

# **The Electoral System of Canada**

**4th Edition**



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# Table of Contents

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<b>Foreword.....</b>	<b>5</b>
<b>The Political System.....</b>	<b>7</b>
The Basics.....	7
Representation in the House of Commons.....	8
First Past the Post.....	9
<b>Pillars of Electoral Democracy .....</b>	<b>11</b>
Electoral Integrity .....	11
Participation, Fairness and Transparency .....	11
Secrecy and Privacy .....	12
Adaptability.....	12
<b>Elections Canada.....</b>	<b>13</b>
Role, Mission and Goals .....	13
Non-partisan and Independent .....	14
Appointment of the Chief Electoral Officer .....	15
Funding .....	15
The Commissioner of Canada Elections.....	15
The Broadcasting Arbitrator .....	16
<b>Main Activities .....</b>	<b>17</b>
Managing Field Operations.....	17
Maintaining the National Register of Electors.....	17
Electoral Geography .....	18
Accessibility.....	19
Operational and Strategic Planning .....	20
Policy, Research and Analysis .....	21
Outreach Program .....	21
Overseeing Political Financing.....	22
Taking Advantage of Information and Communications Technology .....	23
International Co-operation .....	23
<b>The Federal Electoral Process .....</b>	<b>25</b>
Preparing for an Electoral Event.....	25
Launching an Election .....	28
Voting .....	32
The Results.....	36
Election Reports.....	36
By-elections .....	37
Referendums .....	38
<b>Political Financing .....</b>	<b>41</b>
Contribution Limits.....	41
Tax Credits for Political Contributions.....	42
Expenses Limits .....	43

Reporting.....	43
Reimbursements for Candidates .....	45
Reimbursements for Political Parties.....	45
Audit Subsidy for Registered Electoral District Associations .....	45
Regulation of Third Parties.....	45
<b>How to Contact Us .....</b>	<b>47</b>
<b>Appendices.....</b>	<b>49</b>
Appendix 1: Evolution of the Federal Electoral System .....	49
Appendix 2: Further Information on Canada’s Electoral System Since 1867 .....	55

## Foreword

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Canada's electoral system is the outcome of a process – spanning more than 140 years since Confederation – through which Canadians have progressively overcome exclusions from the franchise and barriers to voting to achieve the universal, constitutionally guaranteed right to vote and to be a candidate in a federal election.

During a federal election period, public attention tends naturally to focus on the excitement of the political campaigns, taking for granted the administrative machinery that surrounds and supports voting. But in addition to voters lists and polling stations, there are many measures in place to ensure access to the ballot and help safeguard the right to vote – such as multilingual election information, website accessibility, level access at polling stations, mobile polls, special ballots and advance polls.

*The Electoral System of Canada* explains how this administrative machinery works at the federal level. It begins by taking a look at Canada's parliamentary system and describes the electoral process, including what happens behind the scenes at Elections Canada, its role and activities. This book also outlines the main characteristics of elections and referendums, describes how electoral boundaries are redrawn and summarizes the regulatory framework for political financing.

The aim of Elections Canada is to support the informed participation of every citizen in our country's democratic process. We seek to ensure an accessible electoral framework that Canadians trust and use, thereby contributing to the overall health of Canadian democracy.

Marc Mayrand  
Chief Electoral Officer of Canada



# The Political System

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*What is the foundation of Canada's political system?*

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## The Basics

Canada's political system is based on that of the United Kingdom. It is a constitutional monarchy, composed of the Queen of Canada, who is officially represented by the Governor General (or by a lieutenant-governor at the provincial level), the Senate and the House of Commons.

There are 105 seats in the Senate, whose members are appointed by the Governor General on the recommendation of the Prime Minister. The House of Commons has 338 seats, held by members elected by citizens who vote in general elections or by-elections. The Government originates in the elected House of Commons. According to the principle of constitutional monarchy, therefore, the Queen rules but does not govern.

The Canadian Constitution is a mixture of unwritten conventions, written Acts and judicial decisions that together form the political system. It defines the jurisdiction and powers of the federal, provincial and territorial governments, each of which is responsible for the administration of its own elections.

### Overcoming Canada's Geography

Canada's electoral system has evolved in response to the country's geography. Our population, though not large in global terms, is spread over an immense land mass spanning six time zones. As a result, some electoral districts are huge and sparsely populated. Nunavut, for example, sprawls over 2,093,190 square kilometres and comprised 31,906 people in the 2011 Census. In sharp contrast, the smallest electoral district of Papineau, in Quebec, occupies only 9 square kilometres with a population of 100,396.

The Constitution Acts of 1867 and 1982 set the maximum time between federal general elections at five years, except in time of real or apprehended war, invasion or insurrection. As well, the *Canada Elections Act* specifies that a general election must be held on the third Monday in October in the fourth calendar year following the previous general election. However, it also allows for an election to be called earlier. This may take place if the Governor General accepts the Prime Minister's advice to dissolve Parliament. It may also occur if the Governor General accepts the resignation of the Prime Minister after the Government has been defeated on a motion of confidence in the House and the Governor General does not ask the leader of another party to become Prime Minister and form a government.

After a general election, by convention, the leader of the party with the largest number of elected representatives will normally form the Government. The Governor General will ask the leader of that party to be the Prime Minister. He or she must be able at all times to maintain the confidence of the House in order to remain in power. The party with the second-largest number of elected

representatives is usually the official Opposition. The leader of this party is the Leader of the Opposition.

The Prime Minister chooses people (usually members of the House of Commons of his or her party) to serve as the Cabinet ministers heading various government departments. Though not common, the Prime Minister can also appoint senators and others from outside of Parliament to Cabinet.<sup>1</sup>

For details on elections and prime ministers since 1867, see Appendix 2.

## Representation in the House of Commons

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*What role does geography play in democratic representation?*

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Representation in the House of Commons is based on geographical divisions called electoral districts, also known as ridings. At the federal level, the number of electoral districts is established through rules (the “representation formula”) set out in the *Constitution Act, 1867*. There are [338 electoral districts](#), each with a corresponding seat in the House of Commons.

Since 1964, independent commissions have been entrusted with adjusting electoral district boundaries based on population changes identified in every 10-year census. According to the *Electoral Boundaries Readjustment Act*, the commissions (one for each province) must also consider communities of interest or of identity, historical patterns and the geographic size of electoral districts. The process of readjusting the boundaries is commonly called redistribution.

The three-member electoral boundaries commissions are usually chaired by a judge, chosen by the chief justice of the province. The two other members are appointed by the Speaker of the House of Commons. Commissions are not required for Yukon, the Northwest Territories or Nunavut since each territory is a single electoral district.

Elections Canada provides the commissions with technical, administrative and financial support to help them carry out their responsibilities. Each commission publishes its proposal, holds hearings where members of the public and parliamentarians can provide their input, then issues a report to the House of Commons. If members of the House of Commons file objections to the report, the commission may opt to make adjustments. All final decisions about the new electoral boundaries are made by the commissions and published in the *Canada Gazette* as a representation order.

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<sup>1</sup> For more information, see the Parliament of Canada’s *House of Commons Procedure and Practice*, Second Edition, 2009.

The redistribution process can take about two years to complete. The new boundaries and names are used at the first general election called at least seven months after the representation order is proclaimed.

For details on representation, see Appendix 2.

## **First Past the Post**

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### *How are candidates elected to Parliament?*

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Canada's electoral system is referred to as a "single-member plurality" system (also commonly called a "first-past-the-post" system). In every electoral district, the candidate with the highest number of votes wins a seat in the House of Commons and represents that electoral district as its member of Parliament. An absolute majority (more than 50 percent of the votes in the electoral district) is not required for a candidate to be elected.

Any number of candidates can run for election in an electoral district, but a candidate can run in only one riding, either independently or under the banner of a registered political party. Similarly, each party can endorse only one candidate in an electoral district.

Candidates who are endorsed by a registered political party can have the name of that party appear under their name on the ballot. Those who run for election without a party affiliation can choose to have either "Independent" or no affiliation appear under their name on the ballot. Historically, only a small percentage of candidates in a general election have run without a party affiliation.

The *Canada Elections Act* defines a political party as an organization that has as one of its fundamental purposes participating in public affairs by endorsing one or more of its members as candidates and supporting their election to the House of Commons. Political parties that meet this definition can register with the Chief Electoral Officer to gain official status and become eligible to obtain certain monetary and other benefits under the Act.

The financial benefits of registration are outlined in the chapter on political financing. There are non-financial advantages as well – for example, political parties that successfully apply for registration at least 60 days before the issue of the election writs can have their name appear on the ballot under the names of the candidates they endorse.

The number of [registered political parties](#) fluctuates and is usually much larger than the number of parties represented in the House of Commons.



# Pillars of Electoral Democracy

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*What are the main characteristics of Canada's electoral democracy?*

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Democracy does not implement itself, nor does it remain strong and healthy without underlying values and a firm will to apply and enforce them. Democracy is much more than holding elections; however, free and fair elections are one of its fundamental conditions.

Over time, Canadians have come to trust the outcome of elections as truly reflecting their collective will without political interference. Political parties and candidates in the political arena have also learned that they can have confidence in the fairness of the electoral process. Together, these conditions contribute to a meaningful and peaceful environment for elections, and a lively and long-lasting democracy.

