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# Standing Committee on Procedure and House Affairs

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Chair: Chris Bittle





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• (1100)

[English]

**The Chair (Chris Bittle (St. Catharines, Lib.)):** I call this meeting to order.

Welcome to meeting number seven of the House of Commons Standing Committee on Procedure and House Affairs. Pursuant to Standing Order 108(3), the committee is meeting in public on the actions of the longest ballot committee in recent Canadian elections.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application.

Before we continue, I would ask all in-person participants to consult the guidelines written on the back of the cards on the table. These measures are in place to help prevent audio feedback incidents and protect the health and safety of all participants, including the interpreters. There is a QR code on the card, which will lead you to an awareness video.

I remind you, although we have experienced witnesses here, that all comments should be addressed through the chair. For members in the room, if you wish to speak, raise your hand. There are no members on Zoom, but if anyone comes in, they should raise their hand on Zoom.

I would like to welcome our witnesses. We have Jean-Pierre Kingsley, who was the Chief Electoral Officer of Canada from 1990 to 2007. From Élections Québec, we have Jean-François Blanchet, the Chief Electoral Officer of Quebec.

I will turn to Monsieur Blanchet for five minutes.

[Translation]

**Jean-François Blanchet (Chief Electoral Officer of Quebec, Élections Québec):** Mr. Chair, ladies and gentlemen of the Standing Committee on Procedure and House Affairs, thank you for inviting me to take part in the discussions on the actions of the longest ballot committee.

As Chief Electoral Officer of Quebec, I am responsible, among other things, for holding and organizing provincial elections. My mandate also includes investigating, prosecuting and monitoring the financing of political parties.

At the provincial election level, we have not experienced this type of situation.

I will therefore share with you my observations regarding the events that occurred at the federal election level. I will also share my concerns and the recommendations I will be making on this subject before the Commission des institutions du Québec, which I did last April and will do again.

At the next meeting of the advisory committee, to be held after the upcoming provincial elections, I will have another opportunity to make these recommendations. The work of this committee, which I chair and coordinate, is aimed at obtaining the views of elected officials on issues relating to the Elections Act.

I followed the federal elections with great interest, particularly with regard to the issue of multiple candidacies, which is part of a movement to challenge the voting system.

Like you, I have seen the number of candidates on the ballot reach 40 in Mississauga—Lakeshore in 2022, 91 in Lasalle—Émard—Verdun in 2024, and 214 in Battle River—Crowfoot in 2025.

I ask you this: Should election administrators be concerned about this movement?

In my opinion, the answer is yes. We have at least two good reasons to be concerned about these activities, whose main objective is to challenge the voting system, not to get candidates elected.

The first reason is that these actions interfere with the conduct of elections. They even irritate voters.

As you know, overly long ballots require special logistics to fold and unfold the ballot papers, to fit them into the ballot box, to determine the number of ballot boxes needed and to count the ballots. This lengthens the electoral process unnecessarily.

I would like to take this opportunity to commend the remarkable work and patience of the polling staff.

As election administrators, we must provide exemplary service to all voters. This service must be simple, fast and efficient.

The second reason is that these actions complicate the voting process for electors, who must identify the candidate of their choice among dozens of candidates.

As election administrators, we must ensure that voting remains accessible to everyone who is eligible to vote, including seniors, persons with disabilities and illiterate persons.

Currently, Quebec's Election Act does not have any measures in place to effectively address this problem.

I believe that electoral laws should provide for a mechanism to limit the number of nominations filed for the sole purpose of making the ballot as long as possible.

Possible solutions exist, and some solutions are already being implemented in other Canadian electoral administrations. Here are a few examples: prohibiting voters from supporting more than one candidate; increasing the number of supporting signatures required on the nomination paper; and requiring a deposit to run for office.

For my part, my recommendation, which I reiterate before you, is to prohibit a person from being the official agent of more than one candidate in the same electoral district. Each candidate should find their own official agent, which would demonstrate the seriousness of their intention to run for office.

This prohibition would be easier to enforce than prohibiting a voter from supporting more than one candidate, for example.

In closing, Mr. Chair, I would like to thank you once again for this invitation to take part in the discussions. They are necessary to ensure the integrity of elections and to maintain the confidence of electors.

I would like to take this opportunity to thank the returning officers and their teams, the municipal election chairpersons and all the polling staff who make these democratic exercises possible.

• (1105)

I will be happy to answer your questions.

Thank you.

**The Chair:** Thank you very much.

Mr. Kingsley, you have the floor for five minutes.

**Jean-Pierre Kingsley (Chief Electoral Officer of Canada from 1990 to 2007, As an Individual):** Thank you very much, Mr. Chair.

Esteemed committee members, I appreciate your kind invitation. It remains a privilege for me to appear before the Standing Committee on Procedure and House Affairs, which I have been doing with great pleasure since 1990.

