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**Compendium of Election  
Administration in Canada:  
A Comparative Overview**

**As of June 15, 2010**

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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.

#### 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 similar but ongoing function (not limited to campaign periods) is served for political parties by each party's chief agent in Canada and New Brunswick; 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 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 2009 – June 2010)

### Canada

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- N/A
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### Newfoundland and Labrador

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- N/A
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### Prince Edward Island

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- N/A
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### Nova Scotia

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*Bill 44 – An Act to Amend Chapter 4 of the Acts of 1991, the Members and Public Employees Disclosure Act (Royal Assent – November 5, 2009)*

- This Act bans organizations (trade unions/corporations) from contributing to candidates, electoral district associations or political parties. Only individuals may make contributions.
  - Employers (i.e. organizations) may not remunerate an employee for providing services to a candidate, electoral district association or political party.
  - The Act bans the use of “held assets” in support of the political purposes of candidates, electoral district associations and political parties.
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### New Brunswick

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*Bill 13 – An Act to Amend the Political Process Financing Act (Royal Assent – December 18, 2009)*

- This Act provides for an annual allowance to be paid to every registered political party represented in the Legislative Assembly or that had at least 10 official candidates at the preceding general election.
  - The annual allowance must be paid in equal quarterly instalments not later than the last day of June, September, December and March; and on or before June 1 of each year, the Supervisor of Political Financing must publish in *The Royal Gazette* a statement of the annual allowance paid during the preceding fiscal year to each of the registered political parties.
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*Bill 19 – An Act to Amend the Political Process Financing Act (Royal Assent – February 26, 2010)*

- This Act provides that all Advisory Committee members other than the Supervisor of Political Financing will be reimbursed for expenses incurred.
  - It shifts responsibility for releasing the statement of the total number of electors in each electoral district from the returning officer to the Chief Electoral Officer.
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## New Brunswick (cont.)

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### *Bill 16 – An Act to Amend the Elections Act (Royal Assent – March 26, 2010)*

This Act makes various amendments to the *Election Act*. The major legislative changes of the Act include:

- Permits the CEO to use new technologies in order to assist persons with disabilities to cast their ballot privately and independently.
  - Reduces the residency requirement from 6 months to 40 days.
  - Removes the position of deputy returning officer and gives the returning officer the authority to appoint election officials.
  - Modifies voter identification requirements at the polls to allow for polling day registration.
  - Updates the rules with regard to enumeration and the lists of electors.
  - Amends and clarifies voting day procedures, including special voting rules.
  - Amends the rules regarding the procedures at the close of the polls and judicial recounts.
  - Updates what is considered to be corrupt practices under the Act.
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## Québec

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- N/A
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## Ontario

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### *Bill 231 – An Act to amend the Election Act and the Election Finances Act (Royal Assent – May 18, 2010)*

This Act amends both the *Election Act* and the *Election Finances Act*. The major legislative changes of the Act include:

- Eliminates proxy voting.
  - Introduces the special ballot (which includes voting by mail).
  - Allows post-secondary students to choose whether they want to vote in the electoral district where they reside temporarily or where they reside permanently.
  - Permits the CEO to use new technologies in order to assist persons with disabilities to cast their ballot privately and independently.
  - Gives the CEO more flexibility to determine the hours and dates for advance polls.
  - Gives the CEO responsibility for recruiting returning officers, who are then appointed by Lieutenant-Governor in Council.
  - Modifies the system by which fees and expenses incurred by the CEO are allocated, from a system based on regulation to one that revolves around annual submissions to the Board of Internal Economy.
  - Eliminates enumeration.
  - Repeals several candidate deposit and refund provisions.
  - Authorizes the CEO to study alternative voting methods for improving the voting process, including electronic voting.
  - Stipulates that each registered party with official candidates running in 50 percent or more of electoral districts are required to implement and maintain an electronic database for receipts and contributions by June 1, 2012.
  - Adds a prohibition against publishing, broadcasting or transmitting to the public on election day the results of an election survey that has not previously been released to the public before all the polls close in an electoral district.
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## Manitoba

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- N/A
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## Saskatchewan

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- N/A
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## Alberta

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### ***Bill 205 – Election Finances and Contributions Disclosure (Third Party Advertising) Amendment Act, 2009 (Royal Assent – November 26, 2009)***

- This Act provides that any third party, whether it is an individual or an organization, that spends \$1,000 or more on political advertising during a general election is required to register with the CEO of Alberta and maintain an account through which all advertising expenses and contributions are processed.
  - No prohibited corporation, person normally residing outside Alberta, trade union or employee organization is allowed to make any contributions to a third party for the purposes of third party election advertising.
  - The contribution limit to a third party is \$15,000 in a calendar year when there is no general election and \$30,000 in a year when there is an election. Contributions must be made through the third party's chief financial officer and go directly into the advertising account.
  - All third party election advertising must include the name of the third party that sponsors and authorizes the advertisement.
  - Every third party that is required to be registered must file an election advertising report within six months of polling day. The report must set out the amount of contributions received during the year, the name and address of each contributor of over \$375, a financial statement setting out income and transfers and total expenses, and the time and place of broadcast or publication of advertisements.
  - All third parties whose third party election advertising expenses are \$100,000 or more are required to file audited financial statements with the CEO six months after polling day.
  - A third party that contravenes any of the third party election advertising provisions is liable for a fine of up to \$10,000 if the third party is an individual and \$100,000 if the third party is a trade union, employee organization, corporation or other organization.
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### ***Bill 55 – Senatorial Selection Amendment Act (Royal Assent – November 26, 2009)***

- This Act amends section 54 of the *Senatorial Selection Act*, extending the expiry date of the Act from December 31, 2010, to December 31, 2016.
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### ***Bill 7 – Election Statutes Amendment Act, 2010 (Royal Assent – April 22, 2010)***

This Act amends the *Election Act* and the *Election Finances and Contributions Disclosure Act*. The major legislative changes include:

- Allows the Chief Electoral Officer to appoint returning officers.
  - Changes the way enumerators are appointed, eliminating political involvement.
  - Broadens the investigative powers of the Chief Electoral Officer.
  - Expands advance polls to those who, for any reason, want to vote early.
  - Gives prisoners the right to vote, in accordance with a Supreme Court of Canada ruling.
  - Enhances third party advertising legislation.
  - Requires candidates who run a campaign deficit to retire that deficit and report to the Chief Electoral Officer the manner by which it is retired.
  - Increases safeguards for the list of electors.
  - Updates the types of identification that voters can present at polling stations, if required.
  - Provides mechanisms for the Chief Electoral Officer to explore the use of new voting technologies and to conduct a pilot project that will see by-election polls open at 7:00 a.m.
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## British Columbia

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### *Bill 20 – Miscellaneous Statutes Amendment Act 2009 (No. 2) (Royal Assent – November 26, 2009)*

- This Act amends section 199(2) of the B.C. *Election Act*. The section now reads, “In respect of an election conducted other than in accordance with section 23(2) of the *Constitution Act*, the total value of election expenses incurred by a candidate during the campaign period must not exceed \$70 000.”
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## Yukon

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### *Bill 78 – An Act to Amend the Elections Act (Royal Assent – December 17, 2009)*

This Act makes various amendments to the *Election Act*. The major legislative changes of the Act include but are not limited to:

