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# Standing Committee on Procedure and House Affairs

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Chair: Chris Bittle





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Thursday, October 23, 2025

• (1100)

[*English*]

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

Welcome to meeting number eight of the House of Commons Standing Committee on Procedure and House Affairs.

Pursuant to Standing Order 108(3), the committee is meeting in public for the first hour on the actions of the longest ballot committee in recent elections, and in camera for the second hour to discuss committee business.

Today's meeting is taking place in a hybrid format.

Before I continue, I ask everyone to consult the guidelines written on the cards on the table. There's a QR code that you can follow. Please take care of the health and safety of the people here, especially our interpreters.

As a reminder, all comments should be addressed through the chair. We have an experienced witness here with us. For members in the room, if you wish to speak, raise your hand. I don't believe there's anyone on Zoom, but if there is, use the “raise hand” feature.

I would now like to welcome our witness for today's meeting. From the Office of the Chief Electoral Officer, we have the Chief Electoral Officer himself, Monsieur Perrault.

You have five minutes.

[*Translation*]

**Stéphane Perrault (Chief Electoral Officer, Office of the Chief Electoral Officer):** Thank you, Mr. Chair, for the opportunity to speak with the committee today about its study of the actions of the longest ballot committee in the recent Canadian elections.

As you know, in September 2024, I wrote to the former minister of public safety, democratic institutions and intergovernmental affairs to ask the government to consider an amendment to Bill C-65 in order to limit voters to signing the nomination paper in support of only one candidate. I suggested the same when I appeared before this committee to discuss the bill last fall, and I did so recently as well.

As I noted in the past, Elections Canada heard from electors and accessibility stakeholders that longer ballots present challenges for some electors, as they can be difficult to handle and navigate. It also heard that the multiple columns required to accommodate a large number of candidates can create confusion.

From an operational point of view, once folded, only about 100 of these long-format ballots can fit in a single ballot box, compared to 1,000 regular ballots. This significantly increases the number of ballot boxes that have to be managed by election officers.

The long ballots also increase complexities during the counting of ballots. Handling and reviewing longer ballots can be difficult for workers and candidate representatives who are present. The count can extend well beyond normal hours, sometimes until five in the morning, as we have seen. This has an impact on poll workers. Not surprisingly, several have said that they would not be prepared to work where a long ballot is used.

While the write-in ballot used in the Battle River—Crowfoot by-election helped in reducing the impact of the large number of candidates, challenges remained for some electors. In my opinion, it isn't a viable long-term solution.

[*English*]

As the committee has heard, in many of these elections, nomination papers for the various participating candidates were signed by the same electors. This indicates that voters who sign the nomination papers are not supporting the nomination of any particular candidate but rather the idea of having as many candidates as possible. This is why I suggested amendments to ensure that voters are limited to signing nomination papers in support of only one candidate. This restriction could be accompanied by administrative—not criminal—sanctions and would target more specifically organizers who encourage or incite electors to sign the nomination papers of more than one candidate. However, I'll repeat that candidates' nominations should not be invalidated or questioned if their papers include one or more signatures also found on another candidate's nomination paper.

The committee has heard a number of other recommendations, including limiting the number of candidates an official agent can support, with which I agree. I would clarify, however, that the limit should apply only to a specific electoral district. There are multiple cases in which one official agent acts for multiple candidates in different electoral districts—typically, of course, for the same party—which is perfectly reasonable and acceptable.

However, becoming a candidate should remain accessible to Canadians, and for that reason, I do not support increasing the number of signatures.

Finally, I would like to alert the committee to a recommendation made in 2022 by the former commissioner of Canada elections, Mr. Yves Côté, related to false or misleading information on nomination papers. Currently, there is no provision in the Canada Elections Act to sanction instances where signatures are collected prior to identifying a prospective candidate. Such a nomination would be rejected if the deceptive practice is known ahead of the nomination, as has happened in the past with candidates both from the longest ballot committee and from parties. However, if the practice is detected only after the fact, no provision currently exists in the act to sanction it. The recommendation made in 2022 in relation to false or misleading information in nomination papers would fill that gap and allow the commissioner to take action.

With that, Mr. Chair, I'd be happy to answer questions.

• (1105)

**The Chair:** Thank you so much, Mr. Perrault. You were well under the five minutes. As I said, you're an experienced witness.

We'll turn to Mr. Cooper for six minutes.

**Michael Cooper (St. Albert—Sturgeon River, CPC):** Thank you very much, Mr. Chair.

Thank you, Commissioner, for returning to the committee once again.

I want to pick up where you just left off in your testimony, because I received a copy of a complaint that had been sent to Elections Canada by Ryan Davies, who appeared before this committee and brought that complaint to this committee's attention.

Were you aware of that complaint?

**Stéphane Perrault:** I was not aware of that complaint at the time I testified before the committee. I am now aware of the complaint.

**Michael Cooper:** The complaint stated, among other things, that there were potential violations of the Canada Elections Act by the longest ballot committee. The complaint included various correspondences as well as a photo of an organizer who was collecting, or appears to be collecting, signatures in which the candidate's name was blank.

In other words, if the picture was fully accurate—and it certainly appeared that the candidate's name was blank—electors would be signing a nomination paper for a candidate whose name would then be filled in after the fact, which would not be consistent with the Canada Elections Act.

What was the status of the complaint? Do you know what happened to that complaint?

**Stéphane Perrault:** After an election, we receive thousands of complaints. Whenever they allege a violation of the act, we don't scrutinize and determine whether there was adequate evidence or whether there was actually an offence of the act. We typically transfer that, as a matter of course, to the commissioner of Canada elections. She has a mandate to investigate violations and contraventions of the act.