I had the opportunity to review the testimony of Ms. Holly Ann Garnett and Stéphane Perrault, Chief Electoral Officer.

[English]

I should now like to elaborate on an interview that I gave to The Globe and Mail on the topic before your committee.

Not only is the long ballot initiative unjustified, in my view, but it is also exceedingly disruptive to the act of voting, with very important consequences, to which I shall allude.

Elections are the process whereby the very legitimacy of Parliament, the very legitimacy of the members of Parliament, you, is established. That's how we establish how we govern ourselves, and we must do so not only legally, but with legitimacy.

In Canada, there is only one definition of an elector, and everyone has the right to vote, except the Chief Electoral Officer in a federal election. From coast to coast to coast, there's only one definition. Every elector faces the same process when there is a general election, when they appear to vote in person. They also face the same process if they vote in advance polls or by mail-in ballot. It is the same procedure for everyone in the same circumstance.

The long ballot initiative vitiates that fundamental rule. I agree with my colleague Monsieur Blanchet, who just spoke about the disruption that has on people who vote.

We vote for many things when we vote for a candidate, and that process has to be as simple as possible—and we have made it as simple as possible in this country. We don't vote, generally, for other levels of government. We don't vote for referendums at the same time. That's why that very gesture has to be protected.

The difficulties for electors were alluded to, and I agree with them entirely. The difficulties for election administrators, I concur with as well. I will mention a few to highlight them.

You need more ballot boxes. The handling of a ballot by the electoral officials is rendered much more difficult, to the point that the Chief Electoral Officer had to design a new mode of voting at the last election in Battle River—Crowfoot. I think we forget that electoral workers work a 15-hour day, and these are people who usually don't work at all, who are called upon to do an incredible service for one day.

As for the rationale of the instigators of this initiative, who say that it should be a citizens' assembly that should be forwarding this and that MPs should not have the right to establish their own conditions of elections, I say that there exist means already under the Canada Elections Act to bring forth the proposal. If it's proportional representation, bring it forth to the electoral system as it exists, because the opportunities are there.

You can join an existing party that has, as its platform, something you feel very concerned about. You can create a political party. There were some 200 candidates in the riding I just mentioned in Alberta. With 30 more, you could have made yourself into a political party with one candidate. If you really feel strongly about something, field more candidates with that same party. That's what you need to do.

If you want to do a citizens' assembly, get citizens organized and call it an assembly, if that is important to you. In a democracy, change requires work; it is not handed to you on a plate. It is more difficult to change a law than to protect it as it exists, because it was enacted by people who represented the people. That's how it was passed initially.

• (1110)

In terms of recommendations for change, I agree that the signatory should sign for only one candidate. That's clear. In the place in the form where citizens attest to supporting a candidate, the form should say that they are supporting only one candidate. I want them to understand the import of what they are doing when they're signing that form. I don't want it at the top of the form; I want it in every box that has a signature coming to it, so that they don't say, "Well, I didn't see it, because it was at the top." Have it under each signature.

As for official agents, there should be only one official agent per riding in an election. That's clear.

Another thing that I think has perhaps been overlooked over the years is the role of the witness. The witness is defined as—

**The Chair:** Mr. Kingsley, can you wrap up? I gave you a bit more time for your opening statement.

**Jean-Pierre Kingsley:** Perhaps there will be a question about what the witness should do. I can take it very quickly.

**Voices:** Oh, oh!

**Jean-Pierre Kingsley:** Look, the witness right now is anybody. The witness doesn't have to be a resident or an elector or 18 years of age or over. The witness should also be forced to sign their name over a statement that says, "I have exercised due diligence to verify each signature, and it's appropriate for this purpose."

I'll deal with penalties if there are questions about penalties.

Thank you.

• (1115)

**The Chair:** Thank you so much.

We'll turn to the Conservatives.

Mr. Calkins has the floor for six minutes, please.

**Blaine Calkins (Ponoka—Didsbury, CPC):** Thank you very much.

I think we'll get right to that question, Mr. Kingsley.

It's good to see you again. I might be the only one at the table who has been here.... You signed my first writ of return. It was from the 2006 election, which I think you oversaw, and it hangs in my office. I want to thank you for your years of service in overseeing Elections Canada for as long as you did.

I'm sure you've been watching the testimony here. I've advocated several different things. First of all, I thought the government of the day made a mistake in 2017 by not appealing the decision out of the Alberta court that removed the \$1,000 bond. Given the shenanigans that have happened since that bond was removed, could I quickly get your thoughts on whether you think a case could be made to reinstate that bond?

**Jean-Pierre Kingsley:** I would hesitate to do \$1,000, sir. If it has to be reinstated, it could be somewhere in the lower hundreds, to act as a kind of natural barrier, but \$1,000 becomes substantial.

**Blaine Calkins:** Okay. That was the argument made by Kieran Szuchewycz at the court. He made the case that it's there to protect the integrity of the election from frivolous candidates.