## **Electoral Integrity**

Federal elections are governed by a set of laws and procedures designed to allow qualified electors to have an equal say in the selection of representatives in the House of Commons. Electoral integrity is achieved by ensuring that all electoral participants adhere to the rules designed to safeguard voter participation, and by uncovering and applying sanctions to practices that interfere with it. Elections Canada's electoral integrity program focuses on measuring the quality and soundness of the electoral process to make sure Canadians can trust that an election was fair and that the results accurately reflect the will of Canadians.

## **Participation, Fairness and Transparency**

Throughout the evolution of the Canadian electoral system, legislators have worked to bring about increased accessibility, fairness and transparency to ensure the prevalence of democratic values.

Candidates, nomination contestants (those competing for endorsement as a party's candidate in an electoral district), leadership contestants, political parties, electoral district associations and third parties (persons or groups who are not candidates, registered parties or electoral district associations) are all subject to strict controls. These begin with an obligation for political parties, electoral district associations, leadership contestants and third parties to register, thereby gaining official status and some associated benefits. All political entities must comply with administrative and legal requirements and must report their revenues, expenses and liabilities to the Chief Electoral Officer, who makes this information available to the public.

Limits on contributions and expenses exist mainly to ensure transparency and fairness and to reduce the possibility of undue influence. The principle is to maintain a level playing field that attracts more participants, diversifies political discourse and increases overall participation, including attendance at the polls.

Striking the right balance between the values of liberty and equality may be difficult. Nevertheless, it is widely accepted that limits on contributions and expenses promote the proper functioning of a democratic society.

In the context of democratic elections, participation includes broader forms of involvement, such as volunteering at any level of the political process and contributing funds to political entities. Since 1974, the law has provided an incentive in the form of tax credits to Canadians who decide to make a financial contribution to candidates and registered political parties. This incentive was extended in 2004 to contributions made to registered electoral district associations.

## **Secrecy and Privacy**

Voting in Canada is by secret ballot. The security of the ballot is paramount, and the system makes it impossible to discover for which candidate a specific voter has voted. Furthermore, a ballot cast with a mark that could potentially allow the voter to be identified has to be rejected. This is to ensure that no electors are intimidated or bribed into voting in a particular way. Intimidation and bribery, as well as any attempt to reveal how an elector has voted or is going to vote, is an offence under the *Canada Elections Act*.

The privacy of electors is also very important to Elections Canada, and it is enforced in all aspects of electoral administration. For example, to enforce the right to privacy, the use of personal information obtained for electoral purposes is strictly regulated. The law imposes controls on who can obtain this information and how it can be used, and it sets out penalties for non-compliance.

## **Adaptability**

The success of the Canadian electoral system is in part a result of its ability to adapt to changing social circumstances. Canada's electoral laws will continue to evolve as Parliament responds to judicial decisions and expanding public expectations and takes advantage of new technologies. Canada's electoral system is a reflection of Canadians' continued concern for fairness and democracy as well as Elections Canada's ongoing commitment to innovation and excellence in delivering federal electoral events.

# Elections Canada

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*What is Elections Canada, and how does it work?*

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## **Role, Mission and Goals**

The Office of the Chief Electoral Officer of Canada, also called Elections Canada, is an independent agency set up by Parliament to administer all aspects of federal general elections, by-elections and referendums. The mission of Elections Canada is to ensure that Canadians can exercise their democratic right to vote and be a candidate.

Elections Canada's fundamental goals are to be ready to deliver electoral events whenever they may be called, continually improve election delivery and carry out ongoing responsibilities with respect to political financing.

Originally, the Chief Electoral Officer was responsible only for the administration of federal general elections and by-elections. Under the laws that govern federal electoral matters, this mandate has broadened to include the administration of national referendums on constitutional matters and other important aspects of Canada's democratic system, such as overseeing political financing and providing assistance in the redistribution of electoral districts. The Chief Electoral Officer's current responsibilities include:

- making sure that all electors have access to the electoral process through public education and information programs as well as accessible physical facilities
- maintaining the National Register of Electors
- providing technical, financial and administrative support to the independent commissions that periodically readjust electoral district boundaries
- registering political parties, their electoral district associations, party leadership contestants and third parties
- administering the legislated controls on the financing sources and election expenses of candidates, nomination contestants, party leadership contestants, registered parties, registered electoral district associations and third parties engaged in election advertising, and examining and disclosing their financial reports, including posting them on the Elections Canada website at [www.elections.ca](http://www.elections.ca)
- reimbursing the election expenses of candidates and parties according to formulas set out in the *Canada Elections Act*
- appointing and training returning officers and ensuring that they provide competent and efficient services in administering the electoral process in each electoral district
- appointing the Broadcasting Arbitrator, who is tasked with allocating broadcasting time among political parties during general elections

In addition to administering the *Canada Elections Act*, the specific laws under which Elections Canada operates are the *Referendum Act* and the *Electoral Boundaries Readjustment Act*. The agency is also subject to all laws that generally apply to federal organizations, including the *Constitution Act, 1867*; the *Constitution Act, 1982* (which includes the *Canadian Charter of Rights and Freedoms*); the *Financial Administration Act*; the *Public Service Employment Act*; the *Privacy Act*; the *Access to Information Act*; the *Canadian Human Rights Act* and the *Official Languages Act*.

At present, Elections Canada consists of a core staff of some 500 employees at its offices in Ottawa-Gatineau, but this number expands significantly during a general election. The core staff must be highly qualified to provide a high degree of readiness for an election and oversee the hundreds of tasks that have to be carried out according to a strict timetable during electoral events.

### **Non-partisan and Independent**

A non-partisan electoral management body is the key to an impartial electoral process. Several factors contribute to the independence of the Chief Electoral Officer, including Elections Canada's arm's-length relationship with the Government and the budgetary mechanisms that fund its work. (These are outlined in greater detail later in this section.) The Chief Electoral Officer reports directly to Parliament and is thus completely independent of the Government and political parties.

Running an election involves a large number of election officers – from returning officers, who are responsible for administering an election in each electoral district, to deputy returning officers and poll clerks, who help voters at every ballot box. The Chief Electoral Officer is responsible for ensuring that election officers are politically neutral and non-partisan in all aspects of their work.

Special precautions are taken to ensure that no political bias affects the administration of elections. All election workers must take an oath to uphold voters' rights and the secrecy of the vote and to perform their duties without favouritism. Given the impartial and politically sensitive nature of his office, the Chief Electoral Officer is the only Canadian citizen of voting age not allowed to vote in federal elections.

## Appointment of the Chief Electoral Officer

The position of Chief Electoral Officer of Canada was created in 1920 in an effort to streamline and standardize the administration of federal elections. The Chief Electoral Officer is appointed by a resolution of the House of Commons. This procedure allows all parties represented in the House of Commons to participate in the selection process, thereby adding to the independence of the position. Six people have held this position since its inception:

- Oliver Mowat Biggar (1920–1927)
- Jules Castonguay (1927–1949)
- Nelson Jules Castonguay (1949–1966)
- Jean-Marc Hamel (1966–1990)
- Jean-Pierre Kingsley (1990–2007)
- Marc Mayrand (2007–present)

Once appointed, the Chief Electoral Officer may be removed from office only for cause, by the Governor General, on a joint address of the House of Commons and the Senate. Before 2014, the Chief Electoral Officer was appointed to serve until the age of 65. New appointees after 2014 are to serve for a term of 10 years.

## Funding

As an independent agency, Elections Canada is funded by an annual appropriation, which covers the salaries of permanent full-time employees, and by a statutory authority contained in the *Canada Elections Act*, the *Referendum Act* and the *Electoral Boundaries Readjustment Act*, which draws on the Consolidated Revenue Fund. The statutory authority covers all other expenditures, including the cost of preparing and conducting electoral events, maintaining the National Register of Electors, redistribution of electoral districts and continuing public information and education programs. The salary of the Chief Electoral Officer and contributions to employee benefit plans are also statutory items.

The statutory authority serves to recognize Elections Canada's independence from the Government and from the influence of political parties. It is a critical component in maintaining the integrity of the democratic process.

## The Commissioner of Canada Elections

The Commissioner of Canada Elections is appointed for a term of seven years by the Director of Public Prosecutions (DPP) pursuant to the *Canada Elections Act*. He or she is responsible for ensuring that the *Canada Elections Act* and the *Referendum Act* are complied with and enforced. The position was created in 1974 and was originally restricted to ensuring that the rules concerning election financing and expenses were enforced. In 1977, the Commissioner's responsibilities were extended to cover all provisions of the *Canada Elections Act*. In 2006, the *Federal Accountability Act* transferred the authority for prosecution of offences under the Act to the DPP. In 2014, the law was amended so that the Commissioner would no longer be appointed

by the Chief Electoral Officer, and would be relocated from within Elections Canada to within the Office of the DPP.

The Commissioner receives complaints from the public and from Elections Canada. For example, Elections Canada's political financing directorate may report potential offences under the Act that are identified during audits of the parties', candidates' or others' financial returns.

### **The Broadcasting Arbitrator**

In consultation with the political parties represented in the House of Commons, the Chief Electoral Officer appoints a Broadcasting Arbitrator, who allocates both paid air time (provided by broadcasters) and free air time (provided by network operators) to political parties during a general election and free time to referendum committees during a referendum. Broadcasting time is allocated according to a formula set out in the *Canada Elections Act*. The Broadcasting Arbitrator also arbitrates time-allocation disputes between political parties and broadcasters or network operators.

