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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 33 of the House of Commons Standing Committee on Procedure and House Affairs.

Pursuant to Standing Order 108(3), the committee is meeting to continue its study of Bill C-25, an act to amend the Canada Elections Act and to enact an act to change the names of certain electoral districts, 2026.

Today's meeting is taking place in public in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using Zoom. Before I continue, I would ask all in-person participants to consult the guidelines written on the cards on the table in front of them. It's to help prevent audio feedback incidents, for the health and safety of everyone here, especially our interpreters.

This is a reminder that all comments should be addressed through the chair. If you wish to speak, raise your hand here or on Zoom, please.

I'd like to welcome back our witnesses for today's first panel. From the Office of the Chief Electoral Officer, we have Stéphane Perrault, the Chief Electoral Officer; and Trevor Knight, general counsel. From the Office of the Commissioner of Canada Elections, we have Caroline Simard, commissioner; Michael Bisson, deputy commissioner, operations; and Chantal Richard, executive director and senior general counsel.

The CEO and the commissioner each have five minutes.

The floor is yours, Monsieur Perrault.

[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 Bill C-25.

The bill introduces a number of changes to reinforce the security and integrity of the electoral process in response to foreign interference and other emerging threats.

From the outset, I want to express my general support for this bill. However, as Chief Electoral Officer, it is my role to inform the committee of areas where the bill could be improved.

For the most part, Bill C-25 reflects recommendations that I made in my 2024 report, "Protecting Against Threats to the Electoral Process", which came about in the context of the Foreign Interference Commission as well as the work of this committee.

This includes changes to prevent foreign funding of third parties, rules to prevent the use of non-traceable instruments for making contributions, as well as the expansion of a number of offences, such as bribery and intimidation, related to nomination and leadership contests. It also extends the application of the rules against undue influence by foreigners beyond the electoral period and includes nomination and leadership contests.

Bill C-25 adds new rules and improves existing ones to protect the information environment. In particular, it includes measures that will help address the growing problem of deepfakes that can be used to mislead electors, something for which I have strongly advocated.

It also introduces changes to address problems related to unduly long ballots, which are also aligned with recommendations I made to the minister and to this committee. I would note that the rule against electors signing multiple nomination papers is carefully crafted to ensure that a candidate's nomination will not be jeopardized because a person may also have signed someone else's nomination.

[English]

Mr. Chair, while I applaud the changes proposed in this bill, I also believe there are areas where it can be improved or should go further.

I am particularly concerned about changes in the information environment and their impact on our electoral democracy. The foreign interference commission report stated that disinformation is the biggest threat to our democracy, and I share that view.

Bill C-25 proposes an offence for publishing information about the electoral process that the person knows to be false with the goal of interfering with the vote. I note that there already exist prohibitions to a similar effect in the Canada Elections Act that have been used successfully to prosecute offenders.

What is not addressed by this bill is a situation where inaccurate information about the electoral process is published with the goal of undermining trust in the election or its results—for example, altered videos purporting to show stolen or destroyed ballots. Such behaviour supporting false claims that an election may have been stolen has nothing to do with criticism of the process or criticism of its administration. The standard for such an offence should be high, as I have proposed. I believe that a line must be drawn to protect our democracy against deliberate acts of destabilization.

In contrast, criticism of the process or of its administration is a normal part of democratic debate and should be tolerated, even though its premise may be factually false or even if it is made by conveying falsehoods. It is fundamentally distinct from attempts to overturn an election or undermine its results through the deliberate publication of false narratives.

I would also like to see a requirement for transparency markers whenever electoral communications involve synthetic content generated using artificial intelligence. While there are perfectly valid reasons for the use of such content, the potential for deception is such that electors should be informed of its use.

I note that the Standing Committee on Canadian Heritage recently made a recommendation requiring that all fully synthetic or AI-generated content be clearly identified as such through standardized labelling mechanisms that are visible and understandable to the public.

Mr. Chair, given the time constraints, I have shared with the committee a table that includes these and other suggested improvements, which I would be happy to discuss. These concern only issues that are directly addressed in the bill, and not other recommendations found in my November 2024 report.

I would also like to offer the availability of my officials as the committee reviews the bill. This is a customary practice that I believe members have found to be useful in the past.

Thank you for inviting me today. I would be happy to answer questions.

• (1105)

**The Chair:** Thank you.

Madame Simard.

[*Translation*]

**Caroline Simard (Commissioner, Office of the Commissioner of Canada Elections):** Thank you, Mr. Chair, for the opportunity to appear before you today.

I'm joined by Mike Bisson, deputy commissioner, operations, and Chantal Richard, executive director and senior general counsel.

Bill C-25 proposes significant changes that will directly affect my office and the investigations we undertake. It grants important new investigative tools and powers that are essential to fulfilling our mandate effectively. Overall, the bill closes several key compliance and enforcement gaps in the Canada Elections Act and strengthens the existing enforcement framework.

[*English*]

I would, however, like to highlight a few areas where the bill could be improved.

First, regarding the privacy regime for political parties, a single set of rules set out directly in the act and applicable to all parties should be adopted, rather than having to enforce multiple party-specific policies. This would ensure consistency among political parties and a unified approach to enforcement.

The documents held by political parties, candidates and electoral district associations should also be subject to a mandatory retention period and should be provided to my office upon request. Otherwise, we may face challenges getting the evidence to conduct our investigations. In addition, political parties should be required to report privacy breaches to my office so I may decide to launch investigations if circumstances warrant it.

Second, I would like to raise a concern regarding the proposed option to destroy crypto contributions. This could result in the loss of important evidence and impede investigations. It would be preferable to remove this option and instead require that such contributions be returned unused or converted to money and returned to the receiver general.

My office has long relied on the act's well-established penal regime, which remains a critical enforcement tool. While the AMP regime is comparatively recent and still evolving, Bill C-25 makes a meaningful contribution to its continued maturation. These changes will support stronger compliance outcomes by providing my office with greater agility. We will indeed have improved access to timely information and the ability to act across a broader range of circumstances both during and outside pre-election and election periods. This is important, given that issues such as foreign interference and disinformation may occur at any time.

Taken together, Bill C-25 represents a meaningful expansion of my office's mandate and further solidifies Canada's position as a world leader in electoral compliance and enforcement. We will continue to ensure that we have the people, expertise and processes in place to implement any new powers.

I would be pleased to answer the committee's questions. Thank you.

• (1110)

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

We'll go to Mr. Cooper first, for six minutes, please.

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

Thank you to the witnesses.

I'm going to direct my questions to Mr. Perrault.

The government incorporated in this bill your recommendations around amendments to the Canada Elections Act to require third parties to use funds exclusively from individual Canadian contributors for regulated pre-election and election activities, subject to an exception where they could still use their own funds provided the contributions to the third party in the year prior to the pre-election period were 10% or less of the third party's revenue.

For third parties where this exception would apply, would they be bound by the same requirements as third parties not captured by the exception with respect to contributions, specifically to the extent that a third party subject to the exception used contributions for regulated activities? Would those contributions only be allowed to come from individual Canadians?

**Stéphane Perrault:** They would be contributions coming from their own revenue, whatever that source may be, and those would commingle with other funds. In the law, they're not allowed to use foreign funds to conduct or support regulated activities. Of course, in practice, there may be some commingling of funds where it's difficult to determine where the money comes from.

**Michael Cooper:** For example, if in the year prior to the previous year there was a foreign contribution to the third party, those funds would effectively be melded and treated as part of the revenue of the third party. Is that accurate?

**Stéphane Perrault:** In principle, they should not use foreign funds. The same is true of individuals who are not caught by the requirement of a separate fundraising source. They may have revenue from different sources, and so the practical challenge is true there as well.

**Michael Cooper:** The practical challenge is that monies could be funnelled or directed to third parties, just as they can be today. For third parties subject to the exception, the same loopholes would exist.

**Stéphane Perrault:** It would be a contravention of the act. It's a practical issue.

**Michael Cooper:** It already is a contravention of the act.

**Stéphane Perrault:** There would be improvements to those rules. Right now, third parties cannot use foreign funds, but there would be an additional fence against foreign funders making contributions. There would be improvements to the regime. It is an issue of practice.

Now, I understand your concern. When I made my recommendation, which I continue to favour... I'm cognizant of the fact that this is not a fully closed regime. There are opportunities. The reason for that is that I am mindful of the need for a balance to—

**Michael Cooper:** I understand and respect your position on that, but I'm trying to get my head around what, exactly, this regime would look like.

When I asked the question of the officials, I was told that there would be no transparency gap, that all contributions would be treat-

ed like the contributions of individual Canadians and that third parties subject to the exception would have to report those contributions the same way all other third party entities do.

• (1115)

**Stéphane Perrault:** That is correct. If a contribution were made, it would have to be treated as such and be subject to the contribution rules.

**Michael Cooper:** My question goes back to monies donated to a third party in years prior to the previous year.

Would they be captured as contributions?

**Stéphane Perrault:** They would be. However, in practice, for a point in time before an election, there would be no mechanism to ensure that they are set aside separately and tracked separately. They would be captured by the law as a contribution.

**Michael Cooper:** In short, there would remain loopholes that allow for the possibility of foreign monies to be commingled and used for regulated activities by these third parties subject to the exception.