I would suggest to you that this is an orchestrated campaign by the longest ballot committee, which appears to be operating entirely in the structure of a political party. We've heard witnesses here say that it has central communications and that it knows how to play the game. It knows what it's doing, and they were running multiple candidates in one riding in several of the by-elections. They were also doing this during the general election.

If we're not going to have the bond, and if you think the bond should not be there, what's the number for the signatures, then? I would suggest to you that if it's 100.... The government of the day, in the last Parliament, suggested dropping that down to 75. How many are required? How many are sufficient? Is it 250? In places like Nunavut, or in places where there are a lot of small, remote and rural communities, it might be difficult to get those signatures in a certain amount of time.

Is that the solution?

**Jean-Pierre Kingsley:** In my view, the solution would be somewhere along the lines of what I recommended: You can only sign once.

In terms of numbers, I thought the number 100 did not create a problem in most ridings, and in the rural ones, it's 50 that are required.

**Blaine Calkins:** That's right, but now, if you have 200 candidates, each with 50 signatures—and we've heard the current electoral officer say that it's hard to even find employees to work elections—how many more staff and resources would it take to cross-reference 200 candidates at 50 to 100 signatures apiece to make sure that they're all individual? That's a lot of bureaucracy, is it not?

**Jean-Pierre Kingsley:** I agree with you. That's why I'm saying that it should be that you can only sign once. With the recommendations I've made, if 100 people want to sign one another's documents, that wouldn't fly anymore.

**Blaine Calkins:** Okay.

Mr. Blanchet and Mr. Kingsley, I think you've both said that a person should be an official agent in only one riding. That makes sense to me in terms of a by-election, but should you be allowed to be the official agent in 343 different electoral districts?

**Jean-Pierre Kingsley:** My answer would be no, because it's a ridiculous situation.

**Blaine Calkins:** Yes, but you did—

**Jean-Pierre Kingsley:** It's ridiculous, so therefore—

**Blaine Calkins:** I'm just getting clarification, sir.

Should you be allowed to be the official agent for just one candidate, and one candidate only, for the entirety of the general election, or just for one candidate in a constituency during a general election?

**Jean-Pierre Kingsley:** The reason I did not elaborate on that is that I do not know what the practices are for political parties. I don't know if political parties favour one agent for a number of candidates, 10 or 15. I said I wasn't going to go there so that I wouldn't make a recommendation the consequences of which I do not understand.

Ideally, I would have no problem living with only one riding.

**Blaine Calkins:** Mr. Blanchet, go ahead.

[*Translation*]

**Jean-François Blanchet:** Basically, the goal is for an official agent to be able to represent only one candidate per electoral district, which would not prevent them from representing candidates in other districts.

In Quebec, some parties have a single official agent for all 125 of their candidates.

However, it would be somewhat strange for a candidate in a federal election to be represented by an official agent acting on behalf of both the Liberal Party and the Conservative Party.

In Quebec, an official agent is not allowed to act on behalf of two political parties. This would therefore limit the role of the official agent to a single candidate per electoral district, which would not prevent him or her from representing a candidate in another electoral district.

• (1120)

[*English*]

**Blaine Calkins:** Thank you very much.

I think I'm running out of time. For my last question, I'll go back to Mr. Kingsley.

I believe that it was a travesty of the election. The longest ballot committee's actions made a mockery of our election process.

Does the election law need to be changed? I asked Mr. Tomas Szuchewycz when he was here if he'd been reprimanded or charged or if he'd faced anything like that.

Should there be some provisions in the law for those who make a mockery of our electoral system?

**Jean-Pierre Kingsley:** Yes, there should be. The commissioner of Canada elections should determine whether it's a compliance agreement, a fine or a prosecution before the courts.

I will say one thing. If a candidate, whether elected or not, wilfully participated in this, I think the solution should be in a court of law before a judge in Canada.

**Blaine Calkins:** Thank you.

**The Chair:** Thank you so much, Mr. Calkins.

[*Translation*]

Ms. Brière, you have six minutes.

**Hon. Élisabeth Brière (Sherbrooke, Lib.):** Thank you, Mr. Speaker.

I too would like to thank the two witnesses for their presence and their testimony.

I will address a topic other than the longest ballot and leave it to my colleagues to ask their questions on that subject.

Yesterday, I heard Minister Champagne's announcement concerning fraud affecting banks. He said that artificial intelligence and deepfakes would become the danger to monitor and control in the coming years.

In your opinion, how can we ensure that elections will always be reliable?

What must we do to ensure that artificial intelligence, deepfakes, disinformation and misinformation do not spoil everything?

**Jean-François Blanchet:** Actually, we're straying a bit from the main topic.

All electoral authorities in Canada, including Elections Canada, are keeping a close eye on developments in this area. We are also monitoring what is happening elsewhere in the world and the best practices that can be implemented. As we know, artificial intelligence is evolving every day. New uses are constantly being discovered. It is currently evolving faster than the law.