**Michael Cooper:** I appreciate that.

In the case of Mr. Davies' complaint, was that forwarded to the commissioner of Canada elections?

**Stéphane Perrault:** That's an interesting question.

She was seized of the information in the complaint. I learned about it after the testimony and asked for a search of that. The complaint itself was caught in our security filters because of possible contamination of the links. Other people who saw the evidence and the videos put forward by Mr. Davies did make complaints.

The commissioner—

**Michael Cooper:** So I'm fully clear, essentially, Mr. Davies' complaint went into a black hole insofar as it was sent to your office, to Elections Canada, and because of whatever issue, it went into a black hole. It sounds to me that's effectively what happened.

• (1110)

**Stéphane Perrault:** I would not describe it in that manner.

**Michael Cooper:** With the greatest respect, I understand these things sometimes happen, but there was a complaint. It sounds to me like no one looked at it. Is that accurate? Did someone look at it? When did anyone at Elections Canada first look at it?

**Stéphane Perrault:** The complaint was received. Other complaints referencing the videos made public by Mr. Davies were received. The commissioner was seized of that information and the allegations. With regard to what you're asking, the physical complaint itself was not transferred, but she was seized of the matter.

**Michael Cooper:** By being seized of the matter, what do you mean?

**Stéphane Perrault:** She understands the allegations—

**Michael Cooper:** When did she first understand the allegations that were set out in the complaint?

**Stéphane Perrault:** I can only—

**Michael Cooper:** Was it after Mr. Davies appeared before the committee?

**Stéphane Perrault:** First of all, I cannot speak for the commissioner. Her office was seized of the issue a short time after. We're talking about July, if I'm not mistaken, after the election. As a matter of course, these issues are forwarded to the commissioner's office. To be clear, she received from the public and Elections Canada about 18,000 complaints, 2,000 of which, or close to, were forwarded by Elections Canada. As part of that, and with no significant delays, her office was seized of the information.

**Michael Cooper:** Can you undertake to provide the committee with the chronology of what happened with that complaint, when it was identified and when it was transferred, or when the commissioner became seized of that complaint? It sounds to me like something went wrong with the complaint in terms of what happened on the part of Elections Canada.

Would you agree?

**Stéphane Perrault:** I certainly agree that something unusual happened with the complaint, in the sense that there are security parameters around our systems, and if there is a concern around links or documents, they are quarantined.

In this case, the information was also pointed to by other complainants and those complaints were transferred. I can commit to share with the committee the time in which these were transferred to the commissioner. I can't speak beyond that. What happens in the commissioner's office, of course, is not for me to speak to.

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

I might have exaggerated. You had 10 seconds; I'm sorry. I will try to give that back in a subsequent round.

We have Mr. Wilkinson for six minutes, please.

**Hon. Jonathan Wilkinson (North Vancouver—Capilano, Lib.):** Thank you for appearing.

You've been pretty clear about recommendations with respect to unique signatures and official agents. To be honest, many of the witnesses we've talked to have similar views.

You touched, in your comments, on your views around the issue of the 100 signatures that you need to obtain. Some have proposed that this threshold be changed to 0.5% of the population. Maybe you can just elaborate on why you think maintaining the 100 signatures is a good idea.

**Stéphane Perrault:** I don't think there's any magical number. It could be 75; it could be a bit more than 100. I don't see, in what we've witnessed, any need to change the number.

What we've seen is, I think, a respect for the letter, subject to the allegations made, but not a lot of respect for the spirit of the legislation, which is, in my view, that the person signing on agrees that this particular person should be a candidate—not just anybody, whoever that may be.

I think that's the real issue here, not so much the number.

**Hon. Jonathan Wilkinson:** You said in your statement that sanctions shouldn't be criminal. They should actually be administrative. Of course, the whole point of sanctions is to deter behaviour like this. What types of sanctions do you think would be appropriate?

**Stéphane Perrault:** I think a fine would be appropriate, and there could be a criminal sanction in addition if that's where Parliament wishes to go.

My only concern and advice to Parliament is that if you impose a criminal sanction, you raise the threshold in terms of the level of evidence, the cost of doing the investigation and length of the investigation. We've seen, in many cases in the past, that these take years to resolve. They may not get the prosecution, because the prosecutor may have other priorities. At the end, the courts are often more lenient than an administrative penalty is.

It's something to consider when making prohibitions or creating violations of this nature.

• (1115)

**Hon. Jonathan Wilkinson:** When you appeared earlier this month, you talked a little bit about the impersonation ban and that it needed to be updated, since artificial intelligence and disinformation have become more prominent.

Can you tell us a little bit more about what the rule is and why you think it needs to be updated?

**Stéphane Perrault:** Right now, it is an offence for someone to purport to be, or present themselves as being, the leader of a party or the Chief Electoral Officer.

However, that's not what deepfakes are about. They are about presenting that person as saying or doing something that they haven't done, in either audio or video. There's no impersonation that takes place in a deepfake scenario. What we have to be concerned about is the manipulation or creation of synthetic content, which we see with deepfakes, that make leaders, candidates or the Chief Electoral Officer appear to be doing certain things or in contexts they really weren't.

**Hon. Jonathan Wilkinson:** What would you propose?

**Stéphane Perrault:** I think that, certainly, the offence right now needs to be modified. I have made some specific recommendations to that effect. I've shared that recommendation with the Hogue commission, which is supportive, to change the provision to include the misleading.... There's very specific language, which I don't have in front of me, in section 480.1 that currently is for impersonation. It does not include satire, but it includes impersonation with the intent of misleading electors. I think similar concepts should be used where the manipulation, the alteration of an image or voice, is with the intent of misleading or interfering with the electoral process...but leaving aside satire, for example.

