at the last election and are currently registered. The proponent must submit all completed petition sheets to the Chief Electoral Officer for verification. If the Chief Electoral Officer determines that enough signatures have been gathered and all financial provisions have been met, the member may no longer hold his or her



seat in the legislature, and a by-election must be held. The recalled member may stand as a candidate in the by-election. Only one recall-related by-election is permitted in any electoral district between each general election.

Initiative is a process whereby an elector may petition other electors for the introduction of new laws, or changes to existing laws, on any matter within the jurisdiction of the provincial legislature. A registered voter must obtain an application from the Chief Electoral Officer, as well as provide a copy of the draft bill to be considered. A petition must receive the signatures of 10 percent of the electors in each electoral district in the province within 90 days. The Chief Electoral Officer then has 42 days to verify the signatures, whereupon the initiative must be presented to a select standing committee of the legislature. The select standing committee may either table a report recommending introduction of the draft bill or refer it to the Chief Electoral Officer to be put to the electorate in an initiative vote. In that vote, 50 percent + 1 of the electors from two thirds of all electoral districts must vote in favour of the initiative for it to pass. If the initiative passes the vote, the government must take steps to implement the bill.

An initiative petition is suspended if a general election is called during the 90-day petition-signing period. The proponent of the initiative must hand in all petition sheets to the Chief Electoral Officer, who is required to reissue the initiative petition as soon as practicable after the election. The proponent may only gather signatures for the remainder of the time that was left when the election was called. If a petition has been received by the standing committee, but not yet considered at the time an election is called, the standing committee must resume its deliberations after the election. If the standing committee has accepted a draft bill but not yet introduced it to the legislature when an election is called, the motion must be introduced as soon as possible after the election.

The British Columbia *Recall and Initiative Act* establishes financing and advertising regimes for each of these processes. Proponents of initiative and recall petitions are subject to spending limits, as are elected members in the case of recall. There are also restrictions on contributions, advertising and opinion polls. Typically, these provisions mirror related provisions for a general election. The *Recall and Initiative Act* makes reference to the relevant sections of the *Election Act* to determine spending limits and other financial provisions.

Table I.1 Proclamation, question and conditions

| Jurisdiction              | Referendum or plebiscite proclaimed by  | Constitutional question | Any issue | Specified issue   | Binding  | Cancelled if election called | Cancelled for any reason |
|---------------------------|---|-------------------------|-----------|---|--|------------------------------|--------------------------|
| Canada                    | Governor in Council   | ✓                       | –         | –   | No   | ✓                            | –                        |
| Newfoundland and Labrador | Lieutenant-Governor in Council  | –                       | ✓         | –   | No   | –                            | ✓                        |
| Prince Edward Island      | Lieutenant-Governor in Council  | –                       | ✓         | –   | No   | –                            | –                        |
| Nova Scotia               | Chief Electoral Officer upon receiving a resolution of a municipal council or a petition signed by 20% of electors of a voting area | –                       | –         | Operation of store for sale of liquor or establishment of licensed premises | Yes  | –                            | ✓                        |
| New Brunswick             | Lieutenant-Governor in Council  | –                       | ✓         | –   | <ul style="list-style-type: none"> <li>Referendum: Yes, if more than 50% of valid ballots vote the same way and at least 50% of eligible voters cast a ballot</li> <li><i>Taxpayer Protection Act</i>: Yes, if more than 50% of valid ballots vote the same way</li> <li>Plebiscite: No</li> </ul> | –                            | –                        |
| Quebec                    | Government  | –                       | ✓         | A bill of National Assembly   | No   | ✓                            | –                        |
| Ontario                   | Lieutenant-Governor in Council  | –                       | –         | Increase in the rate of tax   | Tax vote: Yes  | –                            | –                        |
| Manitoba                  | Government  | –                       | –         | Increase in the rate of tax or privatization of Manitoba Hydro              | Yes  | –                            | ✓                        |