- New procedures for the enumeration process. For example, enumerators must now collect the surname, initials and residence address of every person entitled to vote in the electoral district, wear an identification badge, conduct enumeration in nursing homes and hospitals, and advise the elector of his/her right to vote by proxy or special ballot.
  - The CEO is granted the authority to conduct an enumeration outside an election period if it is anticipated that an election will be called within 180 days.
  - The Commissioner in Executive Council, after consulting with the CEO, will prescribe a tariff of remuneration and level of reimbursement of expenses for the Assistant CEO and any officers and employees that the CEO considers necessary.
  - All returning officers are to be directly appointed by the CEO.
  - New rules for re-registering at the polls whereby electors must either make a declaration, be vouched for by another elector or produce proper identification that contains their name and residence address.
  - Updates what constitutes an offence under the Act. Offences related to tampering with ballots and ballot boxes, making false declarations, impersonating election officials and interfering with the voting and counting processes are all codified in the Act.
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## Northwest Territories

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### *Bill 7 – An Act to Amend the Elections and Plebiscites Act (Royal Assent – May 20, 2010)*

This Act makes various amendments to the *Elections and Plebiscites Act*. The major legislative changes of the Act include but are not limited to:

- Establishes the position of multi-district polling officer and assistant multi-district polling officer.
  - Repeals the eligibility requirements for election officials.
  - Allows the Chief Electoral Officer to vote.
  - Allows electors' information to be collected by the Chief Electoral Officer from the Director of Medical Insurance and the student financial assistance program.
  - Stipulates that all campaign material and broadcasts must identify the name and telephone number of the candidate or official agent.
  - Sets out the procedures for the establishment of a multi-district mobile poll between the 7th and 4th days before polling day.
  - Introduces voter identification requirements. Voters now need to either present one piece of government-issued photo-identification, present two pieces of identification that establish the elector's name and address, take an oath/make an affirmation or be vouched for by another elector.
  - Repeals the option for electors to decline to vote.
  - Forbids a candidate or official agent from helping an elector in marking a ballot.
  - Updates what constitutes an election offence and the punishments for those offenses.
  - Redefines illegal and corrupt practices as "major election offences."
  - Legislates that a person guilty of a major election offence may not, for a period of five years, run as a candidate, sit as a member of the Legislative Assembly, vote or hold any office to which the Commissioner or the Legislative Assembly has the power to appoint.
  - Allows for compliance agreements to be undertaken by the Chief Electoral Officer.
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## Nunavut

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- N/A
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## 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 Quebec, Alberta, British Columbia, Yukon and the Northwest Territories, they are reviewed after every second general election. In New Brunswick, redistribution proceeds only after an Order in Council. In Ontario, according to the *Representation Act, 1996*, the electoral districts are identical to those established for federal elections, and there is no provincial redistribution. With the passage of the *Representation Act, 2005*, as of the October 10, 2007, provincial general election, this process of redistribution no longer applies to Ontario's 11 northern electoral districts.

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 that the new boundaries come into effect is specified in the legislation authorizing the boundary changes. As a matter of practice, however, this also occurs upon the dissolution of the Legislative Assembly or before the next election.

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

Jurisdiction	Redistribution			Criteria	
	Frequency	Date of last redistribution	Number of electoral districts after last redistribution	Electoral quota	Deviance
Canada	After every decennial census	2003	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	Every 10 years	2002	52	–	25% of average number of electors per constituency
New Brunswick	Following an Order in Council	2006	55	Population of province divided by number of electoral districts	10% of electoral quota
Quebec	After every second general election	2001	125	Total number of electors divided by number of electoral divisions	25% of electoral quota
Ontario <sup>1</sup>	–	2007	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	Every 10 years	2002	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	2003	83 <sup>2</sup>	–	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> 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*, this process no longer applies to the province's northern ridings.

<sup>2</sup> According to Alberta's *Electoral Boundaries Commission Amendment Act, 2009*, the province will be divided into 87 electoral districts once the Electoral Boundaries Commission's findings are proclaimed by the Legislative Assembly. The Act requires that the Commission's final report be tabled on or before July 22, 2010.

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

Jurisdiction	Redistribution			Criteria	
	Frequency	Date of last redistribution	Number of electoral districts after last redistribution	Electoral quota	Deviance
Yukon	After every second general election	2008	18 <sup>3</sup>	–	–
Northwest Territories	After every second general election	2007	20	–	–
Nunavut	Every 10 years	2006	19	Number of voters on most current voters list divided by number of constituencies	30% of electoral quota

<sup>3</sup> As of the day the 32nd Legislative Assembly is dissolved the Yukon will have 19 electoral districts according to the *Electoral District Boundaries Act* of 2008.

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: Members of Legislative Assembly, House of Commons or Senate, and Chief Electoral Officer</li> <li>▪ Not eligible as chairperson: 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</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> 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*, this process no longer applies to the province's northern ridings.

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	At least 30 days before public hearing, notice must be published in <i>Nunavut Gazette</i> and in at least one newspaper of general circulation	–

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

Jurisdiction	Submission of report		Procedure for enactment	Coming into force of boundary changes
	Submitted to	Time limits for submission or deliberation		
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	Submission of report		Procedure for enactment	Coming into force of boundary changes
	Submitted to	Time limits for submission or deliberation		
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*, since 2007 this process does not apply to northern ridings.

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

Jurisdiction	Submission of report		Procedure for enactment	Coming into force of boundary changes
	Submitted to	Time limits for submission or deliberation		
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 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 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, Quebec, Manitoba, Saskatchewan, Alberta, British Columbia, Ontario 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.

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, Quebec, Manitoba, Saskatchewan, British Columbia, Alberta, the Northwest Territories, Yukon and Nunavut, returning officers are appointed by the Chief Electoral Officer; in all other cases 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 British Columbia, Newfoundland and Labrador, 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	–	Before or within 10 days of start of session, Chief Electoral Officer may report on any matter in connection with administration of Office since last report or on any amendments to Act that he or she deems desirable for better administration of Act
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>▪ Election Financing: Annual report submitted to Legislative Assembly</li> </ul>
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>

Table C.1 Chief Electoral Officer (cont.)

Jurisdiction	Chief Electoral Officer		
	Appointed by	Term of office	Reports to Speaker
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	Chief Electoral Officer reports annually to Speaker, no later than the earlier of: April 1 of following year, or 280th day after date of writ for general election

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>▪ Allows Elections Canada to share information, obtain 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	—	—	—
New Brunswick	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> <li>▪ Not eligible: member of Legislative Assembly or House of Commons, nominated candidate in a provincial or federal election, or official agent or campaign manager of candidate or political party</li> </ul>	<ul style="list-style-type: none"> <li>▪ Committee gives advice and opinion on any matter or question posed by Chief Electoral Officer relating to the electoral process or application of <i>Elections Act</i></li> <li>▪ Chief Electoral Officer consults committee periodically on application of Act</li> <li>▪ Committee may make results of its work public</li> </ul>
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>▪ 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>

\*Established administratively

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

Jurisdiction	Statutory Requirement	Membership	Mandate
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>▪ 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>▪ 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>▪ Deputy returning officer, recommended by the party that received the greatest number of votes in the last general election.</li> <li>▪ Poll clerk recommended by the party that received the second greatest number of votes in the last election.</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>▪ Information officers</li> <li>▪ Three-member panel in every polling station to verify elector identity; one member recommended by candidate of party that won last election, second recommended by candidate of party that came second. If there is only one polling station on the premises, the returning officer may allow the deputy returning officer and the poll clerk to act as panel members.</li> <li>▪ Officers in charge of voters list, 2 per polling station, recommended as above</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>	▪ Interpreters
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> </ul>	<ul style="list-style-type: none"> <li>▪ Poll clerks</li> <li>▪ Interpreters</li> </ul>

Table C.4 Staff and payment

Jurisdiction	Staff of Chief Electoral Officer	Tariff of fees fixed by	Payment from
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	Assistant Chief Electoral Officer 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. 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 (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, British Columbia and the Northwest Territories, voters must prove both their identity and place of residence at the polls. In Ontario and Quebec, voters must only prove their identity. Quebec further requires that a voter's face be visible when providing this proof.