# Main Activities

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*What does Elections Canada do to carry out its mandate?*

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## Managing Field Operations

Preparing, managing and delivering field operations for electoral events are central to the mandate of Elections Canada. Among a multitude of operational tasks, the main ones are to:

- manage the supply of goods and services for an election, from ballot boxes to phone connections for local Elections Canada offices
- print, assemble and ship all election materials to every electoral district at the appropriate time
- develop the policies, procedures, manuals, forms and tools that facilitate registering electors, voting and managing an election
- administer the Special Voting Rules<sup>2</sup> and accessibility programs that make it possible for all those who have the right to vote to exercise that right
- oversee the appointment and training of returning officers, assistant returning officers and automation coordinators, who administer an election in each electoral district
- hire and train field liaison officers, who support returning officers in their work and act as an intermediary between returning officers and the Office of the Chief Electoral Officer during and between elections
- oversee and coordinate the administration of electoral events at the electoral district level
- manage the registration of electors during an electoral event
- manage the voting process itself
- manage the publication of results

## Maintaining the National Register of Electors

Since 1997, Elections Canada has maintained the National Register of Electors, a permanent list of Canadians who are qualified to vote. The Register contains each elector's name, gender, date of birth, mailing and residential address, electoral district, polling division and unique identifier.

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<sup>2</sup> The Special Voting Rules are set out under Part 11 of the *Canada Elections Act*. They allow Canadian electors to cast their ballot by mail or in person at their local Elections Canada office.

The Register is maintained:

- through partnerships with provincial, territorial and municipal electoral bodies to share data and monitor data quality
- by updating it with data from federal, provincial and territorial sources as well as information provided by electors during and between elections

The Register is used to produce:

- updated lists of electors each year for members of Parliament and, upon request, for registered political parties, to be sent by November 15 of each year
- the preliminary lists of electors for use at electoral events

During an election period, address updates, deletions and new registrations refine the lists.

The personal information of electors in the Register is protected under the *Canada Elections Act* and the *Privacy Act*. The *Canada Elections Act* allows an elector to remove his or her name from the Register by notifying the Chief Electoral Officer in writing.

The limited information obtained from federal data sources (the Canada Revenue Agency and Citizenship and Immigration Canada) may be gathered only with the consent of the individual concerned and may be used for electoral purposes only. Improper use of electoral information is an offence under the *Canada Elections Act*.

An elector who does not want his or her personal information to be shared with other jurisdictions for electoral purposes may notify the Chief Electoral Officer in writing. Opting out of the Register or declining to share one's information in the Register does not affect the elector's right to vote.

In addition to the National Register of Electors, Elections Canada maintains a register of electors who are temporarily living outside Canada. This International Register of Electors includes, among other information, the electors' electoral districts and their civic and mailing addresses. Canadian citizens abroad typically represent a fraction of a percent of the voters in a general election.

## **Electoral Geography**

Making it possible for more than 24 million electors to vote within a 12-hour period is no easy task. Elections Canada assigns each elector to the polling station that serves the polling division where he or she resides. Efficient management of this process relies heavily on keeping electoral maps and geographic tools up to date and accurate. Elections Canada carries out various tasks in this area.

- It maintains the National Geographic Database jointly with Statistics Canada. This database contains data on streets in Canada, including their names and address ranges and many geographical features. It is used by Elections Canada for electoral operations and redistribution and by Statistics Canada for census operations.

- It maintains the Electoral Geography Database, which is derived from the National Geographic Database and contains cartographic representations of federal electoral districts, with all polling divisions and advance polling districts. This database is used to create the thousands of maps necessary for elections and to assign electors to the correct polling divisions based on their addresses.
- It plans and maintains the Geographic Information System to produce both printed and digital electoral maps as well as a variety of other geography-related documents.
- It provides technical support and digitized mapping tools to the electoral boundaries commissions.

### **Geographic Information System**

Elections Canada’s geographic databases provide the framework for locating electors in the National Register of Electors in an electoral district and assigning them to a polling division (“geocoding”), and for readjusting electoral boundaries after a 10-year census. Political parties receive digitized versions of electoral maps as well as access to the related web application, GeoExplore, which returning officers use to manage elections in their electoral district.

The Elections Canada website allows electors to enter their postal code to obtain information on their electoral district and member of Parliament and, during elections, the location of their polling station and contact information for their local Elections Canada office.

## **Accessibility**

Elections Canada is committed to inclusive, universal and varied services that respond to the needs of all electors.

The *Canadian Charter of Rights and Freedoms* guarantees the right to vote in federal elections in Canada. To make the process accessible, the *Canada Elections Act* provides for a variety of voting methods and allows the Chief Electoral Officer to advertise the services it offers for assisting voters with disabilities. It gives Elections Canada the responsibility to ensure that polling places have level access. The agency has worked to remove the obstacles voters may encounter by making continual improvements to the electoral process, including communications and administrative processes.

In 2010, the Canadian Human Rights Tribunal issued a decision requiring Elections Canada to implement measures that would increase the accessibility of the electoral process for electors with a physical disability. Elections Canada has put in place various processes to comply with this requirement.

To ensure accessibility, the voting process includes the following features:

- flexible voting methods: voting by mail or at a local Elections Canada office; advance voting days; mobile polls serving facilities for seniors or persons with physical disabilities; and, in special cases, voting at home in the presence of an election officer and a witness

- as much as possible, level access to local Elections Canada offices, polling stations and other premises used during an election
- in the event that a polling station does not have level access, provision of a transfer certificate when requested by an elector, allowing that person to vote at another location
- if requested in advance, sign language interpreters to assist electors at the polls
- the ability to have an election officer, a friend or a relative assist an elector with a disability in marking his or her ballot at the polls
- voting screens that admit plenty of light, lighted magnifiers to make the ballot easier to read, Braille and large-print lists of candidates on election day, and tactile and Braille templates that fit on top of a ballot

Election officers and community relations officers also receive training on meeting the accessibility needs of people with varied disabilities.

In 2014, the agency launched its Advisory Group for Disability Issues. This fulfilled a commitment by Elections Canada to ongoing consultations with groups that represent people with disabilities. An early outcome of this consultation came in February 2015, with the development of an accessibility policy and service offering. Among other things, the policy describes the mechanism for feedback, complaints and inquiries from individuals concerning accessibility. Elections Canada welcomes any input that will help it to better serve persons with disabilities.

The agency intends to continue working with the disability community to better understand accessibility issues and, as far as possible, reduce any barriers.

## **Operational and Strategic Planning**

Elections Canada must be ready at all times to deliver a federal electoral event, be it a general election, by-election or referendum. Maintaining this state of readiness requires thorough planning and coordination of all activities, and a high degree of ability to adjust quickly as political events unfold.

Elections Canada has developed numerous customized planning tools to prepare for upcoming electoral events and manage the timely deployment of services after an election has been called. (For more information on what happens during an election, see General Election Countdown under the section The Federal Electoral Process.) A typical electoral event readiness plan tracks more than 800 high-level, interrelated activities that must all be completed before an election. Advanced management information systems help monitor the progress of an electoral event, at both national and local levels, against pre-set targets and benchmarks.

Strategic planning enables Elections Canada to develop and coordinate longer-term initiatives to address emerging national trends and improve election management.

## Policy, Research and Analysis

Elections Canada is constantly connected with the electorate and the broader environment, including Parliament, the academic community, the media and international organizations. These connections enable it to:

- refine its knowledge of electoral matters so that it can support the Chief Electoral Officer in developing his recommendations to amend the *Canada Elections Act* and in advising parliamentarians on electoral matters
- support strategic planning, monitor progress in delivering electoral events, and complete corporate projects by conducting regular information gathering and analysis
- improve how it delivers elections by establishing links with academics, research institutes, provincial and national bodies, and international organizations involved in electoral matters
- keep in touch with the Canadian public by making information available in a variety of ways, including through its website

## Outreach Program

The *Canada Elections Act* mandates the Chief Electoral Officer to:

- implement public education and information programs for the purpose of making the electoral process better known to students at the primary and secondary levels
- conduct advertising for the purpose of informing electors about the exercise of their democratic rights or for any other purpose relating to the Chief Electoral Officer's mandate

### Elections Canada on the Web

The most up-to-date information on the Canadian electoral process is accessible worldwide on the Elections Canada website at [www.elections.ca](http://www.elections.ca). The site provides a wealth of information on all aspects of federal elections, including:

- the Voter Information Service, which allows electors to enter their postal code and learn how, when and where to register and vote
- the Online Voter Registration Service, which electors can use to find out if they are registered to vote in federal elections, to update their address or to complete their registration
- profiles of individual federal electoral districts, with maps, contact information for the returning officer and a list of all candidates during elections
- voter registration forms, along with instructions, for Canadian electors in or outside Canada who cannot or do not wish to vote at a polling station during an election
- sections for political entities that inform them about their rights and obligations and provide guidance, handbooks and reporting tools
- written opinions, guidelines and interpretation notes about the application of the *Canada Elections Act* to political entities, issued by Elections Canada on its own initiative or at the request of a political party
- a live feed of election results on election night
- a searchable section of financial returns from all political entities
- media information, publications and teaching resources and materials
- information about federal representation and electoral boundaries readjustment

Elections Canada has identified groups for targeted outreach based on the electoral participation barriers they face – particularly the barrier of a lack of information about when, where and how to register and vote. The groups include youth and students, Aboriginal people, seniors in long-term care facilities, ethnocultural communities, electors with disabilities and electors who are homeless.

Elections Canada works with national and regional organizations that are able to reach members of these groups. The agency:

- shares information about the electoral process, for distribution by partner organizations to their stakeholders
- informs groups about Elections Canada programs, including online services and field outreach during an election
- actively solicits the groups' collaboration to share official voting information and promote Elections Canada's initiatives

## **Overseeing Political Financing**

The *Canada Elections Act* establishes a detailed set of political financing rules for electoral district associations, nomination contestants, leadership contestants, third parties, political parties and candidates in federal elections. The rules were most recently amended by Bill C-23 in 2014.