**Stéphane Perrault:** The opportunities for funds to flow would exist, and they'd exist for a reason, which I think is—

**Michael Cooper:** They exist right now.

**Stéphane Perrault:** They exist right now, but in the proposed regime—

**Michael Cooper:** They will continue to exist if this bill is adopted in its present form, unamended.

**Stéphane Perrault:** They'd exist to a much lesser extent. To me, it would be a significant improvement.

This is a regime that would keep in mind the importance of balancing the rights and freedoms of—

**Michael Cooper:** I fully agree that it would be an improvement.

My ultimate position is that elections should be decided by Canadians, free of interference and foreign influence. When there's the possibility of funds being mingled and directed to third parties, I think that's a problem or an issue that needs to be carefully explored.

I asked you about contributions, but what about issues around revenue? There is nothing in the bill, as I see it, that would prevent a source of funds, in a non-contribution revenue context, from being free to.... Those funds could be foreign and used for regulated activities. Is that right?

**Stéphane Perrault:** It is, in the same way ordinary Canadians may have investments abroad—through their pension fund, for example. A retired teacher may receive a pension from—

**Michael Cooper:** Okay—

**The Chair:** Excuse me. We're over.

Now we'll go to Ms. Vandenbeld for six minutes.

**Anita Vandenbeld (Ottawa West—Nepean, Lib.):** Thank you very much, Mr. Chair.

Thank you, all, for being here again.

I'd like to start my questions with Ms. Simard.

In our previous meeting with officials, we heard about the rationale for administrative monetary penalties. One reason is that if you have to meet the threshold of a criminal charge, fewer people will be charged. You need that flexibility to do administrative penalties. There might be more consequences for things that are not as severe.

How do you choose? When would you issue a letter, a monetary penalty or a criminal charge? Are there criteria? What factors do you take into account?

[Translation]

**Caroline Simard:** Essentially, as you say, the administrative monetary penalty system is a more flexible system. We review the severity of the offence. This is done on a case-by-case basis.

[English]

There will be an assessment made, conducted by the operation.

Maybe Mr. Bisson could provide you with additional, more precise information.

**Michael Bisson (Deputy Commissioner, Operations, Office of the Commissioner of Canada Elections):** Yes. Thank you, Commissioner.

We do assess.... Any complaint or referral received from elections, for example, would be assessed for either the allegations or the facts that are provided. We would assess those against a set of criteria to prioritize our investigative resources, as well as to determine what the desired outcome is. In the administrative monetary penalty regime, the desire is to bring back compliance, or to enforce and encourage compliance, whereas there's a punitive element to a penal regime. As you note, there is an element of legal thresholds at play, as well, that is considered.

**Anita Vandenbeld:** I note that expanding the number of actors who can be affected by this.... Our campaigns are full of volunteers, many of whom are not necessarily versed in every part of the Elections Act. They make honest mistakes. Is this something you would factor in when looking at administrative penalties? Would you look at what their role is in the campaign? Is that part of your criteria?

• (1120)

[Translation]

**Caroline Simard:** Generally speaking, that is not one of the factors in the act or in our policy. I would say that, once again, it's based on an assessment of the facts and the evidence on file.

Obviously, sometimes there is an education component. So there may be information letters or warning letters. That's what we do as well.

I would say that the administrative monetary penalty regime is currently under review. Given the addition of these legislative amendments, we will continue the review. In fact, we intend to conduct a consultation process. Obviously, this will be an opportunity to take a closer look at how we can best serve the system as well as the volunteers.

[English]

**Anita Vandenbeld:** Thank you.

For the record, I think all of us would be concerned, when an 18-year-old student is coming to our campaign, that this be taken into consideration.

The other thing I'm wondering about is the expansion of the administrative monetary penalties. It would now allow for a quicker response. I've seen cases in which going through the criminal justice system can take more than one election. By the time the consequences come, the member may not even be a member, or the candidate may have long moved on.

Is it quicker to do it through administrative monetary penalties?

**Caroline Simard:** The short answer is yes, and I can explain why.

[Translation]

Having more powers, such as the ability to compel witnesses or produce documents, lets us respond more quickly. There are other powers, but this certainly lets us respond more quickly and go further in our investigations.

[English]

I think it's a key message that we should remember.

[Translation]

To come back to the issue of volunteers, I would say that it's obviously important to remember that every complaint must be taken seriously.

[English]

It's a balance. It's important for us to ensure that there's a balance.

**Anita Vandenbeld:** Thank you.

My next question is for Mr. Perrault.

I note that, in 2019 and 2022.... I remember being on this committee in 2015, when some of these things were already brought up. My question for you is about the urgency. I can imagine that, although every time there is an election there are issues that you want to put forward, getting these ones done is very important or very urgent.

**Stéphane Perrault:** It is. This is an important piece of legislation. It needs to be examined carefully by this committee—and the House and the Senate, of course. These are changes that are important, and I'm happy to see them being introduced.

**Anita Vandenbeld:** You said, in your opening remarks, that “disinformation is the biggest threat to our democracy”. Of course, this bill does have new measures against spreading false information, things that are known to be false and that are intended to undermine the election and its results, but there has been concern. Even the committee expressed that.

Can you tell us why that particular measure is important, not just for the electoral processes, but for our democracy itself?

**The Chair:** Give a very quick answer.

**Stéphane Perrault:** As I said in my remarks, I think the measure needs to go bigger. Interfering with a vote is something for which there are mechanisms in the act right now. I think what is really missing.... It has to be a narrow provision with a high bar. If someone is deliberately spreading falsehood to undermine trust in the result of an election or trust in the election itself, there needs to be a mechanism in the act to address this. That's something that I think can be added to this bill.

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

[*Translation*]

Ms. Normandin, you have the floor for six minutes.

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

Thank you for being with us today, Mr. Perrault and Ms. Simard. It's always a pleasure to have you here. Your testimony is always very enlightening.

I want to start by asking a question about the concept of “potential candidate” that has been added. It relates in particular to interference and bribery.

Wasn't this concept overlooked when defining regulated fundraising events?

When I look at the definition, I see that it refers to an event from which a party, a registered association, a candidate for nomination or a candidate for the leadership of a registered party may derive a financial benefit.

Shouldn't we have added “potential candidate”, given that a regulated fundraising event can be one where a potential candidate can raise money and where interference can occur?

In any case, isn't a potential candidate already prohibited from raising money through regulated fundraising events?

My question may be a bit technical.

• (1125)

**Stéphane Perrault:** I'd like to know exactly where we are in the bill. It doesn't talk about regulated fundraising events.

**Christine Normandin:** I'm not talking about the bill, but about what already exists. We're talking about notices that are subject to an amendment in the bill. However, the definition of “regulated fundraising event” doesn't include the concept of “potential candidate”, whereas the sections on foreign interference and bribery do now include the concept of “potential candidate”.

Was this concept not overlooked when defining “regulated fundraising event”?

**Stéphane Perrault:** I don't know if this is an oversight. Relatively few fundraising events are carried out in advance by potential candidates. I suspect that drawing a line to limit the regulatory burden is a choice made by these entities. However, I'm open to the idea of adding this concept to the definition, especially since, at this time, Bill C-25 reduces some of the regulatory burden.

**Christine Normandin:** Among the recommendations you provided to us, recommendation 8 would add the financial agent of the

nomination contestant or leadership contestant to section 502. That's related to section 362, which is about offering a bribe.

Can you explain your recommendation a bit more so that I understand it clearly?

**Stéphane Perrault:** It's just a matter of consistency. Elsewhere in the act, sections on this type of offence mention not only the contestant, but also their financial agent. However, in the case of a nomination or leadership contestant, the scope is less broad. It may be an oversight, but I think it should be done consistently throughout the act.

**Christine Normandin:** If the offence of accepting or receiving a bribe were applied to everyone and to all events, it would potentially be covered, maybe even without the recommendation being implemented. It's still an illegal act, regardless of the circumstances.

Isn't that right?

**Stéphane Perrault:** In the case of bribes, yes.

**Christine Normandin:** At the last meeting of the Standing Committee on Procedure and House Affairs, I raised the possibility of removing a person's name from the voters list in cases where, for example, they have been a victim of domestic violence and that has been recognized. This is somewhat related to what happened in Alberta a few days ago.

Can you give me some general information on certain aspects?

How easy or hard is it to get a name removed from the voters list?

Is there a huge number of requests for this?

Are victims sufficiently aware of this mechanism, particularly when there's a court decision?

Do you think there's room for improvement in this area?

**Stéphane Perrault:** The current system is flawed. That's why I had my table include a provision that wasn't my own, but which had been included in Bill C-65. It would enable an individual to stay on the register without their details appearing on the voters lists provided to the parties. The details would remain on the voters list provided to election workers, but not on the lists provided to parties and candidates. That was a provision in Bill C-65, but it isn't in this bill.

Right now, anyone can remove themselves from the registry for any reason. However, if the person wants to vote at their polling station, they have to apply to be registered, but their name and address will appear on the final lists that will be distributed, even if they remove themselves afterward.

Voters can go to the returning officer's office to take advantage of a special provision that allows them to vote by special ballot. Once the address is confirmed, the address that gets put on the list is the returning officer's office. When this mechanism is used, the person doesn't then get entered in the register, and their name appears on the voters lists with only that address.

There is a mechanism, but it isn't as comprehensive as what was set out in Bill C-65. That's why it's relevant to suggest this.

**Christine Normandin:** You recommend reviewing what was done to that effect in Bill C-65, then.

Is that correct?

**Stéphane Perrault:** Yes, I indicated that in my brief.

**Christine Normandin:** I will now turn to the five-day notice for regulated fundraising events. The bill seeks to completely remove the five-day notice. That's our understanding.

Generally speaking, can you tell me whether the information in the notice is similar to that in the final report?

Are there more differences in the number of people, the amounts collected and so on?

Is it still similar, oddly enough?

**Stéphane Perrault:** I'm not aware of any differences. I can look into that and get back to the committee, but I'm not in a position to answer right now.