**Hon. Jonathan Wilkinson:** That's fair enough.

**Stéphane Perrault:** That's one of several recommendations I made.

**Hon. Jonathan Wilkinson:** In June, the Quebec National Assembly passed Bill 98, and I guess that enters into force next year. There's a ban in that bill on spreading false information about election activities, the nomination process and the voting process.

I'm wondering if you think the Canada Elections Act should be amended to have similar provisions and, if so, what that would look like.

**Stéphane Perrault:** I did make a similar recommendation, though more broadly worded, in my 2022 report, and I repeated that in my report in the context of foreign interference. I do think there needs to be a prohibition against someone who knowingly presents or publishes false information—they know it is false—and they do that with the intent of hindering the electoral process or undermining trust in the process or the results, but it has to be a high threshold of intent and knowledge that the information is false. My recommendation is a bit more broadly worded than what we see in Bill 98.

**Hon. Jonathan Wilkinson:** Right now the Canada Elections Act does not require third parties to submit audited financial statements verifying that no more than 10% of their revenues are used for political activities. Both you and the Hogue commission have indicated that this raises concerns about transparency.

Can you elaborate on what that risk is and whether we should be looking at having third parties be required to do these kinds of audits?

**Stéphane Perrault:** Certainly. This has been a long-standing concern and one that is difficult to tackle, but third parties may be individuals or groups, and sometimes these groups are funded by all kinds of organizations. While there are limits and restrictions that they can't use foreign funds, as we know, money is fungible, and it is hard to know where it comes from.

When they report, what we've seen over the years is that third parties increasingly report expenditures as their own. They're their own because they were given for a general purpose, often for a cause, but not specifically for these particular expenses in an election. This becomes their own money, and it is reported as such, and we don't know what the source is.

My recommendation is that groups be required—groups that raise more than 10% of their revenue from donations, essentially, fundraising entities—to have separate bank accounts and put their donations there with the source of the donation, so when they use the money for an election, we know where it comes from. This, of course, also addresses some concerns about foreign funding.

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

Madame Normandin, you have six minutes, please.

[Translation]

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

Mr. Perrault, thank you for joining us. Your presence is always appreciated.

A number of my questions were already answered in your opening remarks. However, I would like to touch on some points raised by other witnesses before you.

For example, I understand that you have no desire to change the current requirement of 100 signatures for a nomination. However, witnesses and colleagues talked about requiring candidates to make a cash deposit.

I would like to know what you think. Is it a good idea? If so, how much money should be required? What are your thoughts on this?

• (1120)

**Stéphane Perrault:** The court that ruled on this issue was quite clear. The deposit poses a problem because it doesn't determine the seriousness of a candidate who has a great deal of money. Regardless of whether a deposit of \$1,000 or another amount is required, if a candidate has enough income, the deposit won't stand in the way of their candidacy. This can't be a means of determining the seriousness of their application. On the contrary, this type of deposit could exclude people who would like to participate but who don't have enough income. At the very least, the deposit could make it harder for them to run for office.

I think that the logic behind the court's decision is sound. I don't think that it's necessary to reconsider a deposit.

**Christine Normandin:** I would like to touch on another point discussed earlier. In addition to the idea of having one official agent per candidate in a constituency, we heard a vague proposal stating

that an official agent should be prohibited from representing multiple candidates from the same party in different constituencies. What are your thoughts on this?

**Stéphane Perrault:** I don't think that this would be a good idea.

Of course, in a single constituency where all the candidates are competitors, they shouldn't share a team. This would conflict with the very nature of an election. However, an official agent serving candidates in different constituencies doesn't pose any conflict. Moreover, this often occurs within a party. These candidates aren't competitors, since they're running in different constituencies. They're more like allies.

Personally, I don't see any reason to prohibit this.

**Christine Normandin:** I would now like to discuss the recommendation that electors should be allowed to sign only one nomination paper. This recommendation seems to elicit a fairly broad consensus.

You said, for example, that sanctions could be imposed on candidates who deliberately collect signatures from the same electors. However, if this measure fails to act as the desired deterrent, should we consider cancelling the nomination of anyone who intentionally or unintentionally collects signatures from electors who also signed multiple other nomination papers? What are your thoughts on this?

Could this pose a risk for candidates who act in good faith?

Furthermore, could the processing time for this information cause issues?

I would like you to elaborate on this topic.

**Stéphane Perrault:** Thank you for asking me this key question. We mustn't in any way call into question the legitimacy of a nomination on this basis, for the reasons that you outlined and that I can clarify.

First, the nominations are made within a tight time frame, often in the last few hours or minutes before the 2 p.m. deadline on day 21, as we call it in our language. This leaves little processing time for the returning officer, who must make a decision within 48 hours. The returning officer generally doesn't have access to the information. The returning officer would need to conduct a comparative review of all nomination papers. If this type of rule were introduced, I imagine that we would need to determine whether, in the event of duplicate signatures, the paper received first would count, or rather the paper signed first. In any case, it wouldn't be a fair rule for candidates who have no way of really knowing who signed two nomination papers, whether it happened by mistake, and when it happened. It wouldn't be a good idea to take this approach.

That said, a ban can lead to a number of consequences, but not all of them are mandatory. I don't think that we should go so far as to cancel a nomination. There may or may not be sanctions. It isn't unusual to see legislation that imposes bans without including sanctions. In this case, I propose financial penalties that would specifically target people who encourage others to sign multiple nomination papers. This lies at the heart of the matter, so the legislation should focus on this issue.

**Christine Normandin:** Thank you for this useful insight.

Lastly, I would like to follow up on a question that I asked earlier this week and hear your thoughts on it.