We must therefore ensure that we have control over accurate information and be prepared to disseminate it to voters. I believe that during the last election, Elections Canada had a special committee that monitored what was happening in terms of disinformation, but also interference. The difficulty right now is that everything is interconnected. It's just getting started, but we are really monitoring what is happening. We will be making recommendations. In Quebec, an article was added to the Election Act by Bill 98. This article stipulates that anyone who disseminates information that they know to be false is committing a criminal offence.

As with any criminal offence, it will have to be proven that it was done intentionally. The prosecution will therefore have the burden of proof, but it is a start.

I urge you to remain vigilant and make the necessary amendments to the laws when necessary. We must not wait. In this case, the longest ballot is a way of discrediting the electoral process. In the current context, we must ensure that we maintain voters' confidence in our system.

If you look at what is happening around the world, you know that it does not take much for democracy to be called into question. I therefore urge you to be extremely cautious and to act accordingly to ensure that our electoral system remains one of the best in the world.

**Hon. Élisabeth Brière:** In the eyes of voters, things like artificial intelligence and deepfakes undermine confidence in our system.

• (1125)

**Jean-François Blanchet:** Citizens are currently questioning everything, including the electoral system. We have our part to play, as do the media, and you have yours as well.

We have this shared responsibility.

**Hon. Élisabeth Brière:** Thank you.

Mr. Kingsley, did you want to add something?

**Jean-Pierre Kingsley:** I would like to add a few points, because I've had a chance to think about this.

If a message contains an element derived from artificial intelligence, this should be stated; the name of its creator should be indicated, and written permission should be included from the person whose image or voice has been imitated in any way. In other words, your image cannot be used without your permission.

I have another recommendation to make. If someone starts posting messages, consideration should be given to removing the anonymity allowed by the system. It was believed that this anonymity guaranteed freedom of expression, but it was forgotten that all freedom comes with responsibility. Without this responsibility, freedom of expression becomes an unlimited right.

**Hon. Élisabeth Brière:** I understand your comment. Let's take a more concrete example, that of deepfakes. This is a misuse of technology. Obtaining the approval of the person being imitated seems a little utopian to me, or at least difficult to implement.

Considering this, what is your opinion about people who use deepfakes?

**Jean-Pierre Kingsley:** First, there is nothing wrong with utopia.

Second, I believe that it is possible to track down the authors of these deepfakes and find out who is doing these things, using networks in Canada. Everyone is allowed to do whatever they want. I was telling you that there is a relevant conference somewhere. Europeans are coming to Canada, to Montreal, I believe, to talk about the measures they have taken. They have already undertaken several things.

In other words, we must not think that we are facing a problem with no solution. There are solutions, and we must find them. We must also ensure freedom of expression for those who are prepared to be held accountable for their opinions.

Those who are not prepared can be denied the opportunity to express their opinions.

[English]

**The Chair:** Thank you so much.

[Translation]

Ms. Normandin, you have six minutes.

**Christine Normandin (Saint-Jean, BQ):** Thank you very much.

We are very grateful to both witnesses for being with us.

I would like to begin with an open question for both witnesses.

The committee began its study of the longest ballot without perhaps asking itself for whom a potential amendment to the Canada Elections Act would be made.

In your two opening statements, you discussed the right of electors to have uniformity in the ways they vote, for example, and the

right of election workers to have a healthy work environment. We must not forget the right of individuals to run for election either.

I would like to know who we should think about first when making amendments to the Elections Act. Is there a hierarchy among the rights of the people we should be thinking about?

**Jean-Pierre Kingsley:** I will answer first.

First, we must consider the voter, the media, of course, and then the political parties. It must be in that order.

We must think about the voters first and foremost. Election workers come third, fourth or fifth. It's not a major concern; it's the concern of the Chief Electoral Officer, but it is a shared concern nonetheless.

**Christine Normandin:** Mr. Blanchet?

**Jean-François Blanchet:** I agree that voters come first. The right to stand as a candidate is also important. Obviously, we are thinking of our workers, and they must be able to do their jobs. Workers therefore come third, because whatever we adopt must be easily applicable. As you know, there are 60,000 election workers in Quebec on polling day. In Canada, I believe there are 300,000 workers, if I am not mistaken.

These are people who work only one day and do not have much time to learn everything. They often do this work because they want to be of service, so we must not discourage them from returning the next time. As for the four constituencies where the ballot papers were very long, I am not convinced that the electoral staff will be inclined to return to work there in the next election. There you have it.

**Christine Normandin:** Please, Mr. Kingsley.

• (1130)

**Jean-Pierre Kingsley:** I would like to amend my answer to agree with my colleague: the voter, the candidate, the political parties, the electoral machine. Thank you.