Table I.1 Proclamation, question and conditions

| Jurisdiction          | Referendum or plebiscite proclaimed by  | Constitutional question  | Any issue         | Specified issue                   | Binding   | Cancelled if election called | Cancelled for any reason |
|-----------------------|---|--|-------------------|-----------------------------------|---|------------------------------|--------------------------|
| Saskatchewan          | <ul style="list-style-type: none"> <li>Referendum: Lieutenant-Governor in Council</li> <li>Plebiscite: Lieutenant-Governor in Council, Legislative Assembly, or minister upon receiving a petition signed by 15% of electors</li> </ul> | –  | ✓                 | A time option vote                | <ul style="list-style-type: none"> <li>Referendum: Yes, if more than 60% of valid ballots vote the same way and at least 50% of eligible voters cast a ballot</li> <li>Plebiscite: No</li> <li>Time option vote: Yes (simple majority)</li> </ul> | –                            | ✓                        |
| Alberta               | Lieutenant-Governor in Council  | A referendum must be held on any proposed changes to Constitution of Canada        | ✓<br>(plebiscite) | –                                 | <ul style="list-style-type: none"> <li>Referendum: Yes</li> <li>Plebiscite: No</li> </ul>   | –                            | –                        |
| British Columbia      | Lieutenant-Governor in Council  | A referendum must be held regarding any proposed changes to Constitution of Canada | ✓                 | –                                 | <ul style="list-style-type: none"> <li>Referendum: Yes</li> <li>Plebiscite: No</li> </ul>   | –                            | –                        |
| Yukon                 | Commissioner in Executive Council   | –  | ✓                 | Increase in tax rate (referendum) | <ul style="list-style-type: none"> <li>Referendum: Yes</li> <li>Plebiscite: No</li> </ul>   | –                            | –                        |
| Northwest Territories | Commissioner  | –  | ✓                 | –                                 | No  | –                            | ✓                        |
| Nunavut               | Plebiscite direction issued by Commissioner   | –  | ✓                 | –                                 | <ul style="list-style-type: none"> <li>Plebiscite: No</li> <li><i>Liquor Act</i>: Yes in certain circumstances</li> </ul>   | –                            | ✓                        |

Table I.2 Referendum/plebiscite process

| Jurisdiction              | Period  | Polling day | Legislation that applies or is adapted  | Who makes regulations          | Requirement to produce a report  |
|---------------------------|---|-------------|---|--------------------------------|--|
| Canada                    | Begins on day text of question is approved by Parliament and ends on polling day, 36 days from issue of writ  | Monday      | <i>Referendum Act</i> and <i>Canada Elections Act</i> as adapted by regulation apply to a referendum  | Chief Electoral Officer        | Within 60 days of return of writ   |
| Newfoundland and Labrador | Minimum 21 days   | –           | <ul style="list-style-type: none"> <li>▪ <i>Elections Act, 1991</i>, applies to a plebiscite or referendum</li> <li>▪ If a plebiscite or referendum is held in conjunction with one held by Government of Canada, Lieutenant-Governor in Council may agree that provisions of <i>Canada Elections Act</i> and <i>Referendum Act (Canada)</i> apply</li> </ul>   | Lieutenant-Governor in Council | –  |
| Prince Edward Island      | –   | –           | As nearly as possible, the <i>Election Act</i> applies to a plebiscite  | Lieutenant-Governor in Council | –  |
| Nova Scotia               | Minimum 30 days from date of letter commencing plebiscite   | Tuesday     | Plebiscite conducted under <i>Liquor Plebiscite Regulations</i> ; Chief Electoral Officer or Assistant Chief Electoral Officer under <i>Elections Act</i> have general supervision  | Governor in Council            | –  |
| New Brunswick             | <ul style="list-style-type: none"> <li>▪ Plebiscite: In conjunction with provincial general election</li> <li>▪ Referendum: In conjunction with provincial general election or quadrennial elections under <i>Municipalities Act</i>, or within six months after question is adopted</li> </ul> | Monday      | <ul style="list-style-type: none"> <li>▪ Plebiscite governed by <i>Elections Act</i></li> <li>▪ Referendum governed by <i>Referendum Act</i> with provisions adopted from <i>Elections Act</i> when coinciding with general election and <i>Municipal Elections Act</i> when coinciding with municipal election or no election</li> <li>▪ Referendum governed by <i>Taxpayer Protection Act</i> with provisions adopted from <i>Municipal Elections Act</i> when coinciding with municipal elections</li> </ul> | Lieutenant-Governor in Council | <ul style="list-style-type: none"> <li>▪ Plebiscite: At start of or during any session of Legislative Assembly</li> <li>▪ Referendum: Within 180 days after referendum date</li> </ul> |
| Quebec                    | Minimum 33 days, maximum 39 days  | Monday      | Referendums governed by the <i>Referendum Act</i>   | Chief Electoral Officer        | As soon as possible  |
| Ontario                   | Minimum 28 days, maximum 56 days  | Thursday    | <i>Election Act</i> and <i>Election Finances Act</i> apply, with necessary modifications  | Lieutenant-Governor in Council | –  |