**Christine Normandin:** Thank you.

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

[*English*]

You're always the best student, always under time. Thank you so much.

I understand Mr. Cooper and Mr. Jackson will be splitting their time.

You have five minutes, but I will leave that to you both to handle.

• (1130)

**Michael Cooper:** Mr. Perrault, your answer to my last question was that where third parties are subject to the exception, and they can use their own funds for their non-contribution revenue, there's nothing in the bill that prevents the source of those funds from being foreign.

What is to stop foreign actors from exploiting this exception by directing money to third parties disguised as the purchase of goods or services, funds that would be treated as non-contribution revenue and therefore could be spent by third parties as part of their own funds for regulated activities to influence our elections?

**Stéphane Perrault:** I would answer in terms of two aspects. One is that this would be an offence under the act. Of course, it needs to be caught and prosecuted, but it is illegal under the act.

Second—

**Michael Cooper:** It already is illegal.

**Stéphane Perrault:** It is illegal, and removing the—

**Michael Cooper:** Just because it is illegal, that doesn't mean it hasn't been happening. It is fair to say that it is illegal, but that doesn't change anything.

**Stéphane Perrault:** My second point—

**Michael Cooper:** I don't think the first point addresses the question.

**Stéphane Perrault:** In order to close the regime, you would also have to remove the ability of individuals to use their own funds, because individuals could receive illegally, as in your scenario, revenues that they would describe—

**Michael Cooper:** There's that exception, but I'm asking you about this specific exception.

**Stéphane Perrault:** If there's a hole here and there's a hole there, there's no usefulness in closing one.

**Michael Cooper:** We'll deal with one hole at a time. Just answer my question.

**Stéphane Perrault:** I'm not here to argue with anyone on this committee about this point. This is an issue. There are always ways for monies to flow around. There are ways to make this regime tighter, but there are consequences to that.

**Michael Cooper:** On that point, if we were to look at this to make it tighter, what would you recommend?

**Stéphane Perrault:** First of all, I would not recommend making it tighter, but if the committee wanted to make it tighter—

**Michael Cooper:** I'll turn it over to Mr. Jackson.

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

Mr. Chair, how much time do I have left?

**The Chair:** You have two and a half minutes. That was an excellent split.

**Grant Jackson:** Okay, thank you.

Mr. Perrault, it is nice to see you again.

The bill talks about making sure that there's no disinformation and misinformation and that Canadians have faith in the system. The last time we were here, I think we were discussing the security of ballot boxes. We were talking specifically about special ballot boxes and the security protocols around those. I asked you if they ever leave returning offices, to which Ms. Duquette, who was with you, replied “No”, and then you stated, “That's unless they are national ballots. Then they need to be shipped to headquarters ahead of day zero.”

What is a national ballot?

**Stéphane Perrault:** It's a ballot cast by an elector outside of his riding. He's working for a short period, or it's a student who is studying or someone who is travelling outside of their riding. They can cast a ballot and they can apply for what we call a “national ballot” outside of their electoral district. This is provided for them.

**Grant Jackson:** Thank you very much for that. I wanted a little clarity on that.

I'm also curious about advance polling boxes. Can you walk me through that? Once advance polling locations close, what are the security protocols around those ballot boxes until they're opened and counted at the end of election day?

**Stéphane Perrault:** There are security protocols, and I can share with the committee more written elements about that.

Deputy returning officers have the obligation to safeguard the ballot boxes that they take out of the polling places after polling day. Returning officers in urban settings may request that those ballot boxes be brought back to the returning office, where they are secured, typically within a locked room within the locked office or within a locked cabinet within the locked office. In many rural and remote areas, that is, of course, not possible. In those cases, the deputy returning officer has the obligation to safeguard the box. The box is sealed, and the seals are signed by the poll worker and by the witnesses at the count—

**Grant Jackson:** Do the boxes go home to a private residence?

**Stéphane Perrault:** They go home, where they must be safeguarded at all times until they are returned with the seals. There are a number of administrative safeguards. The number of ballots is identified and the sequence number of ballots used at that poll is identified, so there are tracking mechanisms to make sure that this is the right ballot box with the right ballots in it, and that it has not been opened.

• (1135)

**Grant Jackson:** What about—

**The Chair:** I'll cut you off because you have three seconds to go.

We'll now go to Mr. Jeneroux for five minutes, please.

**Matt Jeneroux (Edmonton Riverbend, Lib.):** Thank you, Mr. Chair.

Thanks to the witnesses for joining us here today.

I want to begin my questions with you, Madame Simard. We've seen recently an issue in Alberta that I'd love to get your comments on.

Can you confirm that you're able to start an investigation on your own initiative and that a complaint doesn't have to meet a certain minimal threshold in order to trigger an investigation, as I believe it did in Alberta?

[Translation]

**Caroline Simard:** I would first like to say that, as far as Alberta is concerned, I'm referring to public information.

To answer the question specifically, the Canada Elections Act does allow me to launch an investigation on my own. In a case like that, if it happened at the federal level, there would be that possibility.

[English]

**Matt Jeneroux:** Can you talk to us about the penalties provided for under the CEA for misuse of the list of electors, and what those would be?

[Translation]

**Caroline Simard:** Again, hypothetically, if this happened at the federal level, there would be a violation. If I remember correctly, it's specified under 111(f).

I can confirm that the penalties are a \$10,000 fine—it's the criminal justice system, so we're talking about fines—and one year in prison.

[English]

**Matt Jeneroux:** Great, that's similar to the testimony we heard earlier this week.

I also want to understand.... If your investigation reveals a contravention of the CEA, you have a range of tools that are available to you at your discretion. Could you help us understand what factors you consider when determining whether to issue a letter, a notice of violation or an AMP, or whether to lay a criminal charge?

[Translation]

**Caroline Simard:** When it comes to assessing the facts and the evidence on file, it's a question of gravity. If there were one thing to remember, it would certainly be that.

There's a whole series of factors to consider in the administrative regime. However, an internal policy makes it possible to define discretion a bit better. An explanation of the type of violation could also apply depending on the gravity of the facts. All of that is already well structured, and it's governed by clear guidelines.

Ms. Richard, I'll turn it over to you to give some clarification.

[English]

**Chantal Richard (Executive Director and Senior General Counsel, Office of the Commissioner of Canada Elections):** I would just add that the current offence that the commissioner referred to regarding misuse of personal information or a list of electors is only part of the criminal regime. We did recommend, in our 2022 report, to have this provision included as part of the administrative monetary penalty scheme, but it has not been included as part of Bill C-25, so we have only the criminal pathway available to us in a situation similar to the one in Alberta.

**Matt Jeneroux:** Thank you.

This is probably my last question. Your recommendations reports from the 2019 and 2021 general elections included a prohibition on providing false, misleading information in nomination papers, which is contained in Bill C-25. Is it your understanding that this would cover a scenario where someone signs a nomination paper that doesn't have the candidate's name on it?

[Translation]

**Caroline Simard:** Ms. Richard, can you answer the question?

[English]

**Chantal Richard:** Yes, we believe that, in some scenarios, the new violations on false and misleading statements in a nomination paper could be used in a situation such as that one. I would say that the recommendation was made in relation to other cases we had seen and not one where there's a blank nomination form with no candidate's name, but we think it could apply in some scenarios.

**Matt Jeneroux:** Thank you.

Those are the questions I had.

**The Chair:** Thank you.

**Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Chair, may I ask for unanimous consent at this moment?

**The Chair:** You can ask for unanimous consent.

**Elizabeth May:** I'd like 30 seconds to pose a question to Monsieur Perrault. I think it would be a yes or no. It's up to my colleagues, of course.

• (1140)

**The Chair:** Is there unanimous consent for Ms. May to ask a question?

**Some hon. members:** Agreed.

**The Chair:** Please go ahead.

**Elizabeth May:** Thank you, Mr. Chair.

[*Translation*]

Thank you to all my colleagues.

[*English*]

Very briefly, Mr. Perrault, I think I've understood your testimony to be that you stand by the recommendations of the 2022 report from your office, many of which were included in Bill C-65, which died on the Order Paper.

My question is this: Do you think Bill C-25 would be stronger if it still included the sections from Bill C-65 that have been dropped?

**Stéphane Perrault:** There are other elements from Bill C-65 that do not relate to the security of the electoral process, and I won't speak to that. There is one element related to privacy that I have included in my suggested changes. That relates to the ability to opt out of the lists for concerns of security. There are elements there that could be brought back.

For the most part, this bill is really reflecting the recommendations of my 2024 report, in the context of foreign interference.

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

[*Translation*]

Ms. Normandin, you have the floor for two and a half minutes.

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

I'd like to follow up on the questions that Mr. Jeneroux asked about the misuse of confidential information. This has to do with what happened in Alberta.

When candidates receive the lists, is it made sufficiently clear to them that it's prohibited to disclose that information?

Could something be added to the Canada Elections Act to deter party candidates and other candidates from doing so in the first place?

For example, could we make a confidentiality agreement mandatory?

Has anything been overlooked that could be added to the bill?

**Stéphane Perrault:** I'll take the liberty of answering that question.

We already provide guidelines to MPs, candidates and political parties, but they aren't binding. Those guidelines call for certain physical or administrative measures, such as getting campaign workers to sign agreements, to protect the information. Some of those measures could indeed be made mandatory.

I note that, as well as adding substantive privacy rules, Bill C-25 extends the rules that would be found in the policies to candidates when they're working for the party. That means it isn't very clear whether it applies in any other circumstances. I think it's limited to cases where candidates are there on behalf of the party, not on their own behalf.