All jurisdictions require an elector to be registered on a list of electors before voting. Nine 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 and the Northwest Territories). 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 five jurisdictions (Canada, New Brunswick, Quebec, Nunavut and Alberta) 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	Qualifications				Disqualifications (who may not vote)			Voter identification requirements at the poll
	Canadian citizenship	Age	Residency	Electoral officers	Inmates	Mental disability	Other	
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/RO	–	–	–	–
New Brunswick	✓	18	40 days before date of election	CEO/RO <sup>2</sup>	–	–	Convicted of corrupt or illegal practices in previous 5 years	–
Quebec	✓	18	6 months or 12 months for elector residing outside Quebec	–	–	–	Convicted of corrupt election practices in previous 5 years Under guardianship of Public Curator	Show face and prove identity
Ontario	✓	18	Ordinarily resides in the electoral district	–	–	–	–	Prove identity
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	–
Alberta	✓	18	6 months before polling day	RO <sup>2</sup>	–	–	Convicted of corrupt practices during previous 8 years	–

<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	Qualifications				Disqualifications (who may not vote)			Voter identification requirements at the poll
	Canadian citizenship	Age	Residency	Electoral officers	Inmates	Mental disability	Other	
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	Permanent register of electors		Enumeration period	Revision period	Polling day registration
	Contents	Updates			
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, birth date, address, sex	–	Must commence within 5 days after date of writ and continue for 7 consecutive days	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	Permanent register of electors		Enumeration period	Revision period	Polling day registration
	Contents	Updates			
New Brunswick	Surname, given names, sex, and civic or mailing addresses	Through enumeration, administrators of treatment centres, the Chief Electoral Officer of Canada or a provincial department or agency	Determined by Chief Electoral 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, residential address, sex and date of birth	Through the Régie de l'assurance maladie du Québec, school boards, the Public Curator <sup>1</sup> , 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	Permanent register of electors		Enumeration period	Revision period	Polling day registration
	Contents	Updates			
Manitoba	The voter's name, telephone number, the 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	Permanent register of electors		Enumeration period	Revision period	Polling day registration
	Contents	Updates			
Yukon	Surname, initials and residence address	–	<p><u>Election Period:</u> Ends no later than 13th day after issue of writs</p> <p><u>Outside Election Period:</u> Ends no later than 21st day after Chief Electoral Officer gives public notice or 13 days after issue of writs</p>	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	Begins immediately after certification of preliminary voters list and ends at 8:00 p.m. on 28th day before polling day	Electors must complete application form establishing identity and place of residence and sign declaration of right to vote

Table D.3 Lists of electors

Jurisdiction	Preliminary list		Revised list		Official list		Final list	
	When	Provided to	When	Provided to	When	Provided to	When	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	–	–	When revision is complete	Political organizations	–	–
New Brunswick	Not later than 14th day before polling day	Returning officers, each political party that nominated candidates, and each independent candidate	10th and 3rd day before polling day	Appropriate poll officials, and each party and candidate who was provided with preliminary list	–	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		Revised list		Official list		Final list	
	When	Provided to	When	Provided to	When	Provided to	When	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		Revised list		Official list		Final list	
	When	Provided to	When	Provided to	When	Provided to	When	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	<u>Election Period</u> : No later than 13th day after issue of writ <u>Outside Election Period</u> : 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	On day writ is issued	Returning officers and candidates upon request	8:00 p.m. on 24th day before polling day	The CEO and each candidate who requests a copy	No later than 23rd day before polling day	Returning officers and each candidate in constituency	As soon as possible after polling day	To member elected to 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 and New Brunswick; 12 in Canada, Newfoundland and Labrador, 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, 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, New Brunswick, British Columbia or the three 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 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 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 returning officer must generally cast the deciding vote, except in Canada, Newfoundland and Labrador, Quebec, Manitoba, the Northwest Territories and Nunavut, where a by-election is called, and Yukon and Nova Scotia, where the returning officer must draw lots. British Columbia makes no provision for a tie after a recount.

In a number of jurisdictions (Canada, British Columbia, Alberta, Ontario, Quebec, New Brunswick and Nova Scotia), 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	Polling		
			Electoral period	Day	Hours of voting
Canada	At least 250 electors	✓	Minimum 36 days	3rd Monday in October every four years (scheduled for October 15, 2012)	<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 11, 2011)	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 3, 2011)	9:00 a.m. – 7:00 p.m.
Nova Scotia	Approximately 450 electors	✓	Minimum 30 days	Tuesday	8:00 a.m. – 7:00 p.m.
New Brunswick	As directed by Chief Electoral Officer	✓	Scheduled general election: 32 days All other elections: minimum 28, maximum 38 days	Fourth Monday in September in the fourth calendar year following the most recent general election (scheduled for September 27, 2010)	10:00 a.m. – 8:00 p.m. (must be open for 10 full hours)
Quebec	No more than 350 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 6, 2011)	<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	Urban area: 350–400 electors Rural area: approximately 250 electors	✓	Minimum 28, maximum 35 days in the case of a fixed election date. Minimum 32, maximum 39 days if not a fixed election date.	1st Tuesday in October in the fourth calendar year following the most recent general election (scheduled for October 4, 2011)	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	Polling		
			Electoral period	Day	Hours of voting
Saskatchewan	No more than 300 electors	–	Minimum 28, maximum 34 days	1st Monday in November every four years (scheduled for November 7, 2011)	9:00 a.m. – 8:00 p.m.
Alberta	No more than 450 electors	✓	Must be 28 days	–	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 3, 2011)	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.

Table E.2 Alternative methods of voting

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	Application: by 6:00 p.m. on 6th day before polling day  Ballot: by 6:00 p.m. on polling day
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	Application: by 6:00 p.m. on a day before polling day specified by Chief Electoral Officer  Ballot: by 4:00 p.m. on a day before polling day specified by Chief Electoral Officer

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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	Application: by 6:00 p.m. on or before 13th day before polling day  Ballot: by noon on ordinary polling day
Nova Scotia	–	–	Long-term care facilities	Minimum of 3 hours fixed by returning officer	10:00 a.m. – 8:00 p.m. on the Friday and Saturday before polling day  Additional special polls: 12th to 6th days, excluding Sunday, at prescribed times	Any elector	✓	✓	Any elector	Application: by 8:00 p.m. on Saturday, the 10th day before ordinary polling day  Ballot: by close of polls on polling day
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	✓	✓	Electors who will be unable to vote at advance polls or on polling day	Application: any time after writ is issued  Ballot: by 8:00 p.m. on polling day

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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	Deadline
Quebec	–	–	In health institutions	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.	9:30 a.m. – 8:00 p.m. on 8th and 7th days before polling day	Any elector	✓	✓	Electors who leave Quebec temporarily after having been domiciled there for 12 months, up to two years after departure	Application: before 19th day before polling day  Ballot: by close of polls on polling day
Ontario	–	–	Canadian Forces sites, hospitals, psychiatric facilities and long-term care homes	At the discretion of the CEO	The 18th and 6th days before polling day, from 10:00 a.m. to 8:00 p.m. or during hours determined by the Chief Electoral Officer	Electors who will be unable to vote on polling day	✓	✓	Any elector	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)  Ballot: by 6:00 p.m. on polling day