Table I.2 Referendum/plebiscite process (cont.)

| Jurisdiction          | Period   | Polling day | Legislation that applies or is adapted   | Who makes regulations   | Requirement to produce a report   |
|-----------------------|--|-------------|--|---|-----------------------------------|
| Manitoba              | –  | –           | Referendum conducted, to the extent possible, the same as a general election under <i>The Elections Act</i> , with necessary modifications   | Lieutenant-Governor in Council                                      | –                                 |
| Saskatchewan          | <ul style="list-style-type: none"> <li>Referendum: Minimum 29 days</li> <li>Plebiscite: Minimum 29 days or, if the result of a petition, within 12 months</li> </ul> | –           | <ul style="list-style-type: none"> <li>Referendums and plebiscites conducted under <i>The Election Act</i>, with any necessary modifications</li> <li>For a time option area vote, the <i>Time Act</i> and the <i>Local Government Election Act</i> apply</li> </ul> | Lieutenant-Governor in Council                                      | –                                 |
| Alberta               | –  | –           | Referendum may be held according to <i>Election Act</i> or <i>Local Authorities Election Act</i> ; plebiscite must be conducted under <i>Election Act</i> with necessary modifications   | Lieutenant-Governor in Council                                      | Immediately after each plebiscite |
| British Columbia      | –  | –           | <ul style="list-style-type: none"> <li>Provisions of <i>Election Act</i> may apply to referendum and must apply to plebiscite</li> <li><i>Referendum Act</i></li> </ul>  | Lieutenant-Governor in Council or Chief Electoral Officer           | Immediately after each plebiscite |
| Yukon                 | –  | –           | <ul style="list-style-type: none"> <li>A tax-related referendum must be conducted under the <i>Taxpayer Protection Act</i></li> <li><i>Elections Act</i></li> </ul>  | Commissioner in Executive Council                                   | –                                 |
| Northwest Territories | –  | Monday      | <i>Elections and Plebiscites Act</i>   | Chief Electoral Officer   | –                                 |
| Nunavut               | –  | –           | <ul style="list-style-type: none"> <li><i>Plebiscite Act</i></li> <li><i>Nunavut Elections Act</i></li> </ul>  | Commissioner, on the recommendation of the Chief Plebiscite Officer | Immediately after the plebiscite  |



## J. Senate Nominee Elections

In the Canadian parliamentary system, members of the Senate of Canada are appointed by the Governor General on advice of the Prime Minister. To introduce an element of popular choice into the appointment process, some jurisdictions have introduced Senate nominee election legislation. Under this legislation individuals would be elected as Senate nominees for a particular province and their names would be submitted to the Privy Council of Canada, where the Prime Minister could then recommend to the Governor General their appointment to the Senate of Canada.

There are currently two Canadian jurisdictions, Alberta and Saskatchewan, with legislation in force regarding Senate nominee elections. In 1990, British Columbia passed its own *Senatorial Selection Act*; however, this Act contained a sunset clause and has since lapsed.

### General Provisions

Under the *Senatorial Selection Act* of Alberta and the *Senate Nominee Election Act* of Saskatchewan, the province's Chief Electoral Officer is responsible for the administration of that jurisdiction's Senate nominee elections. An exception arises in Alberta if a Senate election is held in conjunction with a municipal election, in which case the local municipal council becomes the electoral authority responsible for the administration and implementation of the Act.