Elections Canada's responsibilities in the area of political financing include the following:

- reviewing for compliance with the *Canada Elections Act* and publishing:
  - annual financial returns, and statements of assets and liabilities, of registered political parties and their registered electoral district associations
  - quarterly financial returns, required from any registered party if the candidates endorsed by it received at least 2 percent of the valid votes cast in the most recent general election, or 5 percent of the valid votes cast in the electoral districts where the party endorsed a candidate
  - registered party election expense returns
  - leadership contestant registrations and campaign returns
  - nomination campaign returns for contestants who receive or spend \$1,000 or more
  - candidate electoral campaign returns for general elections and by-elections
  - third party election advertising returns
- reviewing the financial returns of registered referendum committees after a referendum
- administering the reimbursement of election expenses to eligible candidates (after a general election or by-election) and to parties (after a general election)
- administering audit subsidies payable to auditors for candidates and registered associations

## **Taking Advantage of Information and Communications Technology**

New technology is integral to how Elections Canada manages and delivers elections. The agency carries out a number of activities with this technology:

- managing electronic networks and intranets at headquarters and in the field to enable communications
- maintaining and improving applications supporting the National Register of Electors and the Electoral Geography Database, as well as several other tools that support real-time monitoring of and reporting on electoral events
- developing and expanding Elections Canada's social media presence
- developing customized applications that support key services, such as the Voter Information Service, real-time broadcasting of election results and online reporting for political entities
- developing and supporting customized applications that enable political parties, electoral district associations, candidates, nomination contestants and leadership contestants to complete and submit financial returns required by the *Canada Elections Act*

## **International Co-operation**

Since 1980, Elections Canada has contributed to multilateral and bilateral forums dedicated to the electoral process.

Elections Canada is actively engaged with a number of international organizations, partner electoral management bodies (EMBs) and ongoing forums of experts to identify, share and contribute to best practices in electoral administration. Elections Canada also receives foreign delegations who want to learn more about the Canadian electoral system.

For past Canadian general elections, Elections Canada has hosted visitors' programs, bringing together a number of guests, including international electoral organizations, foreign EMBs, and chief electoral officers of Canadian provinces and territories, who learn first-hand about the Canadian electoral process.

At the Governor in Council's request, Elections Canada may assist and co-operate in electoral matters with electoral agencies in other countries or international organizations.



# The Federal Electoral Process

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*How are Canadian elections prepared and conducted?*

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While candidates and political parties are the most visible players during elections, they are not the only ones involved. Behind the scenes, election workers play an essential role in making sure that each electoral event is fair and well managed.

In a general election, a small army of poll workers staff tens of thousands of stationary and mobile polls across the country on election day. Workers are also needed for advance polls and in local Elections Canada offices (the latter of which are open for the full election period). A returning officer in each of the 338 electoral districts coordinates the activities of these workers. Field liaison officers are also hired to assist returning officers in their duties.

Based on local needs, community relations officers are hired to reach out to those most likely to experience difficulties in exercising their democratic rights – young people and students, seniors, members of Aboriginal and ethnocultural communities, and people who are homeless.

## **Preparing for an Electoral Event**

Elections Canada must always be ready to deliver a general election, by-election or referendum. It updates the National Register of Electors year-round, trains new returning officers and prepares many tonnes of materials. In the field, returning officers complete pre-event assignments, such as setting up polling divisions and selecting potential locations for polling places, among many other tasks.

## **The National Register of Electors**

Elections Canada uses data from the National Register of Electors to produce the preliminary lists of electors and voter information cards for a general election, by-election or referendum. Provincial, territorial and municipal electoral agencies may also use information from the Register to update their voters lists, as permitted under the *Canada Elections Act* and where data-sharing agreements have been signed.

According to Statistics Canada, about 17 percent of voter information changes every year. The Register is updated continually with data from these sources:

- the Canada Revenue Agency, for people who tick both of the “Yes” boxes in the Elections Canada section of their tax form, which asks if they have Canadian citizenship and agree to share their name, date of birth and address
- Citizenship and Immigration Canada, for new citizens who tick both of the “Yes” boxes on their citizenship application form, agreeing to share their name, gender, date of birth and address
- National Defence, for Canadian Forces Regular Force members who have completed a *Statement of Ordinary Residence* form
- provincial and territorial motor vehicle agencies<sup>3</sup>
- provincial and territorial vital statistics agencies<sup>4</sup>
- provincial and territorial voters lists
- voters lists from recent elections in other Canadian jurisdictions
- electors themselves when they register to vote or update their registration during and between elections

### **Online Voter Registration Service**

In 2012, Elections Canada launched the Online Voter Registration Service on its website. This convenient Internet-based service offers Canadians an additional way to check whether they are registered to vote, update their registration information or be added to the National Register of Electors. Rather than replacing current registration methods, it complements them.

The service can only be used for some transactions, since the *Canada Elections Act* requires a signature or documentary proof of identity in certain cases. Numerous security safeguards are in place to protect electors’ privacy.

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<sup>3</sup> Except for the province of Quebec, where driver information updates are reflected in the provincial electoral list.

<sup>4</sup> Except in Quebec, where vital statistics information is reflected in the provincial electoral list.

<b>How Electors Can Use Online Registration</b>	
<b>Check whether they are registered</b>	<p>Confirm whether they are registered to vote (using their name, address and date of birth for identification purposes).</p> <p><b>Between elections:</b> any time</p> <p><b>During elections:</b> any time</p>
<b>Update address if already registered</b>	<p>Update their previously registered address (using their name, address and date of birth for identification purposes).</p> <p><b>Between elections:</b> any time</p> <p><b>During elections:</b> up to the Tuesday before election day at 6 p.m. (local time)</p>
<b>Add their name to the Register</b>	<p>New potential electors identified in information from the Canada Revenue Agency or provincial or territorial motor vehicle agencies can add their names to the Register by confirming their citizenship after having consented to share information with the Register. Electors must provide their name, address and date of birth for identification purposes, and their driver's licence number (or provincial or territorial ID card issued by Alberta, Newfoundland and Labrador, Saskatchewan or Yukon) to validate their registration.</p> <p><b>Between elections:</b> any time</p> <p><b>During elections:</b> up to the Tuesday before election day at 6 p.m. (local time)</p>
<b>Complete, print and submit a registration form</b>	<p><b>Between and during elections, until the Tuesday before election day:</b> All new electors can use the service to complete a registration form. They must print, sign, and mail or fax the form to Elections Canada along with proof of identity and address.</p> <p><b>During elections, after the Tuesday before election day:</b> Unregistered electors can use the service to print a registration certificate, which they can bring (along with proof of identity and address) to the polling place on election day to facilitate their registration.</p>

## Returning Officers

The key election officer in each of the 338 federal electoral districts is the returning officer. Appointed by the Chief Electoral Officer through an open and merit-based competitive process, returning officers work under the general supervision of the Chief Electoral Officer. They receive support from Elections Canada staff at headquarters and a network of regional field liaison officers who provide functional leadership.

Legally, a returning officer must be a Canadian citizen, at least 18 years of age, who lives in the electoral district where he or she is appointed. In practice, however, the returning officer must be much more. The job is demanding and the duties varied. Along with serious commitment, detailed knowledge of the federal electoral process and a wide range of management skills are essential.

Returning officers must abide by a code of professional conduct and must abstain from all politically partisan activities, both during and between elections and referendums. They are appointed for a 10-year term and remain in the position for that time, unless the electoral district boundaries change as a result of redistribution or they move out of the electoral district, resign or are removed by the Chief Electoral Officer.

### **Setting Up Polling Divisions**

To facilitate the vote, every electoral district must be divided into polling divisions, and a voters list must be drawn up for each. Polling divisions are also used to direct electors to their specific voting location. There are tens of thousands of polling divisions across the country.

### **Selecting Locations for Polling Places**

Returning officers select convenient and accessible locations for polling places, for both advance voting and election day. Polling places are usually set up in well-known, central locations such as community centres and schools. They must be equipped with level access to meet the requirements of the *Canada Elections Act*.

### **Preparing Supplies**

The agency develops administrative procedures and prepares maps, instruction kits, forms, information materials, ballot paper and boxes, and other supplies that will be needed to conduct an election. If an election is thought to be imminent, early shipments are sent to returning officers' homes and staging points across the country.

### **Launching an Election**

The *Canada Elections Act* states that a general election will be held on the third Monday of October in the fourth calendar year following election day for the previous general election.

However, the Governor General has the discretion to decide to dissolve Parliament and call a general election at an earlier date. The Governor General may do so:

- after the Government of the day loses a confidence vote in the House of Commons, or
- at any time on the advice of the Prime Minister

After receiving the official proclamation of election, the Chief Electoral Officer issues a writ to the returning officer of each electoral district. The writ is a formal document directing a returning officer to conduct an election in his or her electoral district and on which, after election day, the returning officer writes the name of the winning candidate. By law, election day must be at least 36 days after the issue of the writs. There is no maximum number of days for this period.

Once advised of the election, returning officers rent office space, open local Elections Canada offices and provide the services that will enable electors to exercise their right to vote. The returning officers sign and issue a *Notice of Election* for their electoral district, informing voters of important dates and other details.