That aspect could be strengthened, then.

**Christine Normandin:** I would like to ask another question along the same lines.

Parties are increasingly using computer systems to go door to door. They're no longer using paper lists. This always comes with a risk of cyber-attacks.

Is there anything that's a bit in our blind spot when it comes to using various platforms?

Should there be better commitments regarding the cybersecurity of the platforms used, to prevent phishing, attacks or anything else?

Are we missing something?

**Stéphane Perrault:** That's a very relevant question.

Bill C-25 states that, in their policies, parties must have rules to ensure that information is protected according to how sensitive it is. This should absolutely include cyber protection aspects.

This is something we'll have to discuss with the political parties, because, indeed, it no longer happens on paper these days.

**Christine Normandin:** Thank you.

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

[*English*]

We'll now go to Mr. Cooper, who is splitting his time with Mr. Kram, I believe. I will leave it to the two of you.

**Michael Cooper:** Ms. Simard or Ms. Richard, I just want to follow up on your response with respect to the new offence of filing a nomination paper with false or misleading information. I want clarity as to whether the provision as drafted would capture a situation such as the one that there was some evidence the longest ballot committee engaged in, whereby they were alleged to have gone around with multiple blank nomination forms, had electors sign those forms, and then, after the fact, filled in a candidate's name. Would that be captured by this?

**Chantal Richard:** I would note that I believe the Chief Electoral Officer has the ability to add additional pieces to the nomination form, such as indicating that it's a contravention to sign more than one nomination paper. Through the OGI process, we could provide guidance in terms of that being considered to be false and misleading, so we would be able to use those new contraventions, which are violations, and tackle that type of scenario.

Of course, there may be facts that still get around it, but the idea is that we would be able to use those.

• (1145)

**Michael Cooper:** Mr. Perrault, would you care to weigh in?

**Stéphane Perrault:** Yes. It is my intention to revisit the nomination paper to look at the different ways in which we could instill the greatest possible clarity in that regard. That would support the work of the commissioner.

**Michael Cooper:** One way to address it is to simply add an amendment that would expressly make it an offence to induce electors to sign multiple blank nomination forms, in addition to making it an offence to submit a nomination paper with false and misleading information.

**Stéphane Perrault:** That's correct. There is a provision in the bill that deals with counselling people to commit various offences, including signing multiple nomination papers. That would not capture signing a blank nomination paper. That is not expressly addressed in the bill. It could be specifically mentioned.

**Michael Cooper:** Okay.

Go ahead.

**Michael Kram (Regina—Wascana, CPC):** Thank you.

Thank you to all of the witnesses for joining us today.

Mr. Perrault, my questions will be directed toward you.

As you are aware, this committee studied in depth some of the disruptive behaviours of the longest ballot committee. We provided a report with recommendations to the House not too long ago. One of the recommendations was to update the nomination papers to explicitly state that electors are not allowed to sign more than one paper. When we had the minister here earlier this week, I pointed out that this particular recommendation was not included in the bill. He said it was because you already had the power to do that.

I will ask you what I asked the minister on Tuesday. Is that something you are planning to act on outside of the bill?

**Stéphane Perrault:** Absolutely. Yes.

**Michael Kram:** Okay. That was easy.

Mr. Chair, how am I doing for time?

**The Chair:** You have one minute and 15 seconds.

**Michael Kram:** Mr. Perrault, you mentioned the issue of deepfakes in your opening statement. It occurred to me that if we were having this conversation even a couple of decades ago, the whole idea of deepfakes would be in the realm of science fiction. As we know, technology can evolve very quickly, and laws and regulations often fail to keep up.

I'm wondering if you feel that the rules put in place are flexible enough and robust enough that the laws can be enforced even as the technology evolves.

**Stéphane Perrault:** That's correct. I believe the wording was carefully drafted to provide some flexibility in that regard. I wish I knew the future and could guarantee that it would capture all the mischief the future will bring us. I believe it was well drafted with that in mind.

**Michael Kram:** You also mentioned in your opening statement the idea of standardized labelling mechanisms for AI-generated content. Can you briefly elaborate on how that would work?

**Stéphane Perrault:** That's something that could be done more broadly. The committee on heritage recently recommended that it be done across all communications.

In the context of the Canada Elections Act, my recommendations would be made specific to electoral communications. We would have to define in the act what is captured by electoral communications. Right now, the act certainly captures advertising, but it should be much larger than advertising. It should be communications in the electoral context made by regulated political entities, including third parties, at a minimum. It could be made broader.

The point is that electors should be aware. If they see an ad or hear an audio recording that has been modified using AI, they should be on alert.

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

We'll now go to Madame Brière.

[Translation]

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

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

Thank you to all the witnesses for being here this morning.

Mr. Perrault, you talked about the new funding rules to improve transparency and prevent funds from anonymous, foreign or obscure sources from being injected into our democratic system.

What do you think would be the risk of removing the option for third parties to fully use their own funds as a source of funding for regulated activities?

• (1150)

**Stéphane Perrault:** From my perspective, there's a balance to keep in mind when it comes to rights and freedoms. I think that Canadians, whether individuals or groups, don't necessarily plan to get involved in an election that isn't always on a fixed date. They can get engaged and participate.

If we were to require a system that would only allow them to use regulated funds, that is, contributions made for that purpose, that would force them to develop a fundraising activity in advance. That would create organizations armed with a fundraising capacity in case they ever wanted to get involved.

Beyond issues of rights and freedoms, I ask myself the following question: Do we want all organizations in Canada to become part of this constant fundraising machine in preparation to possibly get involved in an election?

I think it's important to be careful. I very much appreciate the concerns that Mr. Cooper has raised, but I would urge caution before going any further.

**Hon. Élisabeth Brière:** Given what has been set out in Bill C-25, do you think we're actually going far enough?

**Stéphane Perrault:** I wish I could guarantee that, but I can't. That's the recommendation I made, and I think we'll have to see in practice whether it needs to be strengthened. That's the nature of the legislative process. We go through experiences, and we improve things.

However, I think it would be a considerable improvement in terms of the system's integrity compared with what we currently have. It essentially means that groups doing fundraising could no longer use funds that come from abroad. That would solve that problem.

**Hon. Élisabeth Brière:** Was your recommendation based on an experience here in Canada, or did you also draw inspiration from things that are happening abroad?

Are you aware of any practices related to this?

**Stéphane Perrault:** Since 2015 in Canada, concerns have been raised about groups receiving funding from various sources, particularly in the United States. I'm not saying that it was in bad faith or malicious, but these groups have the ability to intervene with foreign funding, which raises concerns. Add that to the issue of foreign interference that we're seeing these days, and I think it becomes urgent to address these problems.

**Hon. Élisabeth Brière:** That brings me to the second point I wanted to discuss.

In *La Presse*, today or yesterday, Stéphanie Grammond informed us that Russia injects or spends between \$3 billion and \$4 billion a year to spread misleading information, and we can see that it's working. It's being discussed all over the news media. Canada reportedly spends \$20 million to \$30 million to counter this interference. Artificial intelligence also makes their job much easier. Now, bots can create this false information.

With the proposed Bill C-25, do you think we're on the right track to counteract this interference?

**Stéphane Perrault:** I think it's one part of the work that has to be done. That work is much larger. I think we need to look at it from the perspective of public education and awareness. Young people have to learn, as soon as they start school, to be better equipped to deal with the world of information they're going to grow up in.

I think the bill makes some contributions, but the problem is huge. It's complex, and it requires a lot more than that.

**Hon. Élisabeth Brière:** Yes, absolutely.

**The Chair:** There are 30 seconds left.

**Hon. Élisabeth Brière:** Okay.

Safeguards are being put in place to counter illegal attempts to influence electors' votes. The bill provides for that, but not only when elections are called. These measures also apply at all times.

What are your thoughts on that?

**Stéphane Perrault:** That was a recommendation I made. The provision, which was adopted in 2019, if I'm not mistaken, was limited to the election period. However, we see that influence activities aren't necessarily limited to that. I think that means it was necessary to make that change. That's what I had recommended.

**Hon. Élisabeth Brière:** Thank you, Mr. Perrault.

[*English*]

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

I would like to thank our witnesses.

Before we suspend for a couple of minutes, I hope to present the budget that was circulated to committee members.

Is there any opposition to the budget? Seeing none, it is carried.

• (1155)

We'll suspend for a few minutes.

• (1155)

(Pause)

• (1200)

**The Chair:** I call the meeting back to order.

Welcome back.

I'd like to introduce our second panel. As individuals, we have Charles Burton, senior fellow at Sinopsis. We also have Andrea Lawlor, associate professor in the department of political science at McMaster University, who is joining us by video conference. We have Lori Turnbull, professor in the faculty of management at Dalhousie University.

I'm sorry. This troubles me every single time, Professor Turnbull. Even though I pronounced "Dalhousie" that way, I still hold on to the fact that the St. Catherines pronunciation is right. Mr. Burton understands, having spent some time in St. Catherines.

Anyway, on that note, I will turn to you, Mr. Burton, for five minutes, please.

• (1205)

**Dr. Charles Burton (Senior Fellow, Sinopsis, As an Individual):** Thank you, Mr. Chair.

The Canadian Security Intelligence Service has characterized foreign interference by China as "the greatest strategic threat" to Canada because of its "pervasive, persistent, and sophisticated state-sponsored threat activity targeting Canadian democratic institutions". The CSIS 2025 public report, which was tabled in Parliament on May 1, continues to identify China as the most active and sophisticated source of foreign interference and espionage in Canada.