In both jurisdictions, it is the responsibility of the Lieutenant-Governor in Council to commence a Senate nominee election. In Saskatchewan, a Senate nominee election can be held as a stand-alone election, or in conjunction with a provincial or federal general election. In Alberta, a Senate election cannot be held in conjunction with a federal election; however, one can be held with a municipal election under the *Local Authorities Election Act*.

The rules for candidate eligibility in both jurisdictions are very similar. An individual must meet the qualifications set out in Section 23 of the *Constitution Act, 1867*, have lived in the province for six months and cannot be prohibited from being a candidate under the province's *Election Act*. There are also minor differences. For example, in Alberta a Senate nominee cannot be a Member of the House of Commons, the Senate, the Legislative Assembly, or a candidate in another election. In Saskatchewan, a Senate nominee cannot be the Chief Electoral Officer or any election officer, the Lieutenant-Governor, a federal or provincial court judge or a Crown employee.

In both jurisdictions, individuals who run as Senate nominee candidates may run as a member of a registered political party or as an independent. In Saskatchewan, a candidate has a third option of running with no stated political affiliation.

The term of a Senate nominee is also similar in both jurisdictions. A nominee retains this status until he/she: is appointed to the Senate; resigns; goes bankrupt; is convicted of a crime; no longer meets the qualifications set out by Section 23 of the *Constitution Act, 1867*; becomes a citizen of, or swears an oath to, a foreign power; or is no longer qualified for nomination under the jurisdiction's Senate election Act. In Saskatchewan, a Senate nominee only retains this status until the next nominee election, while in Alberta the term does not expire unless the Lieutenant-Governor in Council chooses to fix it.

### Senate Nominee Election Financing

Both jurisdictions' Senate election legislation mandates that candidates pay a deposit in order to seek election. In Alberta, that deposit is \$4,000 and in Saskatchewan it is \$2,500. In the area of political financing, Saskatchewan legislates election expense limits while Alberta legislates contribution limits.

Table J.1 Senate nominee elections

| Jurisdiction              | Jurisdictions with Senate Election Acts | Chief Electoral Officer's mandate  | Election Timing  | Candidate Eligibility  | Term as Nominee   | Political Affiliations  |
|---------------------------|---|--|--|--|---|---|
| Canada                    | –                                       | –  | –  | –  | –   | –   |
| Newfoundland and Labrador | –                                       | –  | –  | –  | –   | –   |
| Prince Edward Island      | –                                       | –  | –  | –  | –   | –   |
| Nova Scotia               | –                                       | –  | –  | –  | –   | –   |
| New Brunswick             | –                                       | –  | –  | –  | –   | –   |
| Quebec                    | –                                       | –  | –  | –  | –   | –   |
| Ontario                   | –                                       | –  | –  | –  | –   | –   |
| Manitoba                  | – <sup>1</sup>                          | –  | –  | –  | –   | –   |
| Saskatchewan              | ✓                                       | The Chief Electoral Officer of Saskatchewan is responsible for administering the <i>Senate Nominee Election Act</i> and may adapt any of the provisions of this Act and the <i>Election Act, 1996</i> for the purposes of holding a senate nominee election. | Lieutenant-Governor in Council may commence an election pursuant to this Act: <ul style="list-style-type: none"> <li>▪ In conjunction with a provincial general election.</li> <li>▪ In conjunction with a federal general election, or</li> <li>▪ On a date fixed by the Lieutenant-Governor in Council.</li> </ul> | To be eligible to be a candidate for a Senate nominee election an individual: <ul style="list-style-type: none"> <li>▪ Must be a Canadian citizen.</li> <li>▪ Must have lived in Saskatchewan for at least six months.</li> <li>▪ Must meet the qualifications set out in section 23 of the <i>Constitution Act, 1867</i>.</li> <li>▪ Cannot be the Chief Electoral Officer of Saskatchewan or any election officer as mandated by Sec. 42(2) of the <i>Election Act, 1996</i>.</li> <li>▪ Cannot be the Lieutenant-Governor, a federal/provincial court judge or a Crown employee.</li> <li>▪ Must not be prohibited from being a candidate for election pursuant to the Act or on any other prescribed grounds.</li> </ul> | A person remains as a nominee until he/she: <ul style="list-style-type: none"> <li>▪ Is appointed to the Senate of Canada.</li> <li>▪ Resigns.</li> <li>▪ Goes bankrupt.</li> <li>▪ Becomes a citizen of, or swears an oath to, a foreign power.</li> <li>▪ Is convicted of treason, a felony or any infamous crime.</li> <li>▪ No longer meets the qualifications set out by sec. 23 of the <i>Constitution Act, 1867</i>.</li> <li>▪ Ceases to be eligible to be a candidate under sec.10 of the Act; or,</li> <li>▪ The next Senate nominee election is held.</li> </ul> | A Senate nominee candidate may choose to run as: <ul style="list-style-type: none"> <li>▪ A member of a registered political party pursuant to the <i>Canada Elections Act</i>.</li> <li>▪ An independent; or,</li> <li>▪ A candidate with no political affiliation.</li> </ul> |