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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	Application: by Monday before polling day (housebound voters); by Saturday before polling day (absentee voters)  Ballot: by 8:00 p.m. on polling day
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	Any 5 of the 7 clear days before polling day, excluding holidays and last day before polling day  If on Saturday or Sunday, noon – 7:00 p.m.; if on another day, 3:00 p.m. – 10:00 p.m.	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	Application: at least 8 days before polling day  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

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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	Application: by close of polls on polling day  Ballot: by close of polls on polling day
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	Application: up to 4 hours before close of polls on polling day  Ballot: before close of polls on polling day

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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	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  Ballot: before 2:00 p.m. on polling day



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

Jurisdiction	Proxy voting		Mobile poll		Advance poll			Mail-in or special ballot		
	Eligibility	Time to apply	Establishment	Time for voting	Period	Eligibility	Level access	Available	Eligibility	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	Application: by 2:00 p.m. on 2nd day before polling day  Ballot: by close of polls on polling day
Nunavut	Any elector who is unexpectedly absent from his or her constituency and has no other opportunity to vote	From the 5th day before the election until 3:00 p.m. the day of the vote	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 unable to vote on polling day	Application: available after writ is issued  Ballot: prior to 5:00 p.m. on 3rd day before polling day

Table E.3 Assistance to voters on polling day

Jurisdiction	Assistance to voters			Time off for voting	Transfer certificates	
	Assistance to vote provided by	Template	Interpreter		Eligibility	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)	(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	–
Quebec	Spouse or relative, deputy returning officer, or another person in presence of deputy returning officer and poll clerk (may assist only one elector other than relative)	✓	✓ (only for sign language)	4 consecutive hours	–	–

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

Jurisdiction	Assistance to voters			Time off for voting	Transfer certificates	
	Assistance to vote provided by	Template	Interpreter		Eligibility	Deadline
Ontario	Deputy returning officer or friend	✓ (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)	✓ (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	–	–

Table E.4 Addition of votes

Jurisdiction	Official addition		Automatic recount required when	When error is suspected, may be requested by	Judicial recount	Deposit when requested	Appeal of a judicial recount	In case of a tie	
	Place	Time			Time limits			By-election	Returning officer casts a ballot
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	–	✓	–
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	–	✓	–
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	–	–	✓
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	–	–	– <sup>1</sup>
New Brunswick	Fixed by proclamation	Fixed by proclamation	–	Elector	Request must be made within 4 days of official addition; recount must be held within 4 days of application to judge	\$200	–	–	✓

<sup>1</sup> Returning officer must draw a lot in the presence of the election clerk, the candidates or their agents (if none present, then in the presence of two electors) and the judge who conducted the recount.

Table E.4 Addition of votes (cont.)

Jurisdiction	Official addition		Judicial recount				In case of a tie		
	Place	Time	Automatic recount required when	When error is suspected, may be requested by	Time limits	Deposit when requested	Appeal of a judicial recount	By-election	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	–	–	✓	–
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	–	✓
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	✓	–

Table E.4 Addition of votes (cont.)

Jurisdiction	Official addition		Automatic recount required when	When error is suspected, may be requested by	Judicial recount		In case of a tie		
	Place	Time			Time limits	Deposit when requested	Appeal of a judicial recount	By-election	Returning officer casts a ballot
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>	✓	–

Table E.4 Addition of votes (cont.)

Jurisdiction	Official addition		Automatic recount required when	When error is suspected, may be requested by	Judicial recount		In case of a tie		
	Place	Time			Time limits	Deposit when requested	Appeal of a judicial recount	By-election	Returning officer casts a ballot
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	–	–
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	✓	–
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	–	–	– <sup>2</sup>
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	✓	–

<sup>2</sup> Returning officer must draw lots in the presence of a judge and any candidate or agent.

Table E.4 Addition of votes (cont.)

Jurisdiction	Official addition		Judicial recount					In case of a tie	
	Place	Time	Automatic recount required when	When error is suspected, may be requested by	Time limits	Deposit when requested	Appeal of a judicial recount	By-election	Returning officer casts a ballot
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	Request must be made within 8 days of official addition; judge must fix a date and time within 10 days of request	\$250	Any party may appeal a decision within 8 days of the recount	✓	–



## 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 and British Columbia. In Canada, an employer may grant a leave of absence with or without pay, but in Quebec, Manitoba and British Columbia, a leave of absence may only be granted without pay.

To be a candidate, a person must file nomination papers with the returning officer. All jurisdictions require prospective candidates to gather a certain number of signatures, and most 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, 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 one 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 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 Canada, Quebec, Alberta, New Brunswick 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 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 Right to be a candidate

Jurisdiction	Candidate must be						Candidate must not be								
	18 years of age	Canadian citizen	Ordinarily resident	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.2 Requirements for nomination and registration

Jurisdiction	Registration – political parties		Registration – local associations and leadership contestants; Requirement to provide statement of assets and liabilities and/or identify financial institutions	Registration – third parties	Nomination – candidates	
	Number of signatures	Number of candidates nominated			Number of signatures	Deposit
Canada	250 electors who are party members	1	<u>Local associations:</u> Must provide Chief Electoral Officer with statement of assets and liabilities within 6 months after becoming registered  <u>Leadership contestants:</u> Must register with Chief Electoral Officer if they accept contributions or incur expenses for leadership campaign	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	–	5 electors in electoral district	\$100

Table F.2 Requirements for nomination and registration (cont.)

Jurisdiction	Registration – political parties		Registration – local associations and leadership contestants; Requirement to provide statement of assets and liabilities and/or identify financial institutions	Registration – third parties	Nomination – candidates	
	Number of signatures	Number of candidates nominated			Number of signatures	Deposit
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	<u>Local associations</u> : Must provide Chief Electoral Officer with statement of assets and liabilities  <u>Leadership contestants</u> : Must identify their financial institutions	–	25 electors in electoral district	–
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

Table F.2 Requirements for nomination and registration (cont.)

Jurisdiction	Registration – political parties		Registration – local associations and leadership contestants; Requirement to provide statement of assets and liabilities and/or identify financial institutions	Registration – third parties	Nomination – candidates	
	Number of signatures	Number of candidates nominated			Number of signatures	Deposit
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 \$300 in Quebec to \$1,120 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. Canada, Prince Edward Island, New Brunswick, Manitoba and Quebec pay such allowances. The allowance is based on the number of valid votes received by the party's candidates in the last general election or, in the case of New Brunswick, the number of official candidates a registered political party runs in a general election.

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, New Brunswick, Quebec, Ontario, Manitoba, Alberta, British Columbia, the Northwest Territories and Nunavut.

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.

Most jurisdictions allow anonymous contributions up to a specified amount. For any contributions over that amount, the identity of the contributor must be disclosed or the contributions remitted to the Chief Electoral Officer.

### 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. In all other jurisdictions, the limit is 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.

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

## 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, Quebec, Alberta, New Brunswick, Ontario and British Columbia.

Several jurisdictions also impose a blackout on election advertising broadcasts either on polling day (Canada, Quebec and British Columbia) or on polling day and the previous day (Newfoundland and Labrador, New Brunswick, Ontario and the Northwest Territories). 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.