**Christine Normandin:** Thank you. That will be noted in the minutes.

I have a more specific question for you, Mr. Kingsley. In your recommendations, you mentioned that a person should only be able to sign one nomination paper. I would like to hear your opinion on the balance between this possibility and the fact that, for example, people may not yet know who to vote for at the beginning of the campaign. After all, the purpose of an election campaign is to convince people. Also, given the technically secret nature of the vote, if you sign only one person's ballot paper, aren't you revealing your political allegiance, for example? Is there a risk in limiting yourself to a single signature?

**Jean-Pierre Kingsley:** I imagine that this presents a risk to a certain extent, but the risk has already been taken. No one other than this group is collecting multiple signatures. Obviously, the endorser suggests that he has a certain allegiance. Perhaps this is true, but perhaps it is not. However, people will perceive that he does. I don't believe that allowing multiple signatures will dilute this perception. If there aren't many false candidacies, signing two or three ballots won't make a difference, in my opinion.

**Christine Normandin:** Thank you.

Mr. Blanchet, you mentioned the possibility of having only one official agent per electoral district. You somewhat dismissed the other options: multiple signatures, a thousand signatures, one deposit. Can you tell me why you find certain options less appealing?

**Jean-François Blanchet:** I will start with the deposit. This was withdrawn in Quebec in 1980, and I do not think there are any plans to reverse that decision. However, signatures still pose a technical challenge in terms of enforcement.

Listening to Mr. Kingsley, I learned that at the federal level, anyone can support a candidate. Therefore, they do not have to be on the electoral list for the riding. Is that correct?

**Christine Normandin:** Yes. Unless I am mistaken, it is the person who signs as a witness who must be registered.

**Jean-François Blanchet:** Agreed.

The difficulty is technical in nature.

You will understand that it is difficult to ensure that a person has not supported two candidates.

For my part, I think it is possible that a person may want to support more than one candidate. People respect those who run for office. They sometimes support someone because they want to get involved in politics, without necessarily supporting the political party they represent.

However, there is a difference between supporting two candidates and supporting 100. It is therefore important to understand that this is not what we are looking for.

Having heard what Mr. Perreault said, I know that his objective is to impose a penalty on people who encourage others to sign multiple candidacy declarations because, once again, this has been proven to be the case.

In the case before us, it is clear that someone is encouraging people to sign all the nominations at the tables. In my opinion, the goal is not necessarily to verify every signature one by one, but to conduct verifications whenever there is doubt.

I can understand that this is one way of solving the problem, but I believe that a combination of several measures is needed, and I know that the idea of an official agent is not foolproof. There are still ways to get around this method.

[*English*]

**The Chair:** Thank you so much.

Moving on to our next round, Mr. Jackson, you have five minutes, please.

**Grant Jackson (Brandon—Souris, CPC):** Thank you, Mr. Chair.

Gentlemen, thank you very much for being here. It was a pleasure to meet you both before the committee started this morning. I'm very glad to have your expert testimony.

We've had a number of experts from different political fields. I appreciated your comments in your opening statements, both very specifically about the official agent piece and about the signatures piece. We're hearing from experts that they seem to feel those are

reasonable restrictions to put in place, in terms of 100 unique signatures and one official agent per riding.

I would like to talk about the signatures piece a little bit more. Mr. Kingsley, your successor Mr. Perrault was here, and he was very clear that the checking of signatures would be very difficult to do and that it's not currently being done.

In your experience, what provisions would need to be added to the roster of Elections Canada to be able to meaningfully check signatures to make sure that if this provision is put in place, they are unique to each candidate, should the committee and, indeed, the House of Commons decide to enact such a change?

● (1135)

**Jean-Pierre Kingsley:** When Mr. Perrault said it was difficult to check, I presume he meant it was difficult to check from candidate to candidate, because right now the returning officer has an obligation under the law to check each signature. That's the statute as it exists now.

I don't know if the technology exists now, but the names are printed. It may be possible to photograph that and keep on doing it and get the computer to check them as they come in, because you have so many days left in the election to allow that to happen. If we are talking about a normal riding with seven to 10 candidates, in my mind it may become something that is possible. It would add responsibility to the returning officer, but we must also remember that the returning officer also has staff. I think it becomes something that can be envisaged, in my mind.

**Grant Jackson:** Just to follow up on that, an example was given to the committee by Ryan Davies from Northern Perspective. I don't know if you watched that testimony. They had photographic evidence that had been posted by members of the longest ballot committee on social media accounts of pages of signatures that did not have a candidate's name at the top of the sheets when the signatures were being collected. Northern Perspective said they submitted that to Elections Canada for review, and Elections Canada said they had no evidence that any claim or request for a review had been submitted.

I'm just curious to know the mechanism behind the scenes at Elections Canada about how a question mark around signatures would be investigated and could be either legitimized or not if there was a concern.