<sup>1</sup>Under Schedule D of the *Elections Reform Act* (R.A. June 13, 2006) an all-party legislative committee was mandated to make recommendations on how to elect federal senators. In early 2009 the Special Legislative Committee on Senate Elections conducted public consultations and is due to release its report by the end of 2009.



Table J.1 Senate nominee elections (cont.)

| Jurisdiction          | Jurisdictions with Senate Nominee Election Acts | Chief Electoral Officer's mandate  | Election Timing   | Candidate Eligibility  | Term as Nominee   | Political Affiliations   |
|-----------------------|---|--|---|--|---|--|
| Alberta               | ✓   | The Chief Electoral Officer of Alberta has full responsibility for the implementation and administration of this Act except when a Senate nominee election is held with a local election. In this case a municipal council will become the electoral authority responsible for conducting the vote as required under the <i>Local Authorities Election Act</i> . | Lieutenant-Governor in Council may commence an election pursuant to this Act: <ul style="list-style-type: none"> <li>▪ In conjunction with a provincial general election under the <i>Alberta Election Act</i>.</li> <li>▪ Separately on a date provided for in the order, or</li> <li>▪ In conjunction with a Municipal election under the <i>Local Authorities Election Act</i>.</li> </ul> | To be eligible to be a candidate for a Senate nominee election an individual: <ul style="list-style-type: none"> <li>▪ Must meet the qualifications set out in sec. 23 of the <i>Constitution Act, 1867</i>.</li> <li>▪ Must not be a Member of the House of Commons, Senate or Legislative Assembly.</li> <li>▪ Must have lived in Alberta for at least 6 months.</li> <li>▪ Cannot be a candidate in another election, and;</li> <li>▪ Cannot be prohibited from being a candidate under the <i>Election Act</i>.</li> </ul> | A person remains as a nominee until he/she: <ul style="list-style-type: none"> <li>▪ Is appointed to the Senate of Canada.</li> <li>▪ Resigns.</li> <li>▪ Becomes a citizen of, or swears an oath to, a foreign power.</li> <li>▪ Goes bankrupt.</li> <li>▪ Is convicted of treason, a felony or any infamous crime.</li> <li>▪ Ceases to be eligible to be a candidate under sec. 8 of the Act. or;</li> <li>▪ The term expires. (The Lieutenant-Governor in Council may fix the term of a Senate nominee if desirable)</li> </ul> | A Senate nominee candidate must choose to run as: <ul style="list-style-type: none"> <li>▪ A member of a registered political party; or,</li> <li>▪ An independent.</li> </ul> |
| British Columbia      | – <sup>2</sup>                                  | –  | –   | –  | –   | –  |
| Yukon                 | –   | –  | –   | –  | –   | –  |
| Northwest Territories | –   | –  | –   | –  | –   | –  |
| Nunavut               | –   | –  | –   | –  | –   | –  |

<sup>2</sup>The BC Legislative Assembly passed the *Senatorial Selection Act* in 1990. However, this Act had a sunset clause and has since lapsed. The Act could be re-enacted by amendment.