When the time comes for the committee to make recommendations, who should we think of first? How should we prioritize the various rights? We've heard about the right of electors to participate in a uniform voting system across all constituencies and to cast their votes easily, the right of individuals to run for office, the right of election workers to a proper working environment, and so on.

Do you share the views of your predecessors, if you heard them, on how to prioritize these rights?

**Stéphane Perrault:** I'm saying this tongue in cheek because we often maintain that the elector comes first, according to our philosophy. This is part of the culture of election agencies. However, when it comes to human rights, the rights are equal and they must remain balanced. The candidate's right is also a protected constitutional right. I think that we need to balance the two. I don't think that the two necessarily conflict with each other.

• (1125)

**Christine Normandin:** Thank you.

I'll save my remaining 30 seconds for the next round.

[English]

**The Chair:** Absolutely.

We'll go to Mr. Van Popta for five minutes.

**Tako Van Popta (Langley Township—Fraser Heights, CPC):** Thank you, Mr. Perrault, for being here again. It's a pleasure to have you here and to listen to your testimony.

We're talking about possible amendments to the Canada Elections Act to make it more difficult for non-serious contestants to get their names on the ballot. This is to avoid the abuse we've seen in the last couple of elections—political stunts, really—orchestrated by a group that calls itself the longest ballot committee.

One such change being proposed, which we have talked about already and you mentioned in your testimony, is to make it more difficult to get the 100 signatures by requiring that they be unique signatures. If we make that amendment to the Elections Act, would it withstand a charter challenge? Section 3 of the charter gives everyone the right to participate freely, in an unfettered way, in our electoral system. Would that withstand a charter challenge?

We put the same question to your predecessor, Mr. Kingsley, who said, "I think that it [amending the act for 100 unique signatures] would sustain a challenge, that a challenge would not succeed in overcoming the requirement that there be unique signatures."

We want to hear from the current CEO on that.

**Stéphane Perrault:** I don't speak as a lawyer or a judge, but I believe it would meet that threshold. As we know, rights are not absolute. To the extent that there are restrictions here, I think they are necessary to protect the integrity and the sanctity of our electoral process.

The requirement would not make it harder as much as it would make it more meaningful. People would not sign on simply because they want any candidate and as many candidates as possible. They would have to turn their mind to the particular candidate at issue. I think that is the concern.

We've seen that there is a need for some restriction. If it's not going to be a deposit, which has its defects, it needs to be something else, but there needs to be some protection against the system being taken hostage.

**Tako Van Popta:** I think we all agree that there needs to be something, but my question is whether that would withstand the charter challenge. Mr. Szuchewycz actually did challenge the \$1,000 deposit—thank you for raising that—in a 2017 case that was heard before the Alberta Court of Queen's Bench, and he was successful. However, he also challenged the 100-signature requirement, and there he was unsuccessful. The judge said that's perfectly reasonable.

Now we are raising the bar. We're proposing to raise the bar to make it more difficult by saying that they should have 100 unique signatures. I know you can't read the mind of the Alberta judge, but it would have been a different question put to her at that time.

**Stéphane Perrault:** In my view, it makes it only marginally more difficult for most candidates, who don't rely on groups like that. For most candidates it would not significantly impact their rights. It's only, I think, when you reach a certain level—for example, now we're at the level of over 200 candidates. To reach that number, it would put a brake on that.

The benefit of this measure is that it would limit that without significantly limiting the people who truly wish to be a candidate. That wasn't the case with the deposit. It had a bit of an irrational impact. There was no rational connection, the court found, between the deposit and the seriousness of the candidacy.

**Tako Van Popta:** I'm going to something else that Mr. Szuchewycz said and that his committee has been saying all along, which is that we, as parliamentarians, are in a conflict of interest by making our own rules about how elections are conducted.

What's your opinion on that?

**Stéphane Perrault:** It's an interesting question.

There's no denying that there's an interest for any parliamentarian in the rules that govern their election. I don't think anybody would deny that.

It's interesting that, when you look at the history of changes to the legislation over the last 25 years, two things stand out. There's often an attempt to secure cross-party support, and it doesn't always succeed, and it shouldn't be a rule. There shouldn't be a requirement for unanimous consent because that would give a veto to the opposition, which I don't think is fair.

However, the vast majority of changes have come from recommendations of chief electoral officers, which come from a neutral source and often follow consultations, including consultations with political parties. They're examined in this committee, and they're disposed of one way or another. Certainly, not all of them have made their way to the legislation, but many have. I think that process is a healthy one, and I think that's something that needs to be maintained.

It does not prevent additional changes, and I've seen some very good changes over the years that have not come from chief electoral officers. I'm not saying there's a monopoly on wisdom here, but I think the fact that there is a process for a neutral policy intake and a cross-party examination of that neutral policy intake is a good system. It's provided for in the legislation and it needs to be maintained.

• (1130)

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

I ensured you got the 10 seconds that I took from Mr. Cooper.

Mr. Louis, go ahead for five minutes, please.

**Tim Louis (Kitchener—Conestoga, Lib.):** Thank you, Chair. I appreciate that.

Thank you, Monsieur Perrault, first of all, again, for your service as Chief Electoral Officer. Your experience is extremely valid here, as is your extensive testimony. This is the first time I've seen someone come twice to the same study, and I think that's fantastic. It's important to talk about long ballots, and you were pretty extensive about it in your first appearance earlier in the month.

I wanted to also talk about the scope of the misinformation and disinformation that happens, like false claims about voting times, locations, procedures and election results. You mentioned that Quebec passed Bill 98 in June, which will go into force next year. We don't have the information yet, but it will place a ban on spreading false information about election activities, the nomination process and the voting process.