Bill C-25 responds to the specific evidence of Chinese influence and interference in Canadian federal elections, centred on intelligence assessments from CSIS, reviews by the National Security and Intelligence Committee of Parliamentarians, and Commissioner Hogue's Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions.

The urgent necessity for legislation to address the current Chinese regime's challenges to the integrity of our democratic process is underscored by two escalating threats. One, under party general secretary Xi Jinping—

**The Chair:** I'm sorry. I'll stop you there for a second. I know it's challenging with the mics, but be careful when you're flipping pages not to hit them.

Thank you so much.

**Dr. Charles Burton:** I did that the last time I was here. I'm sorry. I'm a slow learner.

**The Chair:** Please continue.

**Dr. Charles Burton:** Number one, under the party general secretary, Xi Jinping, the Chinese regime has vastly expanded the resources of the Chinese Communist Party's United Front Work Department's foreign operations. Working alongside the Ministry of State Security, this apparatus actively employs covert, coercive and corrupt means to undermine Canadian democratic institutions in the favour of a hostile autocratic regime.

Number two, rapid advances in artificial intelligence and facial recognition technology are acting as force multipliers for China's subversive machinations in Canada.

This bill is about countering bribery, intimidation, misleading publications, unauthorized computer use and social media posting of deepfakes originating inside and outside Canada.

Looking at the specific language, we have, for example, the proposed amendment to section 282.4 of the Elections Act—in the bill it is clause 8, about general elections—which says that foreign entities or powers cannot “unduly influence” electors by knowingly incurring expenses to promote or oppose candidates, potential candidates, parties or leaders.

Then we have the proposed amendments to section 349.95, about the pre-election period, and section 358, about the election period, which in the bill are clauses 19 and 23: “A third party shall use only contributions from Canadian individuals to pay for regulated expenses and shall use, as regulated expenses, only property or services that are contributions from Canadian individuals.”

All of this is high-flown language, but the practical question remains: Once Bill C-25 becomes Canadian law, will it empower CSIS and the RCMP to successfully investigate and prosecute the strongly alleged illicit campaign financing and covert interference by Chinese diplomats and their proxies in ridings such as Vancouver East, Richmond East—Steveston and Don Valley North?

There is the CSIS report from December 20, 2021, cited by David Johnston in his report as independent special rapporteur on foreign interference.

Sympathetic donors are also encouraged to provide campaign contributions to candidates favoured by China—donations for which they receive a tax credit

from the federal government. Then, the CSIS report from Dec. 20, 2021 says, political campaigns quietly, and illegally, return part of the contribution—“the difference between the original donation and the government's refund”—back to the donors.

To date, none of the individuals—a large number of individuals—implicated in these very serious allegations have faced consequences. None of the Chinese diplomats involved have been declared *persona non grata*, and non-diplomatic proxies for the Chinese regime have yet to be held accountable in a Canadian court of law.

In the absence of a robust foreign influence transparency registry, in these aspects, Bill C-25 risks being more performative than substantive. I wonder if these proposed amendments to the Canada Elections Act can effectively address the credible threat that agents of the People's Republic of China pose to Canada's electoral process.

Thank you, Mr. Chair.

Again, I thank the excellent committee interpreters for their work.

• (1210)

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

Professor Lawlor, you have five minutes, please.

**Dr. Andrea Lawlor (Associate Professor, Department of Political Science, McMaster University, As an Individual):** Thank you, Mr. Chair.

My name is Dr. Andrea Lawlor. I'm an associate professor in political science and in the master's of public policy, digital society, at McMaster University, though my comments today represent only my own views. My research focuses on third party finance, elections administration and public trust in political institutions.

I thank the committee for the invitation to speak on Bill C-25. I'll speak largely in support of the direction of the bill but also point to some limitations that, if addressed, can greatly enhance public confidence in Canada's elections infrastructure.

The bill contains many updates to the Canadian political finance regime, consistent with recommendations made by Elections Canada following the foreign interference commission, which would better protect the electoral ecosystem against threats of domestic and foreign interference.

On third parties, I acknowledge the addition of the “own funds” provision, which permits third parties to use their own money in regulated expenses, as long as it does not exceed 10% of the group's annual revenues. Restricting the acceptance of prepaid cards and cryptocurrency is also a positive change, though I would highlight that this does not entirely close off the possibility of foreign funds.

The increase of the investigative and disclosure powers of the commissioner of Canada elections and their ability to levy greater administrative monetary penalties will give electoral administrators the ability to address contraventions of the act with greater efficacy. I would equally encourage the legislature to ensure that increases to these penalties continue to reflect the economic environment, as it is always a risk that underpowered AMPs may be seen by malevolent actors as the cost of doing business.

I would point to the enhancements to part 17.1 of the act that bring nomination and leadership contestants into the act on prohibition against false or misleading information. Changes that address deepfakes and AI-generated images move in the right direction, though I would caution that there are more ways for AI to be leveraged by bad actors to disrupt Canadian elections than the act currently contemplates.

Perhaps of greater importance, however, are the amendments made to the act around personal information data handling. I support changes that require parties to create security safeguards where there is a real risk of significant harm to an individual involved in a data breach, though “significant harm” excludes many violations to privacy that could still suppress democratic participation. Yet, I would argue that, even under this new legislation, too little is being required of political parties when it comes to protecting voter information. As this committee well knows, political parties are private organizations. Although they are the recipients of considerable public monies, they do not fall under PIPEDA.

At present, data-driven campaign practices such as microtargeting, precision ads and voter relationship management platforms have virtually no oversight and no mechanisms for disposal of data, for right of access, for ability to obtain corrections or for citizens to withdraw their consent to the use of their data. While the act does require parties to disclose data breaches and imposes some technical safeguards, these remain limited. Most concerning is that the new provisions around data safeguards are reliant on parties passing their own internal policies that contain these measures, rather than by statutory requirement.

When we consider the vast volume and variety of data that parties collect on Canadians beyond standard demographic factors—which may include religion, number and age of children, and personal economic data—it is not difficult to see the potential for exposure. Indeed, the recent data breach in Alberta, where personal information of millions of Albertans was made available in an on-line searchable database, highlights that internal party mechanisms may not be sufficient to protect voter data, and they give the public little recourse. The legislation can proactively address this by standardizing breach notification practices and by creating strong prohibitions around the sale, transfer, disclosure and use of personal information and strong penalties where those laws are contravened.

Finally, I would emphasize a concern around oversight and enforceability. Canada's Privacy Commissioner has been given no new powers to work alongside Elections Canada or the commissioner, missing an opportunity to leverage the body that has expertise in privacy auditing and enforcement.

Other jurisdictions, such as the EU, the U.K. and New Zealand, have strong privacy protection laws, including GDPR and ICO

guidance. Quebec and British Columbia have been leaders in protecting citizens from parties' non-commercial uses of personal data, but Canadians are looking to the federal government to provide leadership.

Thank you.

• (1215)

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

We will start with the Conservatives and Mr. Cooper.

No, I'm sorry. Dr. Turnbull is next.

My apologies, Dr. Turnbull. You must think I'm bullying you with the Dalhousie jokes and then excluding you.

You have five minutes, please.

**Dr. Lori Turnbull (Professor, Faculty of Management, Dalhousie University, As an Individual):** Thank you, everyone.

Thank you to the committee for inviting me to be part of the conversation.

I think the measures included in Bill C-25 are very important to the health of democracy in Canada, and I welcome the chance to talk about this in more detail.

I need to start with a disclaimer. As you know, several of the measures contained in Bill C-25 have connections to the report of the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions. It was my pleasure to serve as one of the four members of the research council who worked with Justice Hogue throughout the course of the commission and in the creation of the final report. While I could not be more excited and more proud about my connection to that exercise, I want to stress that I'm here today as an individual. Nothing I say should be interpreted as reflective of how Madam Justice Hogue feels about anything or how anybody else who worked with the commission feels.

The scope of Bill C-25 is wide-ranging and contains measures aimed at dealing with foreign interference, ballot manipulation, disinformation, the misuse of personal data and other things. I'm sure we'll get to all of that, so I'm going to limit my opening comments to one thing that I wanted to raise about the bill.

It would extend the reach of the law, and therefore Elections Canada, further into the span of activities run by political parties, specifically nomination and leadership contests. For example, the bill would extend the prohibition on the use of broadcasting stations outside of Canada to influence voters to the nomination and leadership contests and contestants. It would extend the ban on the use of foreign funds, services and property for promoting advertising to leadership and nomination contests and contestants. It would also amend the definition of partisan activity in section 349 to include leadership contests.

This is a really important part of the bill, because it recognizes that those nomination and leadership contests are not solely the purview of political parties, but they are really important parts of our election process. Without those measures, the only way Elections Canada provides any oversight of the leadership and nomination contests is largely through watching the money, whether it's through contributions and spending or with candidate registration in the nomination process. Once the party confirms the candidate, they tell Elections Canada, and then the name is on the ballot, obviously. Because of the emergent challenges we have, there's a need to think about going a step further. The bill does that, at least in an initial way.

We all know that nomination and leadership contests have become the subject of some media attention in recent years. That is often because there's a concern that they are a vulnerable part of the election system and could even be a target for different types of interference, including foreign interference. An editorial in *The Globe and Mail* on November 27, 2025, referred to these exercises as “a massive weak spot in Canadian democracy” because they are “almost completely unregulated.”

Parties tend to resist the infiltration of Elections Canada officials into their nomination and leadership contests, arguing that they are private clubs that run their own affairs. There's a lot of value to political parties being able to run themselves according to their own values. It means that Canadians have a real choice between parties. It's important to do that. There's also an increasingly complex grey area where a private club is also a custodian of public office, which is what makes it so compelling to so many people. We need to think about different ways this space can be regulated appropriately.