Table J.2 Senate nominee election financing

| Jurisdiction              | Candidate's Deposit | Expenditure Limits   | Contribution Limits  | Tax credit for political contributions  |
|---------------------------|---------------------|--|--|---|
| Canada                    | –                   | –  | –  | –   |
| Newfoundland and Labrador | –                   | –  | –  | –   |
| Prince Edward Island      | –                   | –  | –  | –   |
| Nova Scotia               | –                   | –  | –  | –   |
| New Brunswick             | –                   | –  | –  | –   |
| Quebec                    | –                   | –  | –  | –   |
| Ontario                   | –                   | –  | –  | –   |
| Manitoba                  | –                   | –  | –  | –   |
| Saskatchewan              | \$2,500.00          | No Senate nominee candidate shall incur election expenses that exceed the amount A, calculated by the formula $A=B/6$ if B is the combined total of the permitted maximum set pursuant to the <i>Canada Elections Act</i> for election expenses for a candidate in each federal electoral district in Saskatchewan as established pursuant to the <i>Electoral Boundaries Readjustment Act</i> in the current or most recent general election. | –  | –   |
| Alberta                   | \$4,000.00          | –  | <ul style="list-style-type: none"> <li>▪ Contributions limits are imposed on individuals, corporations, trade unions, and other employee organizations.</li> <li>▪ Contributions to a candidate cannot exceed \$30,000. If a candidate was nominated by a registered political party, any amount contributed to that party in that calendar year under the <i>Senatorial Selection Act</i> must be deducted from the \$30,000.</li> <li>▪ Contributions can only be made to a candidate during a campaign period.</li> <li>▪ Contributions shall not exceed, in any year, \$15,000 to each registered party.</li> <li>▪ In a campaign period, the maximum amount shall not exceed \$30,000 multiplied by the number of persons to be elected for which there is a candidate, less any amount contributed to the party in that calendar year under the <i>Senatorial Selection Act</i></li> </ul> | <ul style="list-style-type: none"> <li>▪ Up to \$200: 75%</li> <li>▪ Over \$200 and up to \$1,100: \$150 + 50% of amount over \$200</li> <li>▪ Over \$1,100: lesser of \$1,000, or \$600 + 33.33% of amount over \$1,100</li> </ul> |
| British Columbia          | –                   | –  | –  | –   |
| Yukon                     | –                   | –  | –  | –   |
| Northwest Territories     | –                   | –  | –  | –   |
| Nunavut                   | –                   | –  | –  | –   |

## Appendix A. Dates of Most Recent General Elections

| Jurisdiction              | Dates of Most Recent General Elections |
|---------------------------|--|
| Canada                    | May 2, 2011                            |
| Newfoundland and Labrador | October 11, 2011                       |
| Prince Edward Island      | October 3, 2011                        |
| Nova Scotia               | June 9, 2009                           |
| New Brunswick             | September 27, 2010                     |
| Quebec                    | December 8, 2008                       |
| Ontario                   | October 6, 2011                        |
| Manitoba                  | October 4, 2011                        |
| Saskatchewan              | November 7, 2011                       |
| Alberta                   | April 23, 2012                         |
| British Columbia          | May 12, 2009                           |
| Yukon                     | October 11, 2011                       |
| Northwest Territories     | October 3, 2011                        |
| Nunavut                   | October 27, 2008                       |



## **Appendix B. Canadian Election Officials**

### **Canada**

Mr. Marc Mayrand, Chief Electoral Officer of Canada

### **Newfoundland and Labrador**

Mr. Victor Powers, Chief Electoral Officer of Newfoundland and Labrador and Commissioner for Legislative Standards

### **Prince Edward Island**

Mr. Lowell J. Croken, Chief Electoral Officer of Prince Edward Island

### **Nova Scotia**

Mr. Richard P. Temporale, Chief Electoral Officer of Nova Scotia

### **New Brunswick**

Mr. Michael Quinn, Chief Electoral Officer of New Brunswick

### **Quebec**

Mr. Jacques Drouin, Chief Electoral Officer of Quebec and president of the Commission de la représentation électorale