Four jurisdictions – Canada, Ontario, Alberta and British Columbia – regulate the transmission to the public of the results of an election survey or opinion poll. In Canada 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 and Alberta also require survey sponsors to produce a report on the survey upon request. In British Columbia, Alberta and Ontario, 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		Allowances to political parties	Tax credit for political contributions	Reimbursement of candidate's deposit
	Political party	Candidate			
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>\\$0.4375 \times</math> number of valid votes cast for the party in preceding general election and inflation adjustment factor in effect for that quarter</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>1</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>Allowance has not been paid to political parties since 1993.

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

Jurisdiction	Reimbursement of election expenses		Allowances to political parties	Tax credit for political contributions	Reimbursement of candidate's deposit
	Political party	Candidate			
Nova Scotia	–	If obtains 10% of valid votes, receives amount of election expenses not exceeding \$0.25 per elector on official list	\$1.50 for each vote received by candidates representing a political party in the most recent general election	<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 in 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 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 elected candidate and candidate who receives at least half the number of votes received by elected candidate

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

Jurisdiction	Reimbursement of election expenses		Allowances to political parties	Tax credit for political contributions	Reimbursement of candidate's deposit
	Political party	Candidate			
Quebec	If obtains 1% of valid votes, receives 50% of incurred expenses, to a maximum of \$0.60 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 \$1.00 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 \$0.50 x number of electors on lists for that election</li> </ul>	<ul style="list-style-type: none"> <li>75% of first \$400</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

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

Jurisdiction	Reimbursement of election expenses		Allowances to political parties	Tax credit for political contributions	Reimbursement of candidate's deposit
	Political party	Candidate			
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) \$1.25 x number of valid votes received by each candidate 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
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

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

Jurisdiction	Reimbursement of election expenses		Allowances to political parties	Tax credit for political contributions	Reimbursement of candidate's deposit
	Political party	Candidate			
Alberta	–	–	–	<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 \$1100: 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
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

Table G.2 Contributions

Jurisdiction	Limit on contributions	Allowable sources				
		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	–	Yes	Yes	No	No	Yes (up to \$100)
New Brunswick	\$6,000 per year from an individual, corporation or trade union to each registered political party or its district association and to one independent candidate	Yes	Yes	Yes	Yes	No
Quebec	\$3,000 total from same elector in same year to each party, independent member and independent candidate	No	Yes (electors)	No	No	Yes – at electoral function only (up to 20% of total contributions per year)
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 (cont.)

Jurisdiction	Limit on contributions	Allowable sources				
		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:</p> <p>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>▪ 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 for political entities<sup>1</sup>

Jurisdiction	Political parties – election expenses	Candidates – election expenses	Nomination contestants – nomination campaign expenses
Canada	$\$0.70 \times \text{number of names on preliminary or revised lists of electors (whichever is greater) in electoral districts where party endorses a candidate} \times \text{inflation index factor}$  By-election: same as above	Aggregate of: <ul style="list-style-type: none"> <li>▪ <math>\\$2.07 \times \text{first 15,000 electors on preliminary or revised lists of electors (whichever is greater)}</math></li> <li>▪ <math>\\$1.04 \times \text{next 10,000 electors}</math></li> <li>▪ <math>\\$0.52 \times \text{number of remaining electors}</math></li> </ul> By-election: same as above	Nomination contestants: <ul style="list-style-type: none"> <li>▪ <math>20\% \times \text{amount allowed for candidate's election expenses in that electoral district in immediately preceding general election, if boundaries for that electoral district have not changed}</math></li> <li>▪ In any other case, as determined by Chief Electoral Officer</li> </ul>
Newfoundland and Labrador	$\$3.125 \times \text{number of names on revised list of electors in electoral districts where party endorses a candidate; minimum } \$12,000 \text{ for each electoral district}$  By-election: same as above	$\$3.125 \times \text{number of names on revised list of electors; minimum } \$12,000$  By-election: same as above	–
Prince Edward Island	$\$6.00 \times \text{number of electors entitled to vote in electoral districts where party endorses an official candidate}$  By-election: same as above	$\$1.75 \times \text{number of electors entitled to vote}$  By-election: same as above	–
Nova Scotia	$\$0.40 \times \text{number of electors in electoral districts where party endorses an official candidate}$  By-election: same as above	Aggregate of: <ul style="list-style-type: none"> <li>▪ <math>\\$1.00 \times \text{first 5,000 electors}</math></li> <li>▪ <math>\\$0.85 \times \text{next 5,000 electors}</math></li> <li>▪ <math>\\$0.75 \times \text{number of remaining electors}</math></li> </ul> By-election: same as above	–
New Brunswick	$\$1.00 \times \text{number of electors in electoral districts where party endorses a candidate}$  By-election: \$1,000	$\$1.75 \times \text{number of electors; minimum } \$11,000, \text{ maximum } \$22,000$  By-election: same as above	–
	By-election: \$7,000	By-election: $\$2.00 \times \text{number of electors; minimum } \$11,000, \text{ maximum } \$22,000$	

<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 for political entities<sup>1</sup> (cont.)

Jurisdiction	Political parties – election expenses	Candidates – election expenses	Nomination contestants – nomination campaign expenses
Quebec	\$0.60 x number of electors in electoral divisions where party endorses an official candidate  By-election: political parties may not incur expenses	\$1.00 x number of electors  By-election: \$1.60 x number of electors	–
Ontario	\$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  By-election: same as above	\$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  By-election: same as above	–
Manitoba	\$1.79 x number of names on final voters lists in electoral divisions where party endorses a candidate  By-election: \$3.22 x number of names on final voters lists	Electoral divisions with ▪ less than 30,000 square miles <sup>2</sup> : \$2.72 x number of names on final voters lists ▪ more than 30,000 square miles <sup>2</sup> : \$4.33 x number of names on final voters lists  By-election: same as above	–
Saskatchewan	\$673,783 (adjusted)  By-election: ▪ Northern constituencies (2 constituencies): \$39,082 (adjusted) per candidate endorsed ▪ Southern constituencies: the greater of \$32,567 (adjusted) or \$2.60 (adjusted) x number of names on voters list, per candidate	▪ Northern constituencies: the greater of \$52,108 (adjusted) or \$5.21 (adjusted) x number of names on voters list ▪ Southern constituencies: the greater of \$39,082 (adjusted) or \$2.60 (adjusted) x number of names on voters list  By-election: same as above	–
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 for political entities<sup>1</sup> (cont.)