Is that something that you, as Elections Canada, will look at to see its results and use as a bit of a study to see if this can be scaled up?

**Stéphane Perrault:** Certainly. We share experiences with all electoral management bodies across the country, and we meet regularly and talk about these things.

Of course, misinformation and disinformation has been an important topic over the recent years, especially with the growth of social media and the decline of traditional media, so we do talk about these things.

I wrote in my report on the election that we did see an increase in incorrect information. We monitor only information as it relates to

the electoral process, but we did see some cases that were troubling. For instance, there was a case where *Le Journal de Montréal* had a fake article. It was an image that said we had changed the voting day for 60-year-olds because of lineups, and they would vote on the Tuesday instead. That was quickly taken down, but it is the kind of thing that is troubling and that can mislead electors and hinder their participation.

**Tim Louis:** I appreciate that. With that kind of protection, consequences would happen if you catch somebody.

Right now, the laws that exist are really only within Canada. Is that the case? How can we stop not only someone from inside the country doing this, but how can we expand that outside of Canada to make sure that the misinformation—what you mentioned—can't be done, because now you're talking about different jurisdictions?

**Stéphane Perrault:** This is a complex issue. There has to be some nexus to Canada for the offence to be caught. Somebody saying something about a subject matter that's done elsewhere shouldn't be caught.

The real difficulty is not so much in crafting the offence; it is in enforcing these rules across jurisdictions. That will remain a challenge no matter what. That's why it's important to have a relationship with social media platforms and be able to rely on those relationships to take it down. In the example I gave, the information was immediately taken down.

The rules are important, of course, but you need more than rules to ensure a healthy electoral process.

**Tim Louis:** For the companies that are spreading that information—let's say, your social media giants—do you have that relationship? Are you requesting that certain things to be taken down if they're false? Are they responding?

**Stéphane Perrault:** It's interesting. We've never requested what we call a takedown. We typically avoid that simply because it's seen as state censorship. We make them aware of the problem and the dangers of the problem, and we expect that they act accordingly. In this case, they did.

I know that takedowns have been asked for elsewhere. I think the commissioner has asked for takedowns, but we haven't had to ask when we've seen.... Often, simply correcting the information or downgrading the prevalence of the information on the platform is sufficient. I have examples of that.

• (1135)

**Tim Louis:** There would be two steps to that. One would be for them to admit that they will change this information or take it down. Second is that speed counts. If it's an election cycle with misinformation getting around quickly, speed is of the essence.

Is there any way of asking for—

**Stéphane Perrault:** Absolutely. Regimes with offences after the fact are not particularly helpful in that regard. They, of course, create a deterrence, but it's the ability to make the platforms move in real time that's critical.

**Tim Louis:** In my final 30 seconds, I'll thank you. In addressing this, you mentioned flooding the market with the proper information—which is the importance of journalism—and making sure there's more of a supply of information from independent journalists. That's important. That's something that sticks with me, so I appreciate that.

**Stéphane Perrault:** It's important. We really strived to put out as much correct information as possible about the process in the last election. We're going to continue to build on that. Increasingly, platforms have their own AI chatbots. That's both an opportunity and a challenge because they're fragmented. I think it's an opportunity where, if we flood our website with correct information, it will be caught. We can use that. We can leverage that.

One of the recommendations I've made is that when a question relates to electoral process issues—increasingly, people don't do a search; they ask a chatbot to provide the information—AI chatbots be required to point to authoritative sources of information. In the case of a federal election, the bot would be required to do this. It could provide the information, but it would also have to direct the elector to or point to our website.

**Tim Louis:** Thank you.

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

I did promise her the additional 30 seconds, so for three minutes we'll go to Madame Normandin.

[*Translation*]

**Christine Normandin:** Thank you, Mr. Chair.

I would like to discuss the terms and conditions for the single signature and the potential implementation of this measure.

For example, electors must be informed that they can sign only once. In other words, if they already signed a nomination paper, they can't sign a second paper.

Do you already have some ideas on how to share this information with electors?

**Stéphane Perrault:** The simplest way would be to make sure that this information comes across clearly on the form itself and to ask the people collecting signatures to exercise some due diligence in this area.

**Christine Normandin:** Should we change the approach or the way that we explain to electors the purpose of the nomination paper?

Let me explain. When I ask certain people for their signatures, I inform them that their signature doesn't constitute tacit support or a commitment to vote for me. I tell them that their signature simply confirms their acceptance of my candidacy and that they can vote for any candidate afterwards.

However, should we change the definition of the nomination paper, now that people can give their signature to only one candidate?

Should it become a form of tacit support? That said, we must also take into account the secrecy of the vote.

Can you elaborate on this topic?

**Stéphane Perrault:** Clearly, collecting a signature isn't the same as asking for support, since the signature doesn't mean a commitment to vote for the candidate in the election. I think that this could be clearly stated on the form as well.

I assume that people are currently asking you this question and that you're certainly answering it. This wouldn't change. I think that we could look at clarifying this.

That said, we must be careful with the forms. When they're overloaded with information, people don't read them anymore. We must carefully select the information included. However, we should definitely look into this matter.

**Christine Normandin:** I want to bring up a question that I asked one of your colleagues.

At the start of a campaign, people may not have yet decided how to vote. They may then want two candidates from two parties to run, for example.

If electors were asked to put their name down for only one candidate, wouldn't this somewhat limit their freedom of choice, given that the campaign would only just be getting started and that they would have time to change their minds? Furthermore, is this a reasonable limit on a person's right to run for office?

**Stéphane Perrault:** I think that I already said that it was a reasonable limit on the candidate's right.

However, this raises another issue, which I believe that other witnesses have addressed. Does this limit the elector's right to show support for multiple candidates? I would answer yes to this question. It does constitute a limit, but I consider it reasonable.