I welcome the fact that the bill takes a step in that direction. I just wanted to flag that before we get into all the details of the bill.

Thank you.

• (1220)

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

Now we will turn to Mr. Cooper for six minutes, please.

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

I am going to direct my questions to Mr. Burton.

The PRC, for all intents and purposes, has its largest diplomatic footprint in Canada. It has nearly three times as many accredited diplomats in Canada as it does in Australia, despite Australia having much stronger trade ties with Beijing, a comparable population to Canada's and a comparably sized diaspora community. In fact,

the PRC has roughly the same number of accredited diplomats in Canada as it does in the United States.

Given that, is it fair to say that the reason Beijing has such an outsized diplomatic presence in Canada is that Beijing sees Canada as a soft target for its foreign interference and transnational repression activities?

**Dr. Charles Burton:** Yes, I think so. I was quite surprised to find out that in addition to the very large embassy on St. Patrick Street, the Chinese authorities have other buildings in Ottawa to accommodate their diplomatic cohort, which is, I think, something like three or four times that of Japan and an even higher multiple of what we have for the Indians currently.

Assuming that Chinese diplomats work as efficiently as diplomats of other countries, one cannot but assume that a large number of the people whom we have accredited as diplomats in Canada are engaged in activities that are not part of legitimate diplomatic activities. We expelled one single Ministry of State Security agent, Zhao Wei, when there was some exposure in *The Globe and Mail* about his activities to potentially intimidate the family of the Conservative foreign policy critic Michael Chong, but I think there are a lot more of them.

The question really is this: Why do we have so many more Chinese diplomats accredited to Canada than we have Canadian diplomats accredited to China? I don't really understand it. How did this situation arise? Seeing as how it's within the rights of a country to agree or not agree to a diplomat based on what their function is supposed to be—the Chinese have attempted to have police stationed in Vancouver and we refused—why don't we determine how many diplomats they need and declare the rest of them *persona non grata* and send them back to Beijing? That would reduce the problem that I've tried to identify, which is that we haven't been able to deal with these revelations that have come through in the past couple of years in the Hogue commission and the CSIS documents.

Similarly, next month is the second anniversary of enacting Bill C-70, which is the Countering Foreign Interference Act. I've been watching it pretty closely, and I haven't seen any evidence of any foreign interference being countered whatsoever over the past two years.

I think maybe addressing it at the source, as you suggest, would be a better idea.

**Michael Cooper:** With respect to Beijing's accredited diplomats, it's not just looking at the number and speculating that these diplomats are involved in foreign interference activities and transnational repression. It is well established, isn't it?

**Dr. Charles Burton:** Yes, I think we do have evidence of this going on, because of the activities that the leaked CSIS assessments, which subsequently have been affirmed to be genuine, have been warning the government about. There's no question that Chinese diplomats are very active in activities that are not consistent with normal diplomatic function.

**Michael Cooper:** I would add that Madam Justice Hogue concluded that the PRC's Toronto consulate interfered in the 2019 Don Valley North Liberal nomination to support Han Dong, who became the Liberal candidate and then a Liberal MP. Beijing's Vancouver consulate had its fingerprints all over interference activities in the 2021 election in the Lower Mainland to defeat Conservative candidates, including targeting the then MP Kenny Chiu with a mass disinformation campaign. Joe Tay, the Conservative candidate in Don Valley North in the 2025 election, had a bounty placed on him by Beijing, and there's credible evidence that Beijing's Toronto consulate was involved in intimidation and voter suppression tactics in Don Valley North.

In the face of these egregious and blatant attacks on our sovereignty and our democratic processes, the Liberal government has done absolutely nothing to deal with the Toronto consulate or the Vancouver consulate, has it?

• (1225)

**Dr. Charles Burton:** No, and I think what we're looking at here is a very large Chinese Communist Party operation, whether it's the United Front Work Department or otherwise. If you look at the rank of the Chinese consul general in Vancouver, this person has a much higher rank in the Communist regime than one would expect for someone who is a consul general in a single North American city, suggesting that their responsibilities far exceed their diplomatic function.

**Michael Cooper:** Not a single diplomat has been expelled for these interference activities. You cited Zhao Wei, but outside of Zhao Wei, not a single diplomat has been expelled. Is that correct?

**Dr. Charles Burton:** Yes, and I'm discouraged. I did make a recommendation to the Hogue commission that we look into that. So far, it hasn't been acted on.

**Michael Cooper:** There was not a single accredited diplomat summoned. Has the ambassador been summoned in respect of these specific activities related to interference in our elections?

**Dr. Charles Burton:** Not that I'm aware of.

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

We will now go to Ms. Kayabaga for six minutes, please.

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

Thank you to my colleague for allowing me to go first.

I want to welcome all of you back to our committee. I appreciate the time that you take to help us move along this really important conversation for Canadians.

Dr. Turnbull, I'll start with you.

The Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions confirmed that our elections remain secure, in large part. No democracy is immune to growing threats to elections that attempt to undermine confidence and erode trust in our democratic electoral process, and that's why we must continue to ensure that our democracy remains one of the strongest in the world and that it continues to be protected from ongoing threats whenever they arise. In that vein, I think we can all agree

that it is past time for the recommendation of the public inquiry into foreign interference to be implemented.

My question for you is this: Could you comment on the importance of applying election protections against undue foreign influence, offering or accepting a bribe, broadcasting outside of Canada and misleading publications year-round?

**Dr. Lori Turnbull:** Are you asking about the importance of this for elections, or broadly?

**Hon. Arielle Kayabaga:** You can speak to both.

**Dr. Lori Turnbull:** I want to start with some of the things you said prior to the question, because I think that's really important. Democracies—Canada and elsewhere—are facing a very serious array of threats to the health of democracy. I don't think we can regulate or legislate our way out of all those things.

As much as we want to make sure the legislation is an appropriate tool to deal with the problems and we want to make sure we get it right—we don't want to pass legislation and then say, "Look, there are a whole bunch of gaps that we didn't get to" and miss the mark—there's only so much, with respect to the health of democracy, that a piece of legislation can achieve, even if it's done really well. The health of democracy is going to relate to things like civic literacy, voter engagement and voter trust in processes—voters knowing that the processes that elect people are secure and have integrity and that there's accountability if things go wrong. There will be some accountability and a price to pay if people break the rules, and the public needs to know that.

As much as we know we are not the United States, we can see sometimes when the Americans are having real conversations and real disagreements about how they're going to count votes and people not wanting to abide by or not wanting to accept results they don't like, and those sorts of conversations have a big effect on us.

I say all of that because I think it's important to note that there are things we can do to boost the health of democracy that we are going to rely on no matter how good the legislation is. It's not going to work if people aren't really engaged. In terms of making sure we say it out loud and put it in law that we do not tolerate undue influence from foreign actors, it's really important to let voters know that it is wrong, that it is not appropriate and that it is not something that is part of a healthy democracy. Our decisions as an electorate have to be our own.

There are always going to be foreign actors who will talk about what they want to see in a Canadian election, but there's a difference between interference and influence. I think that's why we say "undue influence" in the law. It's about not spending money on it, not doing it in a way that's clandestine and not doing it in a way that undermines the legitimacy of the result. As much as people from other countries will absolutely talk about who they think should win a Canadian election, we can handle that; that's okay. It's the actual campaigning activity that could happen that we want to get our arms around.

• (1230)

**Hon. Arielle Kayabaga:** I agree with you.

One of the other key measures in this bill is addressing deepfakes and false information. I think this bill is going to go a little farther in addressing when people use false information about candidates, propagate it and provide it to electors in the vein of trying to dissuade them or cause an election to go a certain way.

I wonder what your thoughts would be around that prohibition of false information sharing where it is shown that the person knew a statement was false but still framed it as something a candidate had said. What are the measures and what's the threshold? What are your thoughts around keeping the trust of our electors in our democracy, as well, as we move toward that step?

**Dr. Lori Turnbull:** We're asking people to be very discerning when it comes to how they allow themselves to be affected by information, in order to understand the difference between information, disinformation and misinformation. We're asking people to be savvy about that. It stands to reason, to me, that if we're going to do that, then we also have to make sure we're protecting a space around elections where people can trust that those contesting the elections are not going to be able to use sources of information or data that allow them to misrepresent things.

We need to strike a balance and make sure we're not censoring, but at the same time, there are reasons to do it.

**Hon. Arielle Kayabaga:** What do you think is the threshold to make sure we're not including personal opinion and what is considered parody?

**Dr. Lori Turnbull:** That's a harder one. I was trying to answer the easy stuff, but that's really hard.

In a lot of ways, we've had some trouble with this before. I don't remember how many years ago this was, maybe seven years ago, but the government tried to make a change to prohibit false information even if the person didn't know it was false. It was overdoing it to the point that it was really difficult to try to justify that, because it went too far, but at the same time—

**The Chair:** I'll have to cut you off at that point. My apologies.

[Translation]

Ms. Normandin, you have the floor for six minutes.

**Christine Normandin:** Thank you to all the witnesses.

I have questions for everyone, but I'll start with you, Mr. Burton.

You talked about foreign agents being able to use proxies to fund candidates backed by foreign actors. You mentioned the fact that people are often given the amount that corresponds to what they pay out of pocket, because part of the donation is reimbursed through tax credits. Based on that logic, when someone makes a \$400 donation and receives a \$300 tax credit, the foreign agent pays \$100.

In a way, isn't the government funding foreign interference through this tax credit?

[English]

**Dr. Charles Burton:** Yes, that's how this scam worked. Presumably, the refunds were made through these police stations, these covert off-site institutions serving the Chinese government's inter-

ests. I don't think the people who received the money went to the Chinese embassy and got it from there.

It is indicative of problems in our enforcement of Canadian law. Everybody who was involved in this scheme clearly knew that it was illegal. There's no ambiguity about it. You were being given an under-the-table refund for your donation.

I'm just beside myself, but the issue for me really is whether it will stop. Are we actually going to prevent this behaviour from persisting in the next election in certain ridings that the Chinese state has identified as amenable to its subversion? The question is about what the rewards are for this. Some of it is the rewards that the people colluding with agents of the Chinese state are receiving back in China. How do we trace that kind of scheme, which is transnational and covert and corrupt?

• (1235)

[Translation]

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

As I understand it, given the current system, when the government gives a tax credit to intermediaries who make donations, it's paying for the interference with its own money.

Whether or not we agree with the principle, if the tax credits were abolished, that could have an impact on foreign interference.

Ms. Turnbull, I see that you want to respond to that.

I'd like to hear both of you comment on that.

[English]

**Dr. Lori Turnbull:** To the point you raised about what our opinions might be, it's important to have public funding for political parties. I would be in favour of reinstating the per-vote subsidy. I was sad to see that go. I think it's important for parties to have some base of funding to be able to compete and keep the lights on. There have been a lot of negative implications, frankly, of the struggle to try to recruit donations. You can donate up to about \$1,700, but most people don't donate anywhere near that, and you end up having to compete for these tiny bits of money. That's a lot of what leads to some of the toxic rhetoric we see in politics a lot of the time, but that's a whole other thing.

It's 100% in the public interest to have public funds directed to political parties, but I completely agree with my colleague: If that money is then being used to turn around and give a tax credit for money that should never have been given in the first place, then, yes, it's part of the problem.

[Translation]

**Christine Normandin:** Ms. Lawlor, I'd like to ask you a question about data protection.

Parties often use third parties to get computer services for managing door-to-door data. As I mentioned, parties are no longer working with paper lists.

Can you give us any suggestions on how we could ensure that the organizations or companies that provide these computer services guarantee cybersecurity for data?

Have you given more thought as to how this could be regulated?

[English]

**Dr. Andrea Lawlor:** Thank you so much for the question.

You are absolutely correct in identifying third party data brokers as an important source of information for political parties and other organizations, ones that are currently not adequately captured under the legislative framework. These are commercial bodies that are selling or transferring information to and from political parties and are absolutely sites of potential data breaches. They operate on the fringes of political parties or in consultation with political parties but aren't restricted in the same way that political parties are, so it's really up to political parties, at this juncture, to regulate their own behaviours through their own internal policies. It does represent a site for potential misuse of voter data.

We can see in the Alberta example—there are also other examples across jurisdictions where we have seen violations of people's individual privacy rights because of these breaches that can occur at that juncture—that these bodies, as commercial bodies, are also playing a really important role in our democratic exercise but aren't caught by the legislation.

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

Mr. Jackson, you have five minutes, please.

**Grant Jackson:** Thank you, Chair.

Thank you to the witnesses. It's nice to see you both again.

Dr. Turnbull, I'm going to direct most of my questions to you.

You've testified at this committee in previous Parliaments on this topic, and I've gone back, because when the minister and his team were here, I was trying to get to the bottom of a scenario that, as a new member of Parliament, I find a bit odd. I would argue that most Canadians probably have no idea that foreign money ends up in third party hands, which they can then use for election purposes; I don't know that it's widely understood by the Canadian general public. Under the provisions of the act, there's still the 10% loophole that they're arguing is necessary.

When you were being questioned by Mr. Richards, you said, "I'd be happy if for political contributions that are kept in a separate bank account, like the bill is advocating, those limits applied all the time. I fear that's not going to survive a court challenge."

I'm curious if you could outline your thoughts on that in more detail.

• (1240)

**Dr. Lori Turnbull:** I think that was probably in 2018.

**Grant Jackson:** Yes, I believe so.

**Dr. Lori Turnbull:** Not knowing exactly what was in my head at the time, I will try to extrapolate what I would say to that now.

**Grant Jackson:** The minister and his team said that having third parties be allowed to use zero contributions would not survive a

court challenge. I'm trying to understand why it would be a charter infringement for third parties to not be allowed to use foreign money in Canadian election activities. I just don't understand.

**Dr. Lori Turnbull:** I don't know why it would, either. I wonder if it has to do with what the third party would have to prove: that if they have the money, it's part of their own funds and it's there for a period of time. At a certain point, if this foreign money got into the account with their own funds and it was there for a while.... What if, at some point, if there's a 10% threshold, it was used for something in the space of regulated activity? Would a third party be held to account for that after a certain period? Could it be proven that's exactly what they intended to do?

I'm going to have to look this up, because I'm not 100% sure why, but I wonder if it has to do with being able to be fully accountable for that, especially after enough time has gone by.

**Grant Jackson:** My additional concern here.... We were talking about the year prior to a pre-writ period; that is the period for which they're going to hold accountable the financing from foreign contributions. Foreign actors are going to read this bill, when it becomes law, and they're going to understand that, now that we're in a majority situation, there's a set election date. There's obviously some flexibility in that, but they'll have a general sense of what year the election is going to be in. If it's not contributions.... Let's say a foreign actor contracts services with a third party for \$1 million in the year prior to the year prior. That would be considered revenue rather than a contribution, because they've purchased a service. That money could still theoretically be used three years down the road by the third party to work on campaigning.

**Dr. Lori Turnbull:** Yes.

**Grant Jackson:** Their revenue has now increased. That 10% becomes higher, because the revenue of the organization is higher, based on the contracting of those services.

**Dr. Lori Turnbull:** Yes.

**Grant Jackson:** Is there a way to deal with that? I think that's a backdoor loophole too, which should be addressed. The foreign actors are smart. They're going to catch on to this provision very quickly.

**Dr. Lori Turnbull:** Of course they're smart. This is their business. They want to do this, 100%. This is not a hard code to crack, obviously.

The only way you're going to be able to make sure that none of those foreign funds get into the election orbit at all is to absolutely enforce a separation of accounting, wherein all of it goes into this fund over here and is not allowed to cross-pollinate with any money that could legitimately be used for regulated expenses.

Now, groups would be affected differently by this, obviously. A lot of groups that act as third parties in elections have whole other lives, with whole other services they provide. They might have entirely legitimate reasons to receive funds from outside Canada in order to do whatever their operations are, whereas some third parties probably have no interaction at all in their operations with foreign entities. They would get no foreign money for legitimate reasons. Putting the onus on third parties by saying, “You have to keep your money separate”, and thinking that this is important enough.... It's a loophole, 100%.

**Grant Jackson:** Thank you.

**The Chair:** We'll now go to Mr. Jeneroux for five minutes.

**Matt Jeneroux:** Thank you, Chair.

I was going to start my questions with Ms. Lawlor, but I might follow up on some of that, because some of it pertains to the first hour of questioning, as my colleague from across the aisle indicated. In response to a question in the first hour today, it is my understanding that the charter argument referenced by the minister and the Chief Electoral Officer relates to freedom of speech. The argument is that it's important that the door be kept open by 10% to enable third parties to use their own funds when they're generally generated from Canadian sources—for example, things like membership dues.

Ms. Turnbull, I'm hoping you can speak to some of that.

• (1245)

**Dr. Lori Turnbull:** Thank you.

That part makes sense to me. I completely get the freedom of expression argument.

However, it strikes me that you could have that in place and still ask for separation in the organizing of funds. If you want to make sure that none of that 10% of the owned funds includes money that comes from a foreign entity, you could ask for a separation of funds. That would make sure they don't make it into the 10%. I'm fine with the 10%. I don't think that's a problem.

I think the freedom of expression argument holds fine, but if we want to make sure none of the foreign funds are used for that, we have to ask for a separation of those funds altogether.

**Matt Jeneroux:** I appreciate that. I wanted to throw that into the context and terms of the conversation we're having.

Ms. Lawlor, I want to get to you, particularly when it comes to your dissertation, entitled “Administering Electoral Democracy: The Administrative Constitutionalism of Canadian Federal Election Law”.

You indicated your support for the commissioner of Canada elections being able to enter into information-sharing agreements, as proposed by Bill C-25. I'm hoping you can expand on some of your testimony to this committee and why that's an important measure.

**Dr. Andrea Lawlor:** Yes, I do agree with the changes that have been made to the act that empower the commissioner of Canada elections to a greater degree, both in terms of the investigative powers that they'll now possess and in terms of the powers to transfer

information in reciprocal relationships with other governments or actors.

This is part of the recommendations that came out of the foreign interference commission that suggest that the commissioner should have greater latitude in order to do the work that is traditionally done by the office of the commissioner. Often in the past, as I believe the commissioner indicated this morning, there's been a certain amount of discretion that has been exercised by that office so that, while people are being caught by the act, the appropriate mechanism for dealing with a contravention is set up to address the type of contravention and also the nature of the actor.

For example, there was a past instance wherein a number of university students ran afoul of the act, likely in ways they did not understand. In that case, is a large administrative monetary penalty the right move? No. We wouldn't want to suppress the activity of university students, who are becoming acclimatized to the political ecosystem. In that sense, it is important that the commissioner has that sort of discretion to issue smaller orders or letters or use other approaches to dealing with contraventions.

What Bill C-25 does contemplate is the fact that the commissioner is a very powerful actor—or has the potential to be an even more powerful actor—in making sure that the information circulating in the background with respect to potential data breaches, potential misuse of funds, undue foreign influence, undue influence even in the domestic context.... The commissioner can be more proactive in addressing these types of potential infractions or contraventions of the act.

**Matt Jeneroux:** That's great. You've covered my second question, so I'll skip down.

In some of your testimony, you talked about why you agree with the provisions in Bill C-25 to extend to leadership contests the existing prohibition of third parties from using foreign funds for partisan activities related to elections and nomination contests. I'm hoping you can elaborate on some of your comments there.

**Dr. Andrea Lawlor:** Generally speaking, I believe the laws that exist around third party finance regulation have been quite strong in Canada. There's always room for improvement. I think Bill C-25 gestures in this direction, particularly with the own funds provision.

I'm pleased to see that the act is bringing in nomination contests and leadership contests to a greater degree in a number of dimensions, in terms of protecting both the activities of the parties themselves and also the Canadians who make up these parties.

I do think that one of the advantages of the own funds provision, as you asked Dr. Turnbull, is the fact that it does make some space for third parties to continue to engage in political expression, as contemplated by section 2(b) of the charter and as the Supreme Court of Canada has mentioned in much of its jurisprudence around third parties, from Figueroa to Harper and Working Families. We see evidence that the third party regime continues to promote that egalitarian approach to third party finance while still providing opportunities for organizations—

• (1250)

**The Chair:** I'm going to have to cut it off there. I do apologize. You'll have other opportunities.

We'll turn to Madame Normandin.

[*Translation*]

You have the floor for two and a half minutes.

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

Ms. Turnbull offered her comments earlier. I'd like to hear yours, Mr. Burton, on the idea of reinstating public funding for parties, potentially capping the possible donations or eliminating the tax credit.

Without commenting on the philosophical aspect of the matter, could a reflection on these issues have a positive impact on the fight against foreign interference?

[*English*]

**Dr. Charles Burton:** It's similar to what Ms. Brière was saying. The Chinese and the Russians have enormous resources that they're dedicating to this kind of work. The United Front Work Department of the Chinese Communist Party is a couple of times the size of the entire Chinese foreign ministry. They're dedicating a terrific amount of effort to this.

I feel that they will always find some way to do an end run around us or find some kind of loophole that will allow them to exert influence where they feel it should be exerted. Certainly, this particular scheme about getting a lot of people to donate and then get the refund is one. Other methods of funding also can arise. I just think that they will do more and more.

As I said in my opening statement, they are expanding their resources to their Canadian operation significantly. AI and other computer-enhanced methods allow them to do it much better. This includes the very serious problem of disinformation, particularly within the community that get their information in the Chinese language.

[*Translation*]

**Christine Normandin:** Ms. Turnbull, you raised the idea of having more regulation for nomination contests, particularly through means other than financial regulation.

Do you have any ideas or theories on that?

[*English*]

**Dr. Lori Turnbull:** I think it's important, for example, to take some of the pieces around undue influence by foreign entities, and things like that, and apply them specifically to leadership and nomination contests. We know it happens. We know that foreign actors see these contests as part of the electoral process and also a space that might be easier to penetrate than elections at the ballot box, where people are showing up and casting their ballots in person. We don't really hear that the issues are in ballot box intimidation in Canada. That's not what we hear about. We hear about other issues that are making it possible for foreign influence to potentially happen. It's not like political parties are saying, "Yeah, we'd love to have someone come and influence." It's not that. Parties have rules

about who can participate in these. You have to be a member of the party, obviously. You all know this better than me.

Giving Elections Canada the ability to go after someone who has violated this law is important. To make it—

**The Chair:** I'll have to cut you off there, my apologies.

I will go to Mr. Cooper next.

I will warn you in advance that I will cut you off at five minutes.

**Michael Cooper:** Okay, thank you very much.

Professor Turnbull, we heard from the Chief Electoral Officer in the previous hour, who acknowledged that there are no real safeguards to prevent foreign actors from exploiting the exception with respect to third party financing, where third parties could use their own funds in terms of purchasing goods or services or funnelling money into those entities, which could then be used for regulated activities by third parties. It's a loophole. You called it a loophole. I agree that it's certainly a loophole.

In answer to Mr. Jackson, you said that a solution would be some sort of separation of funds or separate accounting. Could you elaborate on what fix could be made to close that loophole as well as possible?

• (1255)

**Dr. Lori Turnbull:** The only thing I can think of is for third parties.... If you are registered as a third party, you have to make representation to Elections Canada already; you're part of the system. As acknowledged, as a third party you have requirements under that. If you kept foreign funds completely separate from domestic funds—for whatever reason they're coming, whether it's for a service or whatever—when you get to the point of spending for regulated activities, you know that the money is only coming from money that you received domestically.

They're also subject to audit. If the punishment is bad enough, it would discourage them from doing it.

**Michael Cooper:** Why not simply require third parties to set up a separate bank account and use funds from that bank account, from donations from individual Canadians, for regulated activities? Why not simply do that? This bill seeks to do that, but there's this big loophole that makes it very easy to get around.

**Dr. Lori Turnbull:** I agree with you.

In my view, I don't think that would create an onerous responsibility on the part of third parties, even small ones.

**Michael Cooper:** Thank you for that.

Mr. Burton, what are your thoughts on this?

**Dr. Charles Burton:** I'm with you on this. I think it's an issue that should be addressed by amendments made by this committee.

**Michael Cooper:** I have to think that this is the type of loophole that the United Front Work Department at the PRC would exploit.

**Dr. Charles Burton:** Definitely. They look for any loophole and opportunity to exploit our free and open system to further Chinese interests in Canada. They have such a big operation and so much coordination and capacity that there's no loophole that they're not going to go through, frankly, based on my 50 years of experience dealing with that regime.

**Michael Cooper:** Mr. Burton, I want to follow up on your opening statement regarding the foreign influence registry. You noted that it's been two years since the legislation was passed. Two years later, we don't have the registry up and running. Are you concerned that the government is dragging its feet?

Second, are you concerned about the independence of the commissioner and the impact that this will have on the effectiveness of the registry once it is fully up and running?

**Dr. Charles Burton:** Yes, I am concerned about the role of Sébastien Aubertin-Giguère, the civil servant who has been designated as the foreign interference coordinator, and whether he would in effect be preventing Anton Boegman, who has been appointed as the commissioner, from acting independently.

Mr. Boegman's office has not been very well funded, so I am concerned about whether the government genuinely wants a robust and effective foreign influence registry that's independent from the ministry and the Prime Minister's Office.

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

[Translation]

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

**Hon. Élisabeth Brière:** Thank you, Mr. Chair.

I'd like to go back to the question that was put to Ms. Turnbull in the first hour. It was about a 10% threshold for contributions. We heard the response from the Chief Electoral Officer and the discussion between Mr. Cooper and Ms. Turnbull.

Ms. Lawlor, what's your point of view on this?

• (1300)

[English]

**Dr. Andrea Lawlor:** There is no perfect political finance regime that absolutely prevents the interference of foreign monies in the Canadian political process.

As I believe the CEO said this morning, we are always looking for a balance between not encouraging political chill in the environment of political communications on behalf of political actors and, on the other hand—and Canadians feel very strongly about that—ensuring that foreign money doesn't enter our elections in any meaningful way that could impact outcomes or even impact individual vote calculus.

Creating this balance is a very difficult legislative task. The 10% in owned funds may still invite mechanisms or ways in which foreign money could, in a very indirect way, enter into it. It doesn't completely exclude that possibility, but we see the ways in which government legislation—in tandem with other pieces of elections legislation, such as regulated spending limits—has ensured that this sort of influence could only go so far.

The 10% provision needs to be read with the other elements of election law to determine the extent to which it can prevent foreign interference. It may be imperfect, but it may create some of that balance in allowing political expression for actors such as unions and corporations, which have otherwise—and I think quite rightly—been prevented from making monetary contributions in other ways.

[Translation]

**Hon. Élisabeth Brière:** Thank you very much.

We know that our system is very robust and that this is important for ensuring the transparency of the electoral process.

Do you think that what's being proposed in Bill C-25 will still ensure this transparency and preserve the strength of our fundraising system in the electoral process?

[English]

**Dr. Andrea Lawlor:** I do believe the transparency provisions that exist within the bill to ensure that third parties identify the source of the funds are a step forward.

Once again, I do not want to say that there is no way in which money could still be shuttled through—as I think my colleagues Dr. Turnbull and Mr. Burton pointed out—but I also struggle to think of political finance regimes where there is not some back door. I don't want to suggest that by simply removing the 10% owned funds contribution we have a *fait accompli* and we have solved political finance.

I do think there is value in having political expression from different actors in the political environment. I would suggest that the previous legislative changes, under successive Liberal and Conservative governments, that have restricted campaign spending and put limits on fundraising also go a good part of the way to preventing foreign influence.

What I would say is that this is very much an iterative process. If this provision does go through as it is currently written, we will see, in the next election cycle or two, just how effective it is and how it affects the number and type of third parties that will participate in Canadian federal elections.

[Translation]

**Hon. Élisabeth Brière:** Do you agree with extending the measure to leadership races?

[English]

**Dr. Andrea Lawlor:** Yes, I believe this has been a neglected area of Canadian political finance law. Bringing in nomination contests and leadership contests is a very important next step in making sure that Canadians can trust the different stages of the electoral process. While we have had some transparency, in auditing that takes place by Elections Canada, I think this bill pushes that in the right direction by bringing in those two types of competitions. Even though they are competitions that happen at the level of the private organization of the political party, I think it will enhance public confidence in our election processes.

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

I'd like to thank all of our witnesses today.

[*Translation*]

The meeting is adjourned.

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