Jurisdiction	Political parties – election expenses	Candidates – election expenses	Nomination contestants – nomination campaign expenses
British Columbia	<p>During the period beginning 60 days before the campaign period, expenses must not exceed \$1.1 million.</p> <p>During the campaign period expenses must not exceed \$4.4 million.</p> <p>By-election: The total value of by-election expenses incurred by a registered political party during the campaign period must not exceed \$70,000.</p>	<p>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.</p> <p>During the campaign period, expenses must not exceed \$70,000.</p>	–
Yukon	–	–	–
Northwest Territories	No political parties	\$30,000	–
Nunavut	No political parties	\$30,000	–

<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		Local associations	Other
		Annual fiscal return	Election expenses return		
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	<u>Third parties</u> : 4 months after polling day  <u>Leadership contestants</u> : 6 months after end of leadership contest  <u>Nomination contestants</u> : 4 months after selection date
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	60 days after return of writ	On or before March 31 (only contributions)	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
Ontario	6 months after polling day	On or before May 31	6 months after polling day	Annual: on or before May 31	<u>Leadership contestants</u> : For period beginning at official call until 2 months after vote: within 6 months after leadership vote
				Election: 6 months after polling day	For 12-month period beginning 2 months after vote: within 20 months
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		Local associations	Other
		Annual fiscal return	Election expenses return		
British Columbia	90 days after polling day	On or before March 31	90 days after polling day	Annual: on or before March 31  Election: 90 days after polling day	<u>Third parties</u> : 90 days after polling day  <u>Leadership contestants</u> : 90 days after vote
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 Details of financial reports

Jurisdiction	Entities required to report							What is required, and from whom?				
	Candidates	Political parties	Local associations	Third parties	Leadership contestants	Nomination contestants	Auditor's report	Personal expenses (candidates only)	Donations by class	Amount of contribution that requires detailed disclosure	Name and address of donor	Receipts and vouchers
Canada	✓	✓	✓	✓	✓	✓	Candidates, political parties, leadership contestants (if required), nomination contestants (if required), 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 political parties	All
Nova Scotia	✓	✓	✓	–	–	–	Election expenses and tax receipts	–	–	Over \$50	All	Candidates, political parties
New Brunswick	✓	✓	✓	✓	–	–	Third parties; political parties semi-annual fiscal returns	–	Third parties	Over \$100	All	All
Quebec	✓	✓	✓	✓	–	–	All	–	–	Over \$200	All	All
Ontario	✓	✓	✓	–	✓	–	All	–	–	Over \$100	All	–

<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.

Table G.5 Details of financial reports (cont.)

Jurisdiction	Entities required to report							What is required, and from whom?				
	Candidates	Political parties	Local associations	Third parties	Leadership contestants	Nomination contestants	Auditor's report	Personal expenses (candidates only)	Donations by class	Amount of contribution that requires detailed disclosure	Name and address of donor	Receipts and vouchers
Manitoba	✓	✓	✓	–	✓	–	All	✓	–	\$250 or more	All	Leadership contestants
Saskatchewan	✓	✓	–	–	–	–	All	✓	All	Over \$250	Name only for all reports	All
Alberta	✓	✓	✓	✓	–	–	Political parties, third parties <sup>1</sup>	–	–	Over \$375	All	Third parties: if requested by CEO (over \$50)
British Columbia	✓	✓	✓	✓	✓	–	Candidates, political parties, constituency associations <sup>2</sup>	✓	All	Over \$250	All	–
Yukon	✓	✓	–	–	–	–	–	–	–	Over \$250	All	All
Northwest Territories	✓	<sup>3</sup>	–	–	–	–	–	–	–	Over \$100	Candidates	Candidates
Nunavut	✓	<sup>3</sup>	–	–	–	–	–	–	–	Over \$100	Candidates	Candidates

<sup>1</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>2</sup> Only if the value of contributions, election expenses, or contestant expenses is \$10,000 or more.

<sup>3</sup> Political parties do not exist in the Northwest Territories or Nunavut.

Table G.6 Specific provisions governing advertising and opinion polls

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
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.6 Specific provisions governing advertising and opinion polls (cont.)

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
Nova Scotia	–	–	–	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	–
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 amount calculated in accordance with s.77(1)(a) and 77.1 of the PPFA</li> </ul>	Polling day and day before polling day	–	Every advertisement must bear the name of person who ordered it published or broadcast; if not ordered by authorized agent, must also bear name and address of printer	–
Quebec	Authorized private intervenor: \$300	The 7 days following election order; polling day	–	Any broadcaster or publisher of a radio or television advertisement or other advertisement over \$300 must indicate name and title of official or deputy official agent responsible for advertisement	–



Table G.6 Specific provisions governing advertising and opinion polls (cont.)

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
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
Manitoba	<p>Political party: (adjusted)</p> <p>During an election: \$0.92 x number of names on voters lists for all electoral divisions in which party endorses candidates</p> <p>During a by-election: \$1.61 x number of names on voters lists for electoral division</p> <p>Outside an election: The total advertising expenses by a registered political party shall not exceed \$250,000</p> <p>Candidate: (adjusted)</p> <p>During an election: \$0.56 x number of names on voters lists for electoral division</p> <p>Outside an election: A candidate shall not exceed \$6,000 per year</p>	–	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.6 Specific provisions governing advertising and opinion polls (cont.)

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
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	–	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  90 days prior to the 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  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	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.6 Specific provisions governing advertising and opinion polls (cont.)

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
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	<p>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</p> <p>Published surveys must provide wording of questions, and more detailed and statistical information upon request.</p> <p>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</p> <p>On election day, no person is authorized to publish results of an election survey that has not previously been released to public before all polls close in an electoral district</p>

Table G.6 Specific provisions governing advertising and opinion polls (cont.)

Jurisdiction	Restrictions on advertising			Authorization	Restrictions on opinion polls
	Limit on spending	Blackout period	Government advertising		
British Columbia	Third party: \$3,000 per electoral district, to a maximum of \$150,000 nationally per election period	Polling day, until the close of all of the voting stations in the electoral district <sup>1</sup> Third party: 28 days before election day	–	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	–	–	–	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 21, 2009 the B.C. Supreme Court declared that s. 235.1 and s. 228 of the BC *Election Act* are of no force and effect, thereby removing the 60 day pre-election blackout period.

## H. Enforcement

In all jurisdictions, 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.

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 the Northwest Territories and Yukon, where the Chief Electoral Officers, in their respective jurisdictions, 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	General offences: Police or Royal Canadian Mounted Police  Election financing: Chief Electoral Officer	General offences: Attorney General or Chief Electoral Officer  Election financing: Chief Electoral Officer	General offences: No limit  Election financing: 1 year after facts become known to Chief Electoral Officer	General offences: Varies by case
Nova Scotia	Preliminary investigation: Chief Electoral Officer  Further investigation: appropriate police authorities	General offences: Public Prosecution Service	9 months from date of offence	Varies by case
New Brunswick	General offences: Police or Royal Canadian Mounted Police  Election financing: Supervisor of Political Financing	Attorney General	General offences: No limit  Election financing: <ul style="list-style-type: none"> <li>2 years from date of offence</li> <li>1 year from date of return of defendant if defendant has absconded the jurisdiction</li> </ul>	General offences: Varies by case  Election financing: Court of Queen's Bench

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	1 year after prosecutor becomes aware of commission of offence, but no later than 5 years after date of offence	Court of Quebec
Ontario	Chief Electoral Officer	Chief Electoral Officer	General offences: 90 days following date of official election return, but Chief Electoral Officer may commence an action at any time  Election financing: 2 years after facts become known to Chief Electoral Officer	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	General offences: Attorney General  Election financing: Chief Electoral Officer	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>▪ 180 days 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</li> </ul>	Nunavut Court of Justice



Table H.2 General offences and penalties

Jurisdiction	Penalties for general offences				Additional penalties for corrupt or illegal practices and major election offences						
	Fine not more than	Prison term not more than	Or both	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	–	–	–	Illegal practice: 5 years  Corrupt practice: 7 years	–	✓	✓	✓	–	–	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	\$1,000	3 months	✓	–	–	–	–	–	–	–	–
Prince Edward Island	\$2,000	2 years	✓	Corrupt practice: 5 years	–	✓	✓	✓	–	✓	–
Nova Scotia	\$2,000	2 years	✓	Corrupt practice: 5 years	–	✓	✓	✓	–	–	–
New Brunswick	–	–	–	5 years	–	✓	✓	✓	✓	–	–
Quebec	\$500	–	–	Corrupt practice: 5 years	✓	✓	✓	✓	✓	–	Loses right to engage in partisan work for 5 years
Ontario	\$5,000	–	–	Corrupt practice: 8 years	✓	✓	✓	✓	–	–	–

Table H.2 General offences and penalties (cont.)