**Jean-Pierre Kingsley:** The Chief Electoral Officer has the option of referring matters to the commissioner if he finds that something is amiss in the process, if it comes to the stage where remedial action cannot be undertaken to his or her satisfaction. This is how the accounts of members of Parliament, and of candidates, are reviewed by Elections Canada. Difficulties are reviewed and solved between the candidate and Elections Canada. Where they cannot be, they are referred to the commissioner. That's how the referral takes place.

When I was there, a couple of hundred references were made at every election because it could not be resolved.

**Grant Jackson:** Do you feel quite comfortable that if 100 unique signatures, as a provision, were put in place, Elections Canada would be able to thoroughly vet those 100 unique signatures and ensure that they are in fact unique from candidate to candidate?

**Jean-Pierre Kingsley:** One thing I will not do is speak for my second successor. I think it's something that definitely needs to be looked at in terms of the technology that exists, especially as you've said.

Another matter that might be possible, and I don't know if this one becomes more difficult, would be to expose online the signatures of the people who have agreed to substantiate a candidacy and let ordinary Canadians review that.

**Grant Jackson:** That's interesting.

**Jean-Pierre Kingsley:** That may be more difficult, due to the fact that you're talking about 343 ridings, or whatever, and getting it posted from each returning officer to head office, but technology is evolving so fast.

**Grant Jackson:** Thank you very much.

**The Chair:** Thank you.

That was exactly five minutes. It's very rare that we accomplish that feat, apart from Madame Normandin, who is exceptional at it.

[*Translation*]

Ms. Kayabaga, you have the floor for five minutes.

• (1140)

**Hon. Arielle Kayabaga (London West, Lib.):** Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today.

We've just spent a bit of time on this topic, which is of great interest to the members who were affected by this publicity stunt, if I can call it that.

Mr. Blanchet, in June 2025, the National Assembly of Quebec passed Bill 98, which made a number of amendments to the Quebec Election Act. We've spent a lot of time here talking about disinformation and how to deal with that.

Do you think that bill will help counter disinformation? Do you have any other ideas about whose role it is to manage disinformation, especially when it's spread on social media platforms? We've talked a lot about those platforms. We have a number of ideas on how to review that. However, I want to know who you think should have that role, as the chief electoral officer of Quebec. Do you think Bill 98 will be able to counter disinformation?

**Jean-François Blanchet:** Thank you.

As I mentioned earlier, Bill 98 does contain clauses to try to counter disinformation. It's a start. We'll see what happens once the act is enforced.

You understand that this is just a start and that we'll have to establish proof. Unlike at the federal level, I have investigative power. There isn't a commissioner of elections in Quebec. I have the power to investigate and prosecute.

Still, you can understand that there won't be sanctions during the election period under any circumstances. If an investigation is conducted, proof beyond a reasonable doubt can't be established in 33 days. That means we'll impose penalties after the election, if necessary. It's a start, then.

People have to be able to verify whether information is true. It's also up to electoral organizations to publish our information online, so that people can access and consult it.

As an electoral organization, we certainly don't want to start passing judgment on disinformation between candidates. Doing so would mean to start playing politics, and we want to stay away from that.

**Hon. Arielle Kayabaga:** I'd like some clarification on that. If the idea is to avoid the political games that can take place between candidates, who do you think is responsible for managing disinformation? We could even find ourselves in a situation with foreign interference, especially on social media.

Whose role do you think it is to manage that?

**Jean-François Blanchet:** You're asking me who owns the accurate and true information. Who has the real information?

**Hon. Arielle Kayabaga:** Can you give me some details on that?

**Jean-François Blanchet:** It belongs to the person who has that information.

**Hon. Arielle Kayabaga:** I imagine that the bad actors who use these platforms aren't necessarily trying to inform the Canadian public. They want to control the information.

Who do you think should be responsible for ensuring that measures are taken to ensure that Canadians have access to good information?

I understand that you can't take action during the election, but we're not in an election period, and we can see that disinformation on the Internet is on the rise. It's getting worse.

If you find out whose responsibility it is, what kinds of suggestions can you make?

**Jean-François Blanchet:** I'm coming back to that. It's a shared responsibility.

Of course, as an electoral organization, we're the reference for everything that has to do with the electoral process. We promote our website to encourage people to visit it and check all the information it contains to see what's true about the electoral process.

That said, if a candidate experiences disinformation, it will be up to them to publicly set the record straight. No one other than the candidate has that information and can say whether that information is true. I can't be the judge and jury of what I hear. I'm not in a position to go and check whether it's true.

I think people need to consult serious media and a number of sources of information. It's up to each individual to make sure that the information they hear is real and true.

• (1145)

[English]

**The Chair:** What I'm going to do with the remaining three slots is just add an additional minute, so we'll go with three and a half minutes, six minutes and six minutes, and then end our meeting today.

Madame Normandin, you have three and a half minutes, please.

[Translation]

**Christine Normandin:** Thank you very much.

I'd like to go back to the hierarchy that was established earlier, whereby the voter comes first and then the candidate, and propose a subcategory of candidates.