Furthermore, we must keep in mind that this administrative procedure wasn't designed as a platform for people to express themselves. That isn't the goal. The goal is to ensure that candidates show a certain level of effort and commitment.

In my opinion, this procedure shouldn't be viewed from the elector's perspective, but rather from the candidate's perspective.

● (1140)

**Christine Normandin:** Thank you.

[*English*]

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

We'll go to Mr. Calkins for five minutes.

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

I have a couple of quick questions for you, Mr. Perrault, and then I'll hand it over to my colleague Mr. Jackson.

In your exchange with my colleague Mr. Cooper, you intimated that the complaint submitted by Mr. Davies somehow got caught up in what I would presume is the safety firewall of your email system. Fortunately, because other people had followed up and because Mr. Davies is a public figure to a certain extent, you were able to get what you needed in order to pass it along to the commissioner.

Will you let us know about that? Have you asked your system administrators to investigate and report back to you? Hopefully, you can then report back to us what measures you're going to take to mitigate this and make sure that serious complaints will not be missed this way again.

**Stéphane Perrault:** Yes, I have spoken to my team and asked that it be examined so we can make sure that if there are serious complaints, they are not lost because there's a question mark on the security of the link or the document. Yes, I have spoken to my team in that regard.

I would add, though, as I said in my opening remarks, that in the case of allegations that signatures were affixed to a document without the name of a candidate, there is no offence under the act. That is something that needs to be addressed.

**Blaine Calkins:** That's fair. I appreciate that.

I'm going to move on quickly to make sure that Mr. Jackson has some time.

Mr. Perrault, would you undertake to submit to this committee, from the last election, the 45th general election, the number of sworn affidavits, on a per-riding basis, that were signed in order to allow electors to vote who could not provide proof of their citizenship, age or address?

**Stéphane Perrault:** Mr. Chair, electors cannot swear an affidavit to prove their own address.

**Blaine Calkins:** I want the number of affidavits that were sworn by.... I understand how it works.

**Stéphane Perrault:** There are different circumstances if a sworn statement is made. It can be made by an elector attesting to another elector. Also, when somebody registers at the polls, they attest that they are a Canadian citizen and over 18 years old. There's that attestation.

I want to be clear. I'm not resisting the request.

**Blaine Calkins:** It's both.

**Stéphane Perrault:** I will certainly undertake to see whether we can do that. All of the documents pertaining to the elections are sealed in bags for the 343 districts. There are, I believe, 77,000 polling divisions, with each having a bag. If they're in there, it would take years to collect all of them without any specific inquiry into a particular polling division.

**Blaine Calkins:** Okay. If I got back to you with a subset of ridings, would that be helpful?

**Stéphane Perrault:** It certainly would be, but again, with the undertaking on a best-effort basis, the implications could be very significant, especially as we prepare for a possible election that could happen at any time.

**Blaine Calkins:** That's understood. Thank you.

**Grant Jackson (Brandon—Souris, CPC):** Thank you for being here again, Mr. Perrault.

I questioned your predecessor when he was here about what it would take logistically and from a staffing perspective for Elections Canada to specifically check that all 100 signatures for each candidate are, in fact, unique. He didn't want to comment on your operations now that you run the show, so I will put the same question to you.

From a staffing perspective, what would it take for Elections Canada to be able to do that, if 100 unique signatures were imposed as a requirement?

**Stéphane Perrault:** I want to be clear that I do not envisage doing that, in the sense that certainly this is not something that could take place within the few hours involved in the verification of the nomination process.

Currently, returning officers go through the hundred signatures to make sure that there are a hundred and that they are attached to people who are resident in the electoral district. That is the requirement. To then compare with other nomination papers is not something that could be done in the time allowed.

**Grant Jackson:** How would you propose enforcing the rule of 100 unique signatures per candidate?

**Stéphane Perrault:** It's an important question. My view is that this should be enforced in case of organizers orchestrating—I'll use the word "stunt", because that's been used before at this committee—campaigns to multiply candidates by using the same ones.

● (1145)

**Grant Jackson:** I respect that, certainly, but I think the public is not going to trust the longest ballot committee to police themselves, and I don't think we as legislators should either.

If it's not Elections Canada that will review the candidate signatures, would you support making the signatures public so that then at least the public could compare signatures from candidate to candidate, and if there are duplications, file a complaint with your organization?

**The Chair:** Give a very quick answer, Mr. Perrault.

**Stéphane Perrault:** They are public right now. They can be examined in the office of the returning officer right now.

I did not say that we would not do an examination. I said that we would not systematically do examinations. Where we have cause to suspect that there is activity.... To be quite frank, the activities to orchestrate the kinds of initiatives that we saw require a fair amount of publicity. These are not things that happen under the radar. It is not difficult to see how we could very well, in those cases, intervene, do verifications and refer the cases to the commissioner, as required.

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

Madam Kayabaga, go ahead, please, for five minutes.

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

Welcome back. It's nice to see you again, Mr. Perrault.

I want to ask you a few questions and hear what you think about individuals or entities who assist or facilitate someone else's violation of a provision of the Canada Elections Act. Should they be held accountable under the act and, if not, can you tell us why not?

**Stéphane Perrault:** You may be referring to a recommendation by the former commissioner. I think there was a recommendation to have a general rule to make sure that, any time there's an offence, people who are assisting in the commission of that offence can be caught under the Canada Elections Act, similar to provisions in other legislation that does that.

Obviously, I would support that.

**Hon. Arielle Kayabaga:** Should the scope of the Canada Elections Act be extended so that the provisions would also apply to conspiracy attempts, counselling contravention or being an accessory after the fact to a violation of the act?