## **Opening the Local Elections Canada Offices**

Each returning officer rents space and furniture in an accessible location in his or her electoral district and opens an office. This office is open during the hours set by the Chief Electoral Officer, and it serves as the centre of field operations for that electoral district for the duration of the election. Staff must be hired and trained immediately because the office is expected to begin functioning without delay.

### **General Election Countdown**

#### **Between the Election Call and Election Day**

- The Governor General issues proclamations dissolving Parliament and directing that the writs of election be issued.
- The Chief Electoral Officer issues the writs, which direct returning officers to hold an election in each electoral district.
- Returning officers open their offices.
- Voting by special ballot begins.
- Elections Canada sends preliminary lists of electors to returning officers.
- Preliminary candidate and party election expenses limits are calculated.
- Revision of the lists of electors begins.
- Voter information cards are mailed to registered electors.
- Returning officers receive candidates' nomination papers and deposits.
- Returning officers have regular ballots printed.
- Canadian Forces electors begin voting.
- Voting takes place at advance polls.
- Voting by incarcerated electors and those in acute care hospitals begins.
- Revision ends, and the deadline for special ballot registration expires.
- Revised candidate and party election expenses limits are calculated.

#### **Election Day**

- Electors vote at ordinary and mobile polling stations.
- The ballots are counted in each polling division and electoral district.
- Preliminary voting results are available after the polls close.

#### **Wrap-up**

- Returning officers carry out the validation of the results.
- Judicial recounts are conducted, if necessary.
- Returning officers return the writs, which declare the winning candidate in each electoral district.
- The Chief Electoral Officer reports on the election and the official results.
- Candidates, political parties and third parties submit financial reports.
- Candidates' and political parties' expenses are partially reimbursed.
- Candidates dispose of surplus funds.

## **Revising the Preliminary Lists**

As soon as possible after the election is called, Elections Canada sends the preliminary lists of electors to each returning officer. Soon afterward, voter information cards are mailed to every registered elector. Each card shows the elector's name and address, says when and where to vote and how to contact the returning officer, and indicates the polling station's level of accessibility.

Between the beginning of the election period and the sixth day before election day, the lists of electors are revised as needed by adding, deleting and correcting the information they contain. If an elector has moved within an electoral district, he or she can have the information changed over the telephone on providing satisfactory proof of identity and address. Voters can also register in person at the advance polls or on election day after showing proof of identity and address.

Returning officers also carry out a targeted revision of selected areas of their electoral district. During the revision period, returning officers send pairs of revising agents door to door in areas where electors are less likely to appear on the preliminary voters list at their current address. Examples of such areas are new residential developments, college and university residences, high-mobility neighbourhoods (including off-campus student housing) and long-term care facilities.

The returning officer then prepares revised lists of electors to be used at the advance polls as well as a second set of revised lists, called the official lists, to be used on election day. In addition, on the 19th day before election day, the returning officer distributes to each candidate who requests it an electronic copy of the most current list of electors for that electoral district.

## **Nominating Candidates**

After the returning officer publishes the *Notice of Election*, candidates have until the close of nominations at 2:00 p.m. on the 21st day before election day to submit their nomination paper. Each paper includes the name, address and signature of at least 100 electors (or, in certain specified large and sparsely populated ridings, 50 electors) resident in the electoral district who support the nomination, and it is submitted to the returning officer along with a \$1,000 deposit. The returning officer then has 48 hours after the nomination paper is filed to verify that the documentation is complete and complies with the *Canada Elections Act* before confirming or refusing the candidacy. If a candidate is refused, he or she may submit corrected papers up until the close of nominations.

## **Registering Political Parties**

A political party must be properly registered with the Chief Electoral Officer if it wants to issue tax receipts for contributions, be eligible to receive partial reimbursements of its election expenses, and have its name appear on the ballots under its candidates' names. An eligible party becomes registered when it has at least one candidate whose nomination is confirmed for a general election or by-election, so long as its application for registration was made with the Chief Electoral Officer at least 60 days before the issue of the writs and has not been withdrawn. A party whose application was made after the 60 days becomes registered for the next general election or any by-election that precedes it if the party endorses a candidate in that election.

### **Requirements for Political Party Registration**

As part of the information and documentation required, a political party must include the following in its application for registration:

- the political party's full name
- the party's short-form name, or its abbreviation, if any, that is to be shown in election documents
- the party's logo, if any
- a copy of the party's resolution appointing the leader
- the address of the party's office where records are maintained and to which communications may be addressed
- the names and addresses of the chief agent, auditor and officers of the party as well as their signed consent to act
- the names and addresses of at least 250 electors and their signed declarations that they are members of the party and that they support its application for registration
- a signed declaration by the leader that one of the fundamental purposes of the party is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election

### **Voter Information Card and Reminder Brochure**

As soon as possible after the issue of the writs but not later than the 24th day before election day, returning officers send a voter information card<sup>5</sup> to each elector whose name appears on the preliminary lists.<sup>6</sup> In addition to confirming an elector's registered status, the card informs the elector about voting at an advance poll or on election day. This includes the address of the elector's advance and ordinary polling stations as well as the dates and hours for voting. The voter information card cannot be used for identification purposes.

Shortly afterward, Elections Canada sends a generic reminder brochure to every household in Canada. The brochure instructs electors to contact Elections Canada if they have not received a voter information card. The reminder brochure also lists the dates for voting in advance, on election day and by special ballot, as well as Elections Canada's telephone and teletypewriter (TTY) numbers and website address. In addition, it lists all of the documents that voters can use to prove their identity and address when they vote, and explains all of the options available for identifying themselves at the polls.

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<sup>5</sup> The *Canada Elections Act* refers to this document as a "notice of confirmation of registration."

<sup>6</sup> A voter information card is also sent to each elector who registers during the revision period of the election.

## **Voting**

There are a number of ways to vote. The most common way is at the ordinary polls on election day. Voters can also cast their ballots at an advance poll, or they can vote by special ballot either at an Elections Canada office or through the mail. As additional services, Elections Canada provides mobile polls for voters living in long-term care facilities and, in certain cases, bedside voting by special ballot for voters in acute care hospitals. In exceptional circumstances – where a voter is registered for a special ballot but cannot go to the local Elections Canada office or mark the ballot because of a disability – an election officer can go to the voter’s home to help mark and receive the ballot in the presence of a witness.

### **Ordinary Polls**

The great majority of voters choose to cast their ballots at the ordinary polls on election day. During the hours that the polls are open, electors go to the polling station indicated on their voter information card, have their name crossed off the voters list and go behind a voting screen to mark their ballot.

Electors who have not already registered to vote can register at the polling station on election day (or at the advance polls) after showing proof of identity and address.

### **Voter Identification at the Polls and at Local Offices**

When voting at the polls on election day, at an advance poll or at a local Elections Canada office, voters are required to prove their identity and address before being handed a ballot.

Electors have three options for proving their identity and address:

- They can show one original piece of identification, issued by a Canadian government (federal, provincial or local) or agency of that government, that contains their photo, name and address. An example is a driver’s licence.
- They can show two original pieces of identification authorized by the Chief Electoral Officer. Both pieces must have their name, and one must also have their address. Examples include a health card and a hydro bill.
- Electors who have two pieces of identification with their name, but not their address, can take an oath in writing and have someone who knows them personally attest to their address. The attesting person must show proof of identity and address, be registered in the same polling division, and attest for only one person.

A complete list of the pieces of identification authorized by the Chief Electoral Officer can be found at [www.elections.ca](http://www.elections.ca).

## Voting Hours on Election Day

The *Canada Elections Act* requires polling stations to be open for voting for 12 consecutive hours on election day.

The hours of voting are staggered by time zone so that a majority of results will be available at approximately the same time across the country. If necessary, the Chief Electoral Officer may modify the voting hours in a riding to make them coincide with the voting hours in other ridings in the same time zone.

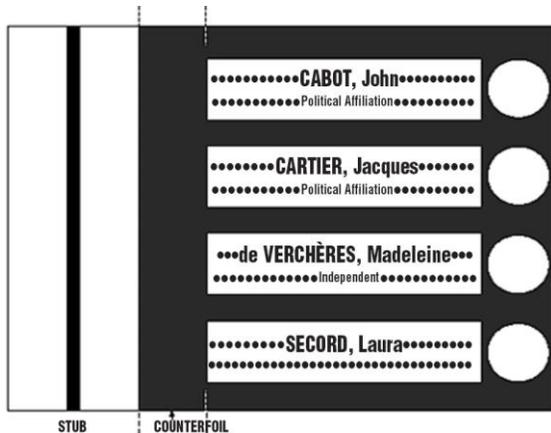
### Staggered Voting Hours

To compensate for Canada's six time zones, polls open and close (in local time) as follows:

Newfoundland Time	8:30 a.m. – 8:30 p.m.
Atlantic Time	8:30 a.m. – 8:30 p.m.
Eastern Time	9:30 a.m. – 9:30 p.m.
Central Time*	8:30 a.m. – 8:30 p.m.
Mountain Time*	7:30 a.m. – 7:30 p.m.
Pacific Time	7:00 a.m. – 7:00 p.m.

\*In Saskatchewan, when Daylight Saving Time is in effect for the rest of the country, voting hours are from 7:30 a.m. to 7:30 p.m. (local time).

### Regular Paper Ballot



The election ballot lists the names of the candidates in alphabetical order along with each one's political affiliation, unless they choose to have either "Independent" or no affiliation under their name.

The voter takes the ballot behind the voting screen and makes a clear mark in the circle beside the preferred name.