We represent major parties, but in the recommendation we'll make on the best approach, shouldn't we also take into account independent candidates, who may have trouble getting their ballots filled out with unique signatures?

I'm also thinking of small political parties, which may have only one official agent for all ridings. It could even be the case for candidates from major parties who are labelled as paper candidates. They may have trouble collecting signatures because of their limited chances of success in certain ridings.

Should we aim for some balance for candidates whose profiles differ from those of the major parties, which have a more established following in the ridings? That would help diversify the political options available to voters.

**Jean-François Blanchet:** I'm going to turn the question back to you. Before the longest ballot committee phenomenon, were there any specifics for the various types of candidates? The answer is no. I believe that anyone who wanted to run for office was still able to do so.

Should there be specifics for various types of candidates based on their political party or the fact that they're independent candidates? My answer is no.

It's important to find measures that can solve the problem without hurting people who want to run for office.

Let's go back to the official agents. In Quebec, certain agents acting on behalf of a political party can handle all the ridings. The important thing is that there's only one candidate per riding.

**Jean-Pierre Kingsley:** All of those numbers set out for candidates in the Elections Act always represent compromises. The goal is to try to uphold the Constitution. In Canada, the right to be a candidate is a constitutional right.

The courts have supported those numbers, so it's hard to say that changes have to be made. I don't think we need to reduce the number of signatories. If someone wants to be an independent candidate, they have to collect 100 or 50 signatures. That can be harder for them than for a candidate from an organized party, I agree. At least there's the opportunity to move forward with 100 signatures.

**Christine Normandin:** I'd like to go even further.

If the minimum were raised to 1,000 signatures, as was also suggested, would you see things the same way?

That's one of the recommendations that we'll have to assess.

**Jean-Pierre Kingsley:** I'd stick with 100 or 50 signatures. I think those are reasonable numbers.

**Jean-François Blanchet:** That would be excessive. A thousand signatures would be really hard to get.

**Christine Normandin:** Thank you very much.

[English]

**The Chair:** We will move on to Mr. Van Popta for six minutes, please.

**Tako Van Popta (Langley Township—Fraser Heights, CPC):** Thank you, Mr. Chair.

Thank you, Mr. Kingsley and Mr. Blanchet for being with us here today.

We're talking about a possible amendment to the Canada Elections Act requiring 100 unique signatures for any serious candidate. It seems like a reasonable change, but I have a question about how that might work out in reality.

Mr. Kingsley, I think you said that you would prefer a form where the person signing would have to declare specifically that this is the only form they have signed, so that they sign only for one candidate. What happens if a person signs more than one, either accidentally or intentionally? What is the remedy then? Would that candidate be disqualified? Would they not have their name on the ballot, or would there be a penalty for the person who signed more than one form?

Earlier in your testimony, you were signalling that you wanted to talk about penalties. Maybe here's your opportunity.

• (1150)

**Jean-Pierre Kingsley:** I did identify penalties in an earlier discussion. I agree with the Chief Electoral Officer. This does not result automatically in the suspension of a candidacy, unless it can be demonstrated that the candidate initiated the process. That would require, however, that it be done before the election, because you cannot suspend a candidacy once the election is over. That's finished.

That's why I said that, if that candidate is elected, it has to go to a court of law. I do not see a remedy occurring at the level of the commissioner of elections for that. If there are elements of proof, they should be submitted to the director of public prosecutions, and the director of public prosecutions should go to a court of law and determine what should happen with that after the election. The judge may decide to start the election over, or he may decide something else, but that would be a decision of the court, as opposed to an electoral authority.

I remember that when I was the Chief Electoral Officer, people thought the Chief Electoral Officer sent people to jail. I think it's very important to remember that only a court of law finds a person in Canada guilty of a crime under the Canada Elections Act. The commissioner of Canada elections does not decide that. The Chief Electoral Officer does not decide that.

If you decide that you want to have a compliance agreement that you broke the law, which you sign voluntarily, that's one thing. You don't have a criminal record when you do that. If you're ascribed a fine by the commissioner and you decide to pay the fine, you're still not guilty of a crime. You've admitted that you broke the law. These are very important nuances.

My suggestion, if it's possible, is to ascertain before the election whether people signed more than once. It will occur, no matter what you put on that form. What that form is meant to do, the way I described it, is to appeal to the reasonableness of Canadians, which is an outstanding value in Canada that Canadians have and that many other countries don't have in their citizenship. It's to underline that.

If it happened, did it occur because the person was not thoughtful, innocent in thought? It may, and if that's determined, that may well be the end of the story, and the commissioner can very well make that decision.