### **Ontario**

Mr. Greg Essensa, Chief Electoral Officer of Ontario

### **Manitoba**

Ms. Shipra Verma, Deputy Chief Electoral Officer of Manitoba

### **Saskatchewan**

Mr. Michael Boda, Chief Electoral Officer of Saskatchewan

### **Alberta**

Mr. O. Brian Fjeldheim, Chief Electoral Officer of Alberta

### **British Columbia**

Mr. Keith Archer, Chief Electoral Officer of British Columbia

### **Yukon**

Ms. Jo-Ann Waugh, Chief Electoral Officer of Yukon

### **Northwest Territories**

Mr. David M. Brock, Chief Electoral Officer of the Northwest Territories

### **Nunavut**

Ms. Sandy Kusugak, Chief Electoral Officer of Nunavut



## Appendix C. List of Legislation, Regulations and Official Reports

### Canada

- *Canada Elections Act*, S.C. 2000, c. 9.
- *Canadian Charter of Rights and Freedoms*, Part 1 of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11.
- *Constitution Act, 1867* (U.K.), 30 & 31 Victoria, c. 3, ss. 51-51A, reprinted in R.S.C. 1985, App. II, No. 5.
- *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3.
- *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.).
- *Northwest Territories Act*, R.S.C. 1985, c. N-27.
- *Referendum Act*, S.C. 1992, c. 30.
- *Report of the Chief Electoral Officer of Canada on the 41st General Election of May 2, 2011.*
- *Report of the Chief Electoral Officer of Canada Following the November 29, 2010, By-elections Held in Dauphin–Swan River–Marquette, Vaughan and Winnipeg North.*
- *Report of the Chief Electoral Officer of Canada Following the Pilot Project on the Use of an Assistive Voting Device in the November 29, 2010, By-election Held in Winnipeg North.*
- *Responding to Changing Needs – Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election.*

### Newfoundland and Labrador

- *Elections Act, 1991*, S.N.L. 1992, c. E-3.1.
- *Electoral Boundaries Act*, R.S.N.L. 1990, c. E-4.
- *House of Assembly Act*, R.S.N.L. 1990, c. H-10.
- *February 15, 2011 By-election Report: Humber West.*
- *December 2, 2010 By-election Report: Conception Bay East – Bell Island.*
- *March 16, 2010 By-election Report: Topsail.*

### Prince Edward Island

- *Controverted Elections (Provincial) Act*, R.S.P.E.I. 1988, c. C-22.
- *Election Act*, R.S.P.E.I. 1988, c. E-1.1.
- *Election Expenses Act*, S.P.E.I. 1996, c. 13.
- *Electoral Boundaries Act*, S.P.E.I. 1994, c. 13.
- *Income Tax Act*, R.S.P.E.I. 1988, c. I-1.
- *Legislative Assembly Act*, R.S.P.E.I. 1988, c. L-7.
- *Plebiscites Act*, R.S.P.E.I. 1988, c. P-10.
- *Report of the Chief Electoral Officer of Prince Edward Island for the Provincial General Election of 3 October 2011.*

### Nova Scotia

- *Controverted Elections Act*, R.S.N.S. 1989, c. 96.
- *Elections Act*, R.S.N.S. 1989, c. 140.
- *House of Assembly Act*, R.S.N.S. 1989, c. 1 (1992 Supp.).
- *Income Tax Act*, R.S.N.S. 1989, c. 217.
- *Liquor Control Act*, R.S.N.S. 1989, c. 260.
- *Liquor Plebiscite Regulations*, N.S. Reg. 90/87.
- *Members and Public Employees Disclosure Act*, S.N.S. 1991, c. 4.
- *Political Contributions Disclosure Regulations*, N.S. Reg. 5/2003.
- *Response to Resolution No. 645 of the House of Assembly – Report of the Chief Electoral Officer (May 6, 2011).*
- *Statement of Votes and Financial Information, Cumberland South By-election, October 26, 2010.*

- *Statement of Votes and Financial Information, Glace Bay and Yarmouth By-elections, June 22, 2010.*
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