### Marking the Ballot

The voter goes to the polling station specified on the voter information card, and the poll clerk crosses the voter's name off the voters list. After verifying the voter's identity and address, the deputy returning officer hands the voter a folded ballot with the initials of the deputy returning officer on the back of the ballot.

The voter then goes behind a table with a voting screen and places a mark in the white circle next to the name of the candidate of his or her choice. The voter re-folds the ballot so that the deputy returning officer's initials are visible and hands it to the deputy returning officer. The deputy returning officer checks the initials and the serial number shown on the counterfoil, removes and destroys the counterfoil, and returns the ballot to the voter. The voter, or the deputy returning officer at the voter's request, places the folded ballot in the ballot box. The poll clerk then places

a mark in the “Voted” column beside the voter’s name on the voters list. These procedures apply to all voters to ensure the secrecy of the vote.

### **Advance Voting**

Four days – Friday, Saturday, Sunday and Monday, the 10th, 9th, 8th and 7th days before election day – are designated for advance voting. They are meant to accommodate electors who will be unable, or do not wish, to vote on election day. Advance polls are open from noon to 8:00 p.m. The dates and the location of each elector’s designated advance polling station are indicated on the voter information card. The voting procedure is almost the same as at the ordinary polls. A growing percentage of electors choose to vote at the advance polls.

An elector whose name is not on the revised voters list can register in person at the designated advance polling station by showing satisfactory proof of identity and address. After having his or her identity and address verified and signing a registration certificate, the elector is registered and handed a ballot.

### **Special Ballot**

The *Canada Elections Act* provides alternative voting procedures specifically designed for electors who:

- are temporarily residing outside Canada (for less than five consecutive years, with certain exceptions) at the time of an election
- reside in Canada and wish to vote by special ballot
- are members of the Canadian Forces
- are incarcerated

Electors **residing outside Canada** may apply at any time to be listed in the International Register of Electors. Shortly after an election period begins, those listed are mailed a special ballot voting kit containing a special ballot and three envelopes. They can submit their ballot through a Canadian embassy, Canadian high commission, Canadian Forces base or Canadian consular office, or directly to Elections Canada in Ottawa. Those who are not yet listed can register for a special ballot during the election period until 6:00 p.m. on the sixth day before election day. Application forms are available at Canadian diplomatic or consular offices, on the Elections Canada website or directly from Elections Canada headquarters.

Electors **residing in Canada** can register to vote by special ballot at the latest 6:00 p.m. on the sixth day before election day, whether they are in Canada or travelling abroad. Application forms are available at local Elections Canada offices, Canadian embassies, consular offices, passport offices, on the Elections Canada website, or directly from Elections Canada headquarters. Once applications are accepted, special ballot voting kits are mailed to the electors or provided on the spot if they applied in person at a local office. As well, once the application for registration and special ballot of an elector residing in Canada has been accepted, the elector cannot vote in any other way.



## **The Results**

Shortly after the polls close on election day, the preliminary results begin to come in to Elections Canada. As the reports arrive from the various polling stations on election night, Elections Canada releases the results to the media for immediate publication or broadcast. Simultaneously, Elections Canada hosts a live feed on its website of the preliminary results by riding, by major centre, by province or territory, nationwide and by political party leader.

## **Validation of the Results**

Within seven days after election day (unless exceptional circumstances prevent some ballot boxes or information from being available on time), each returning officer validates the results by examining the documents relating to the vote count to verify the election night calculations. Only after the validation has been completed can the official voting results be published.

## **Judicial Recounts**

A judicial recount is automatically requested by the returning officer and conducted by a judge if the number of votes separating the candidate with the most votes and any other candidate is less than one one-thousandth of the total number of votes cast in that electoral district. A recount may also be conducted if it appears to a judge to whom a request for a recount has been made that an error may have occurred during the count.

If the two top-ranking candidates have received the same number of votes after a recount, a by-election is held in that electoral district.

## **Election Reports**

### **The Return of the Writs**

After the sixth day following the validation of the results (or without delay after a judicial recount), the returning officer records the winning candidate's name on the writ received at the beginning of the election, signs it and returns it to the Chief Electoral Officer.

### **The Chief Electoral Officer's Reports**

Following each general election, the Chief Electoral Officer produces three reports.

#### ***Report 1: Chronology of the General Election***

The first report is a factual and chronological description of key events during the general election. It also outlines any measures taken or proposed to be taken to improve the accuracy of the lists of electors. The report is prepared within 90 days of the return of the writs.

#### ***Report 2: Retrospective of the General Election***

The second report is prepared within nine months of the election to provide a richer understanding of the event. It contains the official voting results and the conclusions of the independent audit of poll workers' performance. It indicates, by polling division, the number of additions, corrections or deletions made to the lists of electors. It highlights how Elections Canada planned, prepared and administered the election. It presents the electoral experience from the viewpoint of electors,

political entities and the agency itself. It also shares specific lessons learned, making links to the report prepared immediately after the event and the report of recommendations, to be submitted to the Speaker of the House of Commons at a later date.

### ***Report 3: Recommendations on Improving Canada's Electoral Framework***

The third report contains the Chief Electoral Officer's recommendations to Parliament for legislative improvements to the *Canada Elections Act*. It is based not only on the experience of the most recent general election but also on issues that have emerged during the entire electoral cycle (including, for example, in the context of nomination contests or leadership contests).

Elections Canada publishes each of these reports and makes them available at [www.elections.ca](http://www.elections.ca).

## **By-elections**

Between general elections, when a seat in the House of Commons becomes officially vacant, the Speaker must inform the Chief Electoral Officer without delay with a Speaker's warrant for the issue of a writ for the election of a new member. Between the 11th and the 180th day after the Chief Electoral Officer receives this warrant, the Governor General, acting on the advice of the Prime Minister, must set the date for holding a by-election.

Once the date is known, the Chief Electoral Officer issues a writ to the returning officer of the electoral district concerned, directing him or her to hold a by-election on that date. If a general election is called after the by-election writ has been issued and before the by-election is held, the writ for the by-election is considered withdrawn, and the Chief Electoral Officer publishes a notice in the *Canada Gazette* to that effect.

## **Conduct of By-elections**

A by-election is conducted in almost the same way as a general election, except that it is held in only one or a few specified electoral districts. There are some other differences, as outlined in the table below.

<b>General Election</b>	<b>By-election</b>
A general election always follows a dissolution of the House of Commons.	The House of Commons is not dissolved.
To allow electors in the Canadian Forces to vote, a polling station is set up on every base for a specified period before election day.	Elections Canada automatically sends a special ballot voting kit to each Canadian Forces elector who is registered in an electoral district where a by-election is taking place.
To allow electors in correctional institutions to vote, a polling station is set up in every correctional institution, and voting takes place on the 10th day before election day.	If Elections Canada approves an application from an incarcerated elector whose place of ordinary residence is in the electoral district where the by-election is being held, it sends a special ballot voting kit to the elector.
To vote in a general election, the elector must be ordinarily resident in the electoral district on election day.	To vote in a by-election, the elector must have been ordinarily resident in the electoral district from the beginning of the revision period until election day.
Political parties receive partial reimbursement for the election expenses they incur.	Political parties receive no reimbursement for the election expenses they incur.
The Broadcasting Arbitrator determines the allocation of free and paid broadcasting time among registered political parties.	Registered political parties are not allocated broadcasting time to advertise during a by-election.
The Chief Electoral Officer submits a report covering the administration of a general election within 90 days after the return of the writs.	The Chief Electoral Officer submits a report 90 days after the end of the year, covering the administration of all by-elections held during that year.

## Referendums

Three federal referendums have been held in Canada since Confederation: in 1898, on whether to prohibit the sale of alcohol; in 1942, on compulsory military service (conscription); and in 1992, on the Charlottetown constitutional accord. Under the *Referendum Act* that came into force just before the 1992 referendum, only questions related to the Constitution of Canada can be asked in a federal referendum.

Federal referendums and elections cannot be held on the same day. The *Referendum Act* allows the Chief Electoral Officer to adapt the *Canada Elections Act* by regulation to apply it to a referendum.

### Calling a Referendum

Before the referendum period officially begins, the Government submits the text of the referendum question<sup>7</sup> to the leader of the official Opposition<sup>7</sup> and to each political party represented by at least 12 members in the House of Commons. After this consultation, which must last a minimum of three days, a notice of a motion for approval of the question is submitted

<sup>7</sup> More than one question can be asked in the same referendum.

to the House of Commons, which has a maximum of three days to study the text of the question and vote on it. The House of Commons thereafter informs the Senate of the adoption of the motion; the Senate, in turn, has three days to vote on it.

The referendum period starts officially on the day when the text of the referendum question is approved on concurrence of the House and Senate, and it ends on referendum day. When the text of the question is approved, the Governor General, acting on the advice of Cabinet, has 45 days to issue the proclamation to submit the question to electors, specifying whether it will be put to all Canadian electors or only to those of one or more provinces or territories. As soon as the proclamation is issued, the Chief Electoral Officer issues writs of referendum to the appropriate returning officers, instructing them to conduct a referendum. As with general elections, polling day in a referendum cannot be earlier than the 36th day after the writs are issued.

The Chief Electoral Officer must inform the public of the referendum question and the manner in which the referendum will be conducted. However, he may not inform the public or answer public inquiries about arguments in support of or in opposition to the Yes or No options.

The Chief Electoral Officer must also make the text of the question available in the Aboriginal languages selected after consultation with representatives of Aboriginal groups. In the 1992 referendum, for example, the question was translated into 37 of the 53 Aboriginal languages used in Canada.