**Tako Van Popta:** Thank you.

There was a case, and reference was made to it, in Alberta in 2017, where the same people behind the longest ballot initiative in the last couple of elections were the plaintiffs. They were successful in convincing the Alberta court that the \$1,000 deposit was unconstitutional, as infringing section 3 of the Canadian Charter of Rights and Freedoms, but they were unsuccessful in a second argument in that same case about the 100 signatures. The judge said that was not unconstitutional; it was perfectly reasonable. Now we're talking about taking it a step further and floating the idea that perhaps there should be 100 unique signatures, which is clearly another hurdle for candidates to overcome.

In your opinion, Mr. Kingsley, would that survive a charter challenge, either as not infringing section 3 of the charter altogether or, if it did, as being a reasonable infringement, a reasonable limitation?

**Jean-Pierre Kingsley:** Not being a Supreme Court justice, I can only offer an opinion with very little weight behind it. I think that it would sustain a challenge, that a challenge would not succeed in overcoming the requirement that there be unique signatures. In light of what the objective is, it does not impinge the right to be a candidate at all, in no instance whatsoever. It does not touch the right to vote at all. Those are the constitutional rights we're talking about.

Political parties don't have constitutional rights, by the way. They have rights by rebound, such as the right of expression and the right of assembly, but—

• (1155)

**Tako Van Popta:** That's fair enough.

I have a related question, and it has to do with—

**The Chair:** You have 10 seconds to do it.

**Tako Van Popta:** Okay, well, it's going to take me longer than 10 seconds just to set the stage.

**The Chair:** The idea is that it could be picked up by your colleagues.

**Tako Van Popta:** That's fair enough.

Thank you.

**The Chair:** Mr. Louis, go ahead for six minutes, please.

**Tim Louis (Kitchener—Conestoga, Lib.):** Thank you very much, Chair.

Thank you to both of the witnesses for being here. It's an important study. We're talking about democratic integrity here in our elections. I appreciate the service from both of you.

I think it was your words, Monsieur Blanchet, when you said that we do not want to fall into a climate where democracy is questioned, and misinformation and disinformation are allowing that to happen more frequently in countries around the world. I wanted to know how we can help protect democracy and fight against misinformation and disinformation, and a previous witness said that it's a supply-and-demand thing. One way is by supplying more information that's based on facts.

Maybe I'll start with you, Mr. Kingsley, and then I'll go to Mr. Blanchet. I would like to know how critical you think a free and independent journalism sector is to maintaining election integrity. How can Elections Canada work with journalism and media to make sure that the right information is getting out there?

**Jean-Pierre Kingsley:** Certain aspects of that I will leave to Jean-François, because of his more immediate.... There was a question earlier about who should be involved in implementing rules about this. We have an organization in Canada called the Canadian Radio-television and Telecommunications Commission. It regulates broadcast media. Why can it not monitor social media? Why can we not require that social media register with Canada? There's a part of the Canada Elections Act that is about a third party regime. If they're foreign-based, they should have to register as a third party regime and be limited in the amount of money they can spend in this country, as well as the veracity of what they transmit as messages.

[*Translation*]

**Jean-François Blanchet:** I find Mr. Kingsley's answer rather interesting.

I know that in federal elections, social media managers are much more likely to sign agreements and register as a third party. However, the managers of the major social media companies don't seem to think that provincial and municipal elections are important. That means we have a major challenge there. We have to try to force the major social media stakeholders to work in a way that respects democracy.

Again, it comes down to money. It's clear what's happening across the border, with the support that social media is openly giving to major political parties.

It's difficult to get the last word with those platforms.

[*English*]

**Tim Louis:** Mr. Blanchet, it's good to talk to you. You mentioned Bill 98 in Quebec, which would make it an offence to knowingly disseminate false information, including AI-generated deepfakes. I know this is in its infancy, but you mentioned working with social media companies as well. How can we strike that balance? I also know that, in the same legislation, there are exemptions for satire and parody, which preserve our freedom of expression. How can we, as a government, if we're looking into things that would protect freedom of expression, also stop misinformation from being used with AI or deepfakes?

[*Translation*]

**Jean-François Blanchet:** As Mr. Kingsley said, as soon as the message is controlled by artificial intelligence and the author is identified, if it's satire, it can still be acceptable. We can't prevent or even limit comedians from enjoying freedom of expression.

On the other hand, if it really isn't humour and people are trying to mislead the public and systematically give false information, vot-

ers can file complaints, and there will be an investigation. If we're able to establish beyond a reasonable doubt that the person acted voluntarily, there will be sanctions. It isn't a perfect solution, but we're in the early days.

I'll compare it to computer viruses. Viruses arrived and took up space, but there have always been antiviruses to counter them, so we also have to trust in organizations. Artificial intelligence is going to be harmful, but it will also be able to help find the causes of disinformation.

● (1200)

[*English*]

**Tim Louis:** Thank you both very much.

Thank you, Mr. Chair.

**The Chair:** Thank you very much, Mr. Louis.

I'd like to thank both of our witnesses for being here today.

Seeing no further business, this meeting is adjourned.

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