**Stéphane Perrault:** I think that would be a sound approach, yes.

**Hon. Arielle Kayabaga:** Currently the Canada Elections Act bans third parties from accepting foreign contributions for the purpose of conducting regulated activities, but it does not prohibit foreign entities from giving such contributions. Where do the challenges lie within this provision right now, and what gaps does it pose?

**Stéphane Perrault:** I think it's simply a matter of being more comprehensive in the rules if we don't want foreign money to come in. Sometimes the person who receives the money may not be aware, but the person who gives it certainly is. Parliament would want to make sure that the rules cover both the person or entity who, unwittingly in some cases, receives money that may be foreign in source, and the person, the foreigner, who attempts...or delivers that money to the campaigns.

**Hon. Arielle Kayabaga:** Are you saying that the law should be amended to prohibit that?

**Stéphane Perrault:** That's correct. That was a recommendation that I made last fall. I don't think it was in my 2022 report, but it was in last fall's.

**Hon. Arielle Kayabaga:** We're seeing a lot more campaigns rely on AI. How do you feel Elections Canada is prepared to deal with AI online with misinformation?

We had some conversations about this earlier before the election, but I just wanted to know what your thoughts are on who's responsible for regulating AI use online. How confident is Elections Canada that AI is not interfering in elections right now?

**Stéphane Perrault:** That's a very rich question. AI is not inherently bad. It's a very powerful tool, and it can be used positively and negatively. I certainly would want to make sure that the rules prevent the negative uses without preventing the positive uses.

I've made three recommendations specifically in relation to what we would call "synthetic content". One is a prohibition—and we talked about that earlier—on deepfakes rather than simply impersonation. We've seen some deepfakes in other elections—not in Canada—used to mislead voters, and that is very preoccupying. We have seen deepfakes of leaders in the last election, but seemingly for financial fraud and not for misleading electors in the electoral process. That is something that needs to be addressed.

I have recommended—and I still think it's important—providing transparency. Any use of synthetic content should be known to the viewer or to the listener. We need to make sure that people are aware that this is not reality. It may be legitimate to present a synthetic production, but I think awareness is important. Those who do that in the context of electoral communications should be required to make it transparent.

As I said earlier, chatbots on platforms should be required to point to authoritative sources of information.

That's for the electoral world. These are recommendations that I have in mind right now. It is a rapidly evolving environment, and of course, we will need to be on the lookout for changes.

• (1150)

**Hon. Arielle Kayabaga:** We should also label some of the content—

**Stéphane Perrault:** Yes.

**Hon. Arielle Kayabaga:** That's very good information.

**Stéphane Perrault:** Any synthetic content should be labelled. People should know that this is not real.

**Hon. Arielle Kayabaga:** I have less than 30 seconds left. I want to ask you these really quick questions.

What were the observed challenges in counting the votes in areas where the longest ballots were used? What do you think the future impact would be on vote counting and spoiled ballots with the longest ballot?

**Stéphane Perrault:** There's—

**The Chair:** I'm sorry. Before you answer, I'm going to be tough. Maybe this is a good question to bring up in the next round.

We'll do one final round with four minutes, four minutes and two minutes, just so it takes us to noon. For once, I'm being tough on time, but it's a good precedent to start.

We'll turn to Mr. Cooper, who I think is splitting his time, but I'll leave that to you.

**Michael Cooper:** Thank you, Mr. Chair.

I want to follow up on the complaint by Mr. Davies. It certainly is not satisfactory that a legitimate, serious complaint went into—and you don't agree with my characterization—a black hole. I don't know what else it could be called other than a black hole, when it goes into a security filter system and then isn't checked on. It really begs the question: How many other complaints that raise issues of potential violations of the Canada Elections Act, and so on, go into Elections Canada's security filter and are not acted upon?

**Stéphane Perrault:** I think that's a legitimate question. I certainly want to ask my team, and we need to look into that. We need to make sure not only that there is security but also that there are means to make sure that if there are serious allegations of wrongdoing, they are not lost through the security protection. It's a balance.

**Michael Cooper:** Respectfully, I do find it a bit astounding. With the greatest of respect, I understand that there are security filters. However, does Elections Canada not have processes in place to monitor those security filters and to check whether emails that shouldn't have gone into them are reviewed and forwarded on to the commissioner or are acted upon as they should be, as opposed to sitting in a security filter?

**Stéphane Perrault:** Again, I've asked my team to examine that very question.

**Michael Cooper:** No, I asked you if there are processes in place.

**Stéphane Perrault:** I've asked to see what the processes are, and what can be done to be improved—

**Michael Cooper:** You don't know, then, that there are processes in place about Elections Canada's security filters with respect to complaints that are sent to info@elections.ca.

**Stéphane Perrault:** This is the first time this situation has been brought to my attention, and I realize—

**Michael Cooper:** It doesn't sound like it is necessarily an isolated case, though. It doesn't take a rocket scientist to figure out that when you have a security filter, emails that aren't junk mail sometimes go into security filters. It just seems to me to be unacceptable that there are no processes in place. You can't point to any. Shouldn't it be pretty straightforward?

**Stéphane Perrault:** Again, I've asked that this be examined and that I be briefed on the matter. I'd be happy to report back on the issue when I next appear.

**Michael Cooper:** Maybe you can answer this: How many other complaints have gone into the black hole?

**Stéphane Perrault:** I'm not aware of any, but that's something that needs to be examined. I do not disagree with you that it needs to be examined. In this case, as I've indicated, there were two other aspects, but they do not negate the legitimacy and the relevancy of your questions. In this case, the commissioner's office has been seized of the information.