Jurisdiction	Penalties for general offences				Additional penalties for corrupt or illegal practices and major election offences						
	Fine not more than	Prison term not more than	Or both	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
Manitoba	Election offence: \$10,000 General offence: \$2,000 Election financing offence: \$5,000 (\$25,000 for a registered party)	Election offence: 1 year General offence: 2 months	✓	–	–	–	–	–	–	–	May be liable for additional fine equal to double the benefit involved
Saskatchewan	\$5,000	2 years	✓	Corrupt practice: 5 years	–	✓	✓	–	✓	–	–
Alberta	\$500	–	–	8 years	✓	✓ <sup>1</sup>	✓	✓	✓	–	–
British Columbia	–	–	–	–	–	–	–	–	–	–	–
Yukon	\$5,000	1 year	✓	–	–	–	–	–	–	–	–
Northwest Territories	\$2,000	6 months	✓	Major election offence: 5 years	–	✓	✓	✓	✓	–	–
Nunavut	\$5,000	1 year	✓	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.3 Specific offences and penalties

Offences related to	Jurisdiction													
	Canada	Newfound-land 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	–	–	–	–	\$100–\$1,000	–	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 \$2,000, 2 years or both	\$240–\$2,620	\$100–\$3,000	–	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 \$2,000, 2 years or both	–	–	–	–	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 \$2,000, 2 years or both	\$500–\$10,250	\$500–\$2,000	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 \$2,000, 2 years or both	\$240–\$2,620	\$500–\$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 \$2,000, 2 years or both	\$240–\$10,250	\$500–\$2,000 Bribery: \$1,000–\$10,000	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.3 Specific offences and penalties (cont.)

Offences related to	Jurisdiction													
	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 \$2,000, 2 years or both	\$500–\$10,250	\$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 \$2,000, 2 years or both	\$500–\$25,250	\$1,000–\$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	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 \$2,000, 2 years or both	\$140–\$5,120	\$1,000–\$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, 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 \$2,000, 2 years or both	\$240–\$5,120	\$100–\$3,000	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 \$2,000, 2 years or both	\$240–\$5,120	\$100–\$2,000	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–\$5,120	\$500–\$10,000	Up to \$50,000	Up to \$25,000	Up to \$5,000, 2 years or both	Up to \$500 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.3 Specific offences and penalties (cont.)

Offences related to	Jurisdiction													
	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–\$570	\$200–\$1,000	–	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–\$5,120	\$500–\$10,000	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 – \$10,250 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	–	–	–

Table H.3 Specific offences and penalties (cont.)

Offences related to	Jurisdiction													
	Canada	Newfoundland and Labrador	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Manitoba	Saskatchewan	Alberta	British Columbia	Yukon	Northwest Territories	Nunavut
Election finances	On summary conviction: Up to \$2,000, 1 year or both	Up to \$10,000, 3 months or both	Up to \$10,000	Up to \$2,000, 2 years or both	Up to \$10,250	\$1,000–\$30,000	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
	On conviction on indictment: Up to \$5,000, 5 years 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 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 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*. 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, a plebiscite in New Brunswick must be conducted in conjunction with a provincial general election, whereas 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 Alberta and British Columbia, only the results of a referendum are binding; the results of a plebiscite are not. 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	Proclaimed by	Type of question			Binding	Cancellation	
		Constitutional	Any issue	Specified issue		If election called	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	–	✓	–	No	–	–
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	–	✓
Saskatchewan	Referendum: Lieutenant-Governor in Council	–	✓	A time option vote	Referendum: Yes, if more than 60% of valid ballots vote the same way and at least 50% of eligible voters cast a ballot	–	✓
	Plebiscite: Lieutenant-Governor in Council, Legislative Assembly, or minister upon receiving a petition signed by 15% of electors				Plebiscite: No		
					Time option vote: Yes (simple majority)		

Table I.1 Proclamation, question and conditions (cont.)

Jurisdiction	Proclaimed by	Type of question			Binding	Cancellation	
		Constitutional	Any issue (plebiscite)	Specified issue		If election called	For any reason
Alberta	Lieutenant-Governor in Council	A referendum must be held on any proposed changes to Constitution of Canada	✓	–	Referendum: Yes Plebiscite: No	–	–
British Columbia	Lieutenant-Governor in Council	A referendum must be held regarding any proposed changes to Constitution of Canada	✓	–	Referendum: Yes Plebiscite: No	–	–
Yukon	Commissioner in Executive Council	–	✓	Increase in tax rate (referendum)	Referendum: Yes Plebiscite: No	–	–
Northwest Territories	Commissioner	–	✓	–	No	–	✓
Nunavut	Commissioner	–	✓	–	No	–	✓

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	–	Monday	Referendum conducted in conjunction with a provincial general election under <i>Elections Act</i>	Lieutenant-Governor in Council	At start of or during any session of Legislative Assembly
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	–
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	–

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
Saskatchewan	Referendum: Minimum 29 days  Plebiscite: Minimum 29 days or, if the result of a petition, within 12 months	–	<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>	Chief Plebiscite Officer	–



## 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: In conjunction with a provincial general election. In conjunction with a federal general election, or On a date fixed by the Lieutenant-Governor in Council.	To be eligible to be a candidate for a Senate nominee election an individual: Must be a Canadian citizen. Must have lived in Saskatchewan for at least six months. Must meet the qualifications set out in section 23 of the <i>Constitution Act, 1867</i> . 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> . Cannot be the Lieutenant-Governor, a federal/provincial court judge or a Crown employee. Must not be prohibited from being a candidate for election pursuant to the Act or on any other prescribed grounds.	A person remains as a nominee until he/she: Is appointed to the Senate of Canada. Resigns. Goes bankrupt. Becomes a citizen of, or swears an oath to, a foreign power. Is convicted of treason, a felony or any infamous crime. No longer meets the qualifications set out by sec. 23 of the <i>Constitution Act, 1867</i> . Ceases to be eligible to be a candidate under sec.10 of the Act; or, The next Senate nominee election is held.	A Senate nominee candidate may choose to run as: A member of a registered political party pursuant to the <i>Canada Elections Act</i> . An independent; or, A candidate with no political affiliation.

<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:  In conjunction with a provincial general election under the <i>Alberta Election Act</i> .  Separately on a date provided for in the order, or  In conjunction with a Municipal election under the <i>Local Authorities Election Act</i> .	To be eligible to be a candidate for a Senate nominee election an individual:  Must meet the qualifications set out in sec. 23 of the <i>Constitution Act, 1867</i> .  Must not be a Member of the House of Commons, Senate or Legislative Assembly.  Must have lived in Alberta for at least 6 months.  Can not be a candidate in another election, and;  Can not be prohibited from being a candidate under the <i>Election Act</i> .	A person remains as a nominee until he/she:  Is appointed to the Senate of Canada.  Resigns.  Becomes a citizen of, or swears an oath to, a foreign power.  Goes bankrupt.  Is convicted of treason, a felony or any infamous crime.  Ceases to be eligible to be a candidate under sec. 8 of the Act. or;  The term expires. (The Lieutenant-Governor in Council may fix the term of a Senate nominee if desirable)	A Senate nominee candidate must choose to run as:  A member of a registered political party; or,  An independent.
British Columbia	- <sup>2</sup>	-	-	-	-	-
Yukon	-	-	-	-	-	-
Northwest Territories	-	-	-	-	-	-
Nunavut	-	-	-	-	-	-

<sup>2</sup>The B.C. 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				Contribution Limits		Tax credit for political contributions
			Individual	Corporation	Trade Union	Employee Organization	Candidates	Registered Political Parties	
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.	-	-	-	-	-	-	-

Table J.2 Senate nominee election financing (cont.)