### **Referendum Committees and Advertising**

The *Referendum Act* defines a “referendum committee” as any person who, or group that, intends to incur referendum expenses of over \$5,000. All referendum committees must register with the Chief Electoral Officer.

In principle, there is no limit to the number of referendum committees. In 1992, for example, 241 referendum committees were established in support of the Yes or No options.

Referendum committees may advertise to support or oppose one side or the other of the referendum issue, but must identify themselves as sponsors in their advertising. Like political parties in an election, registered referendum committees may apply to the Broadcasting Arbitrator for free broadcasting time. The Broadcasting Arbitrator allocates the broadcasting time available among the registered committees so that the time is allocated equally to committees that support the referendum question and committees that oppose it.

Committees also have the right to appoint one agent to be present at each polling station on referendum day. They must report their contributions and expenses to the Chief Electoral Officer, providing the names of all persons, entities or groups that contributed more than \$250. Referendum committees are not eligible for expenses reimbursements.

### Referendum Ballot, 1992

Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?	YES <input type="radio"/>	OUI <input type="radio"/>	Acceptez-vous que la Constitution du Canada soit renouvelée sur la base de l'entente conclue le 28 août 1992 ?
	NO <input type="radio"/>	NON <input type="radio"/>	

The referendum ballot shows the referendum question, and the words “Yes” and “No,” in English and French. (By law, the text is also made available in Aboriginal languages.)

# Political Financing

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*How is money regulated throughout federal elections?*

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The *Canada Elections Act* provides a framework designed to make the financing of the political system transparent and fairer. This includes requirements respecting contributions to and spending by various entities involved in the federal electoral system.

Disclosure requirements have existed for candidates since the beginning of the 20th century, but the current regime was essentially laid out with the introduction of political party registration and the *Election Expenses Act* in 1974. The latter introduced limits on election expenses for both candidates and political parties, as well as the first forms of public funding through partial reimbursement of expenses and tax credits for contributions. As of January 1, 2004, the scope of the legislation was extended to electoral district associations, nomination contestants and leadership contestants.

Limits on contributions adopted in 2003 became effective in January 2004. Further restrictions were imposed as of January 1, 2007; consequently, corporations and trade unions are no longer allowed to make political contributions.

Legislation passed in 2014 introduced a new set of rules on political financing. The legislation increased contribution limits and set matching limits on testamentary dispositions. It raised by 5 percent the spending limits for parties and candidates. In the case of an election period longer than the statutory minimum of 36 days, the legislation provided for proportionate increases in spending limits for registered parties, candidates and third parties. The legislation modified and standardized rules for loans to registered parties, registered associations, candidates, and nomination and leadership contestants.

Transparency measures and limits are also imposed on election advertising by third parties – persons or groups other than candidates, registered parties or electoral district associations of a registered party.

## **Contribution Limits**

Major changes to the political financing regime that came into effect in 2004 and 2007 set limits on political contributions. These were revised upward in 2014 and will increase annually by \$25 after 2015.

## Limits on Contributions, Loans and Loan Guarantees, 2015\*

To see current limits, click [here](#).

Political Entities	Citizens and Permanent Residents Only
Political parties	A maximum of \$1,500 per calendar year to each of the registered political parties
Electoral district associations	A maximum of \$1,500 per calendar year, in the aggregate, to the registered electoral district associations, nomination contestants and candidates of each of the registered political parties
Nomination contestants	
Party-endorsed candidates	
Independent candidates	A maximum of \$1,500 per election to each independent candidate
Leadership contestants	A maximum of \$1,500 per calendar year, in the aggregate, to all of the contestants in a leadership contest

\* Amounts increase yearly by \$25, as of January 1, 2016.

A cap of \$5,000 is placed on the amount that candidates may contribute to their own campaigns. For leadership contestants, the cap is \$25,000. Nomination contestants can contribute an amount that does not exceed \$1,000 in total out of their own funds to their own campaign in addition to the permitted contribution limit.

## Tax Credits for Political Contributions

Although contributions can take the form of money, goods or services, only a contribution of money to a registered political party, a registered electoral district association or a candidate qualifies for an income tax credit under the *Income Tax Act*. According to a Canada Revenue Agency interpretation, a monetary contribution to a candidate is eligible for a credit only if it is received between the date that the candidate's nomination is confirmed by the returning officer and 30 days after election day.

### Tax Credits

Contribution	Tax Credit
\$0.01 to \$400	75 percent
\$400.01 to \$750	\$300 plus 50 percent of the amount by which the contribution exceeds \$400
\$750.01 and over	The lesser of: <ul style="list-style-type: none"><li>• \$475 plus 33<math>\frac{1}{3}</math> percent of the amount by which the contribution exceeds \$750; and</li><li>• \$650</li></ul>

## **Expenses Limits**

The *Canada Elections Act* defines an election expense as any cost incurred, or non-monetary contribution received, by a registered party or a candidate that is used to directly promote or oppose a registered party, its leader or a candidate during an election period. Such expenses are subject to limits for candidates and registered political parties. These limits are calculated according to a formula based on the number of names on the preliminary or revised lists of electors for each electoral district, and on the length of the election period. (For a party, the electoral districts are those in which the party has endorsed confirmed candidates.)

Expenses limits are also calculated for nomination campaigns. The *Canada Elections Act* defines a nomination campaign expense as an expense reasonably incurred by or on behalf of a nomination contestant during a nomination contest as an incidence of the contest. For a nomination campaign, a nomination contestant can spend 20 percent of the amount allowed for a candidate's election expenses in the same riding during the previous general election if the boundaries of the electoral district have not changed since then. In any other case, a nomination contestant can spend the amount that the Chief Electoral Officer determines.

The *Canada Elections Act* does not set limits on the amount of leadership campaign expenses that each contestant may incur. A registered party may set its own limits by internal rules, but such limits are not enforceable through the Act.

[Third parties are limited](#) in the amount that they can spend on election advertising.

Electoral district associations cannot incur election advertising expenses during an election.

## **Reporting**

Each electoral participant or political entity must submit financial reports to the Chief Electoral Officer. The reports must include the name and address of anyone contributing more than \$200. All financial reports are published at [www.elections.ca](http://www.elections.ca).

## Reporting Schedule

Entity	Return	Deadline	Requirement
Registered political party	<ul style="list-style-type: none"> <li>• Statement of assets and liabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Six months after registration</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> </ul>
	<ul style="list-style-type: none"> <li>• Quarterly return</li> </ul>	<ul style="list-style-type: none"> <li>• 30 days after the end of the quarter</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory (if received 2% of votes cast nationally or 5% of votes cast in all electoral districts where it endorsed candidates in the last general election)</li> </ul>
	<ul style="list-style-type: none"> <li>• Financial transactions return</li> </ul>	<ul style="list-style-type: none"> <li>• June 30 each year</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> </ul>
	<ul style="list-style-type: none"> <li>• General election expenses return</li> </ul>	<ul style="list-style-type: none"> <li>• Eight months after the election</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> </ul>
Registered electoral district association	<ul style="list-style-type: none"> <li>• Statement of assets and liabilities</li> <li>• Financial transactions return</li> </ul>	<ul style="list-style-type: none"> <li>• Six months after registration</li> <li>• May 31 each year</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> <li>• Mandatory; include auditor's report if contributions or expenses equalled \$5,000 or more in the year</li> </ul>
Candidate	<ul style="list-style-type: none"> <li>• Electoral campaign return</li> </ul>	<ul style="list-style-type: none"> <li>• Four months after election day</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> </ul>
Nomination contestant	<ul style="list-style-type: none"> <li>• Nomination campaign return</li> </ul>	<ul style="list-style-type: none"> <li>• Four months after selection date (or election day in certain circumstances)</li> </ul>	<ul style="list-style-type: none"> <li>• Only when \$1,000 or more received in contributions or incurred in nomination campaign expenses; include auditor's report if contributions or nomination contest expenses equalled \$10,000 or more for the contest</li> </ul>
Leadership contestant	<ul style="list-style-type: none"> <li>• Report on contributions</li> </ul>	<ul style="list-style-type: none"> <li>• On registration</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory</li> </ul>
	<ul style="list-style-type: none"> <li>• Two interim reports on contributions</li> </ul>	<ul style="list-style-type: none"> <li>• Three weeks before and two days before end of contest</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory if \$10,000 or more received in contributions or incurred in leadership campaign expenses</li> </ul>
	<ul style="list-style-type: none"> <li>• Leadership campaign return</li> </ul>	<ul style="list-style-type: none"> <li>• Six months after end of contest</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory; include auditor's report if \$5,000 or more received in contributions or incurred in leadership campaign expenses</li> </ul>
Third party	<ul style="list-style-type: none"> <li>• Election advertising report</li> </ul>	<ul style="list-style-type: none"> <li>• Four months after election day</li> </ul>	<ul style="list-style-type: none"> <li>• Only if \$500 or more incurred in election advertising expenses; include auditor's report if \$5,000 or more incurred in advertising expenses</li> </ul>

## **Reimbursements for Candidates**

A candidate who is elected or receives at least 10 percent of the valid votes cast in his or her electoral district, complies with the financial reporting provisions and submits an auditor's report is entitled to a reimbursement of election and personal expenses paid, up to a maximum of 60 percent of the election expenses limit established for the electoral district. This reimbursement is publicly funded. Once a candidate has complied with the requirements for filing his or her electoral campaign return, and has returned all unused prenumbered income tax receipts optionally received at the beginning of the election period, the nomination deposit of \$1,000 is also returned.

All candidates also receive an audit subsidy equal to the greater of:

- (a) The amount of the expenses incurred for the audit, up to a maximum of the lesser of 3 percent of the candidate's election expenses and \$1,500; and
- (b) \$250

The subsidy is paid directly to a candidate's auditor.

## **Reimbursements for Political Parties**

Registered parties become eligible for a reimbursement of 50 percent of their paid election expenses for general elections if they file the proper financial reports and receive at least 2 percent of the valid votes cast nationally or 5 percent of the valid votes cast in electoral districts where they endorsed candidates.

## **Audit Subsidy for Registered Electoral District Associations**

Registered electoral district associations that incur expenses or accept contributions of \$5,000 or more must submit a report prepared by an auditor. They are eligible to receive an audit subsidy of up to \$1,500 of the auditor's invoiced amount.

## **Regulation of Third Parties**

The *Canada Elections Act* regulates third parties that engage in election advertising. A third party can be a person or a group, other than a candidate, registered political party or registered electoral district associations of a registered party. A "group" is defined as an unincorporated trade union, trade association or other group of persons acting together by mutual consent for a common purpose.

Foreign third parties are not permitted to incur election advertising expenses totalling \$500 or more. A foreign third party is an individual who is not a Canadian citizen, a permanent resident, or resident in Canada; a corporation that does not carry on business in Canada; or a group for which the person responsible is not a Canadian citizen, a permanent resident, or resident in Canada.

“Election advertising” means the transmission to the public by any means during an election period of an advertising message that promotes or opposes a registered party or the election of a candidate, including one that takes a position on an issue with which a registered party or candidate is associated.

A third party must register with the Chief Electoral Officer as soon as it spends \$500 or more on election advertising. Even if it is not required to register, any election advertising transmitted by a third party must identify the third party and state that it has authorized the advertisement.

A registered third party must report its election advertising expenses within four months of election day. Third parties that incur \$5,000 or more in election advertising expenses must include an auditor’s report with their report. Among other information, the report must include the name and address of any contributor who gave a total of more than \$200 for election advertising in the period starting six months before the issue of the writs and ending on election day.

## How to Contact Us

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Elections Canada publishes a broad range of information on the Canadian federal electoral process, including educational and plain-text materials. Most of our publications are available online in HTML, PDF or database format. Some are also available in print or CD-ROM format, and some (mainly electoral maps and other election documents) are available for purchase.

For a complete list of publications available from Elections Canada, see the [Resource Centre](#) section of our website or contact us by mail, telephone or fax.

**Mail** Elections Canada  
30 Victoria Street  
Gatineau, Quebec  
K1A 0M6

**Telephone** 1-800-463-6868  
toll-free in Canada and the United States  
  
001-800-514-6868  
toll-free in Mexico  
  
613-993-2975  
from anywhere in the world  
  
For persons who are deaf or hard of hearing:  
TTY 1-800-361-8935  
toll-free in Canada and the United States

**Fax** 613-954-8584  
1-888-524-1444  
toll-free in Canada and the United States

**Website** [www.elections.ca](http://www.elections.ca)



# Appendices

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## Appendix 1: Evolution of the Federal Electoral System

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*What are the milestones in the history of the Canadian electoral system?*

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The following is an overview of selected key dates and important milestones in the evolution of the federal electoral system. Please consult *A History of the Vote in Canada* (second edition, available at [www.elections.ca](http://www.elections.ca)) for a much more detailed analysis, including a timeline of historical events starting in the early years of the colonial era.

- 1867** In the first general election after Confederation in 1867, only a small minority of the population, composed largely of male British subjects with real property of a certain value, can vote in a country that has just four provinces, represented by 181 members of Parliament.
- 1874** The *Dominion Elections Act* brings in the use of the secret ballot and the practice of holding a general election on the same day in all electoral districts. Candidates are required to report their election expenses, but no enforcement mechanisms are provided.
- 1885** Parliament draws up a complicated federal franchise based on property ownership. The rules differ from town to town and from province to province.
- 1898** The Government returns control of the right to vote in federal elections to the provinces.
- 1908** Direct contributions from corporations to candidates are prohibited, but since the law does not recognize political parties, and without any requirements to disclose the source of political contributions, this principle remains unenforceable.
- 1915** The right to vote is granted to military personnel on active service. The First World War brings other important changes to the federal franchise.
- 1917** Parliament once more takes over responsibility for preparing the voters lists, through the *War-time Elections Act* and the *Military Voters Act*. The right to vote is extended to all British subjects, women and men, who are active or retired members of the armed forces, including persons with Indian status and persons less than 21 years of age, independent of any residency requirement.
- 1918** The franchise in federal elections is extended to women 21 years of age or over.
- 1919** Women become eligible for election to the House of Commons.

**1920** The *Dominion Elections Act* restores control of the right to vote in federal elections to the federal government. The Act also creates the office of Chief Electoral Officer of Canada and establishes advance voting for certain categories of voters.

Other legislative changes include a new requirement for candidates to disclose the names of their contributors and the amount of the contributions they receive; candidates' financial officers must submit a report on spending within two months following the day of the vote, and there is a \$500 fine for failing to submit it. Returning officers must publish a summary of these reports in local newspapers.

The prohibition on corporations making contributions is extended to all companies and associations, whether or not they are incorporated.

**1929** A legislative amendment establishes Monday as federal election day.

**1930** The Government of R.B. Bennett introduces a permanent list of electors in an effort to replace enumeration, but abandons the approach after one election as impractical and expensive. The restrictions on contributions from corporations are abandoned.

**1948** The last of the property ownership requirements for voting are abolished, and the right to vote is extended to all Canadians of Asian origin.

**1950** Inuit people obtain the right to vote.

**1955** The last vestiges of religious restrictions on the franchise are abolished.

**1960** Status Indians are no longer required to give up their status to vote in federal elections. The right to vote at advance polls is extended to all Canadians absent from their polling divisions on election day.

**1964** The *Electoral Boundaries Readjustment Act* receives royal assent and entrusts the redistribution of electoral districts to independent boundary commissions. Redistribution remains a 10-year exercise, as set out in the *Constitution Act, 1867*.

**1970** The voting age and the age of candidacy are lowered from 21 to 18 years. Public servants – mainly diplomats – and their dependants posted outside Canada become eligible to use the Special Voting Rules, previously available only to military personnel and their dependants.

Political parties are required to register with the Chief Electoral Officer to obtain the right to have their names printed on the ballot paper under the names of their candidates. To be eligible for registration, political parties must endorse candidates in at least 50 ridings in a general election and present at least 100 signatures of electors who are members of the party.

**1974** The *Election Expenses Act* introduces a comprehensive set of controls over election expenses and financing. The legislation sets spending limits for candidates and requires public disclosure of all contributions exceeding \$100 to political parties and candidates.

Public funding measures are introduced through partial reimbursement of election expenses, tax credits for political contributions and the allocation of free broadcasting time among political parties. To enforce these provisions, the Act also creates the position of Commissioner of Election Expenses. Third party election advertising is prohibited.

- 1977** A legislative amendment broadens the mandate of the Commissioner of Election Expenses, who becomes the Commissioner of Canada Elections, responsible for the enforcement of all provisions of the *Canada Elections Act*.
- 1982** The *Canadian Charter of Rights and Freedoms* defines constitutional rights and freedoms, including the freedom of opinion and expression, the right of citizens to vote and be a candidate in a legislative election, and the right to equal protection and equal benefit of the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. These rights and freedoms are subject only to reasonable limits, prescribed by law, that can be demonstrably justified in a free and democratic society.
- 1983** The ban on third party advertising is lifted, but restrictions apply on allowable expenses. With respect to candidate election expenses, every person, other than a candidate or an official agent, who incurs election expenses becomes guilty of an offence under the *Canada Elections Act*.
- 1992** The *Referendum Act* is passed to provide a legal and administrative framework for conducting federal referendums on any question related to the Constitution of Canada.

Parliament passes amendments to the *Canada Elections Act* to improve access to the electoral process for persons with disabilities. These include requirements for mobile polls at facilities where seniors or persons with disabilities reside; level access at all ordinary polling stations and, where this is not possible, the use of transfer certificates; and a template for use by electors with a visual impairment.

- 1993** Parliament passes legislation to allow inmates serving sentences of less than two years to vote. The right to vote is also extended to judges and persons with a mental disability.

The *Canada Elections Act* is also modified to allow Canadians to vote by special ballot if they cannot go to their ordinary or advance polls. The ballot can be used by students away from home, travelling vacationers and business people, as well as those temporarily residing outside the country (for less than five years).

Other changes authorize registration at urban polls on election day (previously allowed only for rural voters), shorten the minimum election period from 50 to 47 days and ban the publication and broadcasting of opinion polls during the last three days of a campaign. In addition, a cap of \$1,000 is imposed on a third party's election advertising.

- 1996** Amendments to the *Canada Elections Act* introduce a permanent register of electors and eliminate door-to-door enumeration for federal general elections, by-elections and referendums. The general election and by-election period is shortened from a minimum

of 47 days to 36. Voting hours on election day are staggered and extended so that most of the results are available at approximately the same time across the country.

- 2000** A new *Canada Elections Act* modernizes the organization and terminology of electoral legislation. It also introduces new controls on election advertising by third parties.

The new Act prohibits election advertising and the publication of new election opinion-poll results on election day. It also authorizes the Commissioner of Canada Elections to enter into compliance agreements and, where necessary, obtain court injunctions during an election period. The Act also mandates the Chief Electoral Officer