**Michael Cooper:** It sounds to me like staggering incompetence. It sounds to me like there is a complete lack of oversight in place to ensure that complaints are acted upon. It certainly doesn't leave me with a great sense of confidence in how Elections Canada is handling complaints about potential violations, potential serious violations, of the Canada Elections Act. These were complaints that raised issues that go to the integrity of our elections and how they are being handled.

• (1155)

**Stéphane Perrault:** With all due respect, I think it's premature to draw those conclusions.

**Michael Cooper:** It's not premature.

**Stéphane Perrault:** I would like to answer, please.

It is not premature to examine the issue internally to see what needs to be done, and to do it to make sure that serious complaints are not ignored. As I said, in this case, the subject matter was brought to the attention of the commissioner. Perhaps it was determined that it was sufficient to do that. As I said, in this particular case, the allegation of a blank signature...or of no candidate being identified is not an offence. That needs to be addressed.

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

[*Translation*]

Mrs. Brière, you have the floor for four minutes.

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

Mr. Perrault, thank you for joining us for a second time during this study.

I'll let you finish answering the question just asked.

**Stéphane Perrault:** I think that I covered everything. We need to make sure that the right processes are in place to avoid missing any serious complaints.

In the case in question, it should be noted that the relevant information was forwarded to the commissioner's office. It should also be noted that this issue was raised in 2022 and that the legislation still doesn't specify an offence in this type of case. I don't know what the commissioner plans to do about this issue. This matter falls under the commissioner's purview. In any case, recommendations have been made in this area.

**Hon. Élisabeth Brière:** The longest ballot committee situation has been driving these discussions for four meetings now, if I remember correctly. Do you think that we're giving these people too much attention? Have we chosen the right process for pondering and considering measures to prevent this type of situation from happening again?

**Stéphane Perrault:** The committee is certainly free to choose how it wishes to proceed. All that matters is that the issue gets addressed. I asked for changes in the past. I'm glad to see the committee looking into the matter.

I think that it's wise to seek the right balance. In trying to resolve an isolated issue, we mustn't make the rules unreasonable for the entire community of potential candidates. We need to keep this in mind.

I also think that the longest ballot committee has reached a point where things are becoming increasingly difficult, because the list of candidates keeps growing. I don't think that very restrictive rules are needed to effectively resolve the issue. I doubt that the longest ballot committee wants to see a return to ballots with 30 or 40 candidates, after gradually increasing that number. I don't think that this is about revolutionizing the system. I think that it's more about adjusting the current rules.

**Hon. Élisabeth Brière:** Admittedly, it's a fine line and it's all about balance. When considering the various solutions proposed, particularly the number of signatures and the deposit to pay, we must bear in mind the accessibility factor. People have the right to be able to run for office.

**Stéphane Perrault:** Absolutely. It's a constitutional right, just like the right to vote. This matter requires careful consideration.

**Hon. Élisabeth Brière:** I have one minute left.

I too am very interested in issues relating to misinformation, disinformation, AI and deep fakes, among other things. You already talked a little bit about this, but would you like to add some general comments?

**Stéphane Perrault:** This is somewhat the challenge facing our society and other contemporary societies. Indeed, we're not the only ones trying to address these issues. The world of information has literally exploded. Now that we have AI tools, we're moving to another level. Things are changing dramatically.

One of the recommendations I made in 2022 was to stop looking at content in terms of advertising under the Canada Elections Act, since that's a fairly narrow definition of content, and instead look at it in terms of election communications. I think we're ready for this paradigm shift in the Canada Elections Act. The world of elections, in which traditional communication is based primarily on advertising as we know it, no longer represents the world in which we live.

We need to broaden our perspective a little and review the transparency requirements of the act in terms of election communications. I'm thinking here of authorization statements, which indicate where the content comes from. We need to know who's sending these communications and whether the content is manufactured or real. For our part, the situation requires us to play a role in ensuring that information about the process is well known, widely disseminated, and accurate.

These are therefore significant challenges.

• (1200)

**The Chair:** Thank you very much, Mrs. Brière.

Ms. Normandin for two minutes.

**Christine Normandin:** Thank you very much, Mr. Chair.

Two main proposals seem to have emerged from the committee's discussions and to be of interest to everyone: unique signatures and one official agent. I'd like you to compare these two proposals. This could help us make a choice if we ever have to choose just one.

Here are my ideas.

What's interesting about the unique signatures proposal is that financial penalties could ultimately discourage people from voluntarily organizing to collect signatures from the same people. This proposal should be considered from this perspective. However, it could have the opposite effect. As you said, the longest ballot committee will always want to have an increasingly long list of candidates. After paying the fine once, it could decide it might as well as have 300 candidates.

The one official agent proposal could hinder entry. It's still complicated to find 200 official agents to validate each candidate's application.

Which of these two proposals is the best solution?

**Stéphane Perrault:** There are pros and cons to both proposals.

In a long ballot scenario, I don't know if we would prohibit candidates from acting as official agents for another candidate. We mustn't forget that, as we've seen in past reports, virtually all of these candidates incur no expenses and receive no contributions. Naturally, the official agent makes a commitment when they sign their name, so that's not insignificant. That said, it's not an administrative burden: All they have to do is enter a zero with a line through it and sign the report after the election—not before the election, of course—to ensure its accuracy.

In my opinion, both proposals are good, but, as you say, the advantage of the unique signatures measure is that it can be formulated in such a way as to target the organizers. That's the advantage.

[*English*]

**The Chair:** Thank you very much, Monsieur Perrault, for your testimony. I'm sure we'll see you again in the near future.

The committee will suspend while we move in camera.

[*Proceedings continue in camera*]





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