Jurisdiction	Candidate's Deposit	Expenditure Limits	Contribution Limits				Contribution Limits		Tax credit for political contributions
			Individual	Corporation	Trade Union	Employee Organization	Candidates	Registered Political Parties	
Alberta	\$4,000.00	–	Yes	Yes	Yes	Yes	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. Contributions can only be made to a candidate during a campaign period.	Contributions shall not exceed, in any year, \$15,000 to each registered party. 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> .	<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	October 14, 2008
Newfoundland and Labrador	October 9, 2007
Prince Edward Island	May 28, 2007
Nova Scotia	June 9, 2009
New Brunswick	September 18, 2006
Quebec	December 8, 2008
Ontario	October 10, 2007
Manitoba	May 22, 2007
Saskatchewan	November 7, 2007
Alberta	March 3, 2008
British Columbia	May 12, 2009
Yukon	October 10, 2006
Northwest Territories	October 1, 2007
Nunavut	October 27, 2008



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

### **Canada**

Mr. Marc Mayrand, Chief Electoral Officer of Canada

### **Newfoundland and Labrador**

Mr. Paul Reynolds, Chief Electoral Officer of Newfoundland and Labrador and Commissioner of Members' Interests

### **Prince Edward Island**

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

### **Nova Scotia**

Ms. Christine McCulloch, Chief Electoral Officer of Nova Scotia

### **New Brunswick**

Mr. Michael Quinn, Chief Electoral Officer of New Brunswick

### **Quebec**

M. Marcel Blanchet, directeur général des élections du Québec and président de la Commission de la représentation électorale

### **Ontario**

Mr. Greg Essensa, Chief Election Officer of Ontario

### **Manitoba**

Mr. Richard D. Balasko, Chief Electoral Officer of Manitoba

### **Saskatchewan**

Mr. Dave Wilkie, Acting Chief Electoral Officer of Saskatchewan

### **Alberta**

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

### **British Columbia**

Mr. Craig James, Acting Chief Electoral Officer of British Columbia

### **Yukon**

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

### **Northwest Territories**

Ms. Gay Kennedy, Acting 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

<i>Canada Elections Act</i> , S.C. 2000, c. 9.
<i>Canadian Charter of Rights and Freedoms</i> , Part 1 of the <i>Constitution Act, 1982</i> , being Schedule B to the <i>Canada Act 1982</i> (U.K.), 1982, c. 11.
<i>Constitution Act, 1867</i> (U.K.), 30 & 31 Victoria, c. 3, ss. 51-51A, reprinted in R.S.C. 1985, App. II, No. 5.
<i>Electoral Boundaries Readjustment Act</i> , R.S.C. 1985, c. E-3.
<i>Income Tax Act</i> , R.S.C. 1985, c. 1 (5th Supp.).
<i>Northwest Territories Act</i> , R.S.C. 1985, c. N-27.
<i>Referendum Act</i> , S.C. 1992, c. 30.
<i>Report of the Chief Electoral Officer of Canada Following the November 9, 2009, By-elections Held in Cumberland-Colchester-Musquodoboit Valley, Hochelaga, Montmagny-L'Islet-Kamouraska-Rivière-du-Loup and New Westminster-Coquitlam.</i>
<i>Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008.</i>
<i>Responding to Changing Needs: Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election.</i>

### Newfoundland and Labrador

<i>Elections Act, 1991</i> , S.N.L. 1992, c. E-3.1.
<i>Electoral Boundaries Act</i> , R.S.N.L. 1990, c. E-4.
<i>House of Assembly Act</i> , R.S.N.L. 1990, c. H-10.
<i>Report of the Chief Electoral Officer of Newfoundland and Labrador on the August 27, 2008, Baie Verte-Springdale and Cape St. Francis By-election.</i>
<i>Report of the Chief Electoral Officer of Newfoundland and Labrador on the October 27, 2009, The Straits-White Bay North By-election.</i>
<i>Report of the Chief Electoral Officer of Newfoundland and Labrador on the November 26, 2009, Terra Nova By-election.</i>
<i>Report of the Chief Electoral Officer of Newfoundland and Labrador on the March 16, 2010, Topsail By-election.</i>
<i>Report on the October 9, 2007 Provincial General Election.</i>

### Prince Edward Island

<i>Controverted Elections (Provincial) Act</i> , R.S.P.E.I. 1988, c. C-22.
<i>Election Act</i> , R.S.P.E.I. 1988, c. E-1.1.
<i>Election Expenses Act</i> , S.P.E.I. 1996, c. 13.
<i>Electoral Boundaries Act</i> , S.P.E.I. 1994, c. 13.
<i>Income Tax Act</i> , R.S.P.E.I. 1988, c. I-1.
<i>Legislative Assembly Act</i> , R.S.P.E.I. 1988, c. L-7.
<i>Plebiscites Act</i> , R.S.P.E.I. 1988, c. P-10.
<i>Report of the Chief Electoral Officer Available for May 28, 2007 Provincial General Election.</i>

## Nova Scotia

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*Controverted Elections Act*, R.S.N.S. 1989, c. 96.

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*Elections Act*, R.S.N.S. 1989, c. 140.

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*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.

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*Liquor Plebiscite Regulations*, N.S. Reg. 90/87.

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*Members and Public Employees Disclosure Act*, S.N.S. 1991, c. 4.

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*Political Contributions Disclosure Regulations*, N.S. Reg. 5/2003.

---

*Recommendations for Legislative Change – Report of the Chief Electoral Officer on the Proceedings of the 38th Provincial General Election*, June 9, 2009.

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## New Brunswick

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*Elections Act*, R.S.N.B. 1973, c. E-3.

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*Electoral Boundaries and Representation Act*, S.N.B. 2005, c. E-3.5.

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*Income Tax Act*, R.S.N.B. 1973, c. I-2.

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*Order in Council*, No. 91-174, *The Royal Gazette*, vol. 149.

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*Political Process Financing Act*, S.N.B. 1978, c. P-9.3.

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*Provincial Offences Procedure Act*, S.N.B. 1987, c. P-22.1.

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*Report of the Chief Electoral Officer on the March 5, 2007, Moncton East By-Election.*

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*Report of the Chief Electoral Officer on the March 9, 2009, Restigouche–La-Vallée By-Election.*

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*Report of the Chief Electoral Officer on the November 3, 2008, New Maryland–Sunbury West By-Election.*

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*Report of the Chief Electoral Officer on the Thirty-sixth General Election, September 18, 2006.*

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## Quebec

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*Chief Electoral Officer of Québec: 2008–2009 Annual Report.*

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*Election Act*, R.S.Q., c. E-3.3.

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*Quebec Referendum Act*, R.S.Q., c. C-64.1.

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*Taxation Act*, R.S.Q., c. I-3.

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## Ontario

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*Corporations Tax Act*, R.S.O. 1990, c. C.40.

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*Election Act*, R.S.O. 1990, c. E.6.

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*Election Finances Act*, R.S.O. 1990, c. E.7.

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*Income Tax Act*, R.S.O. 1990, c. I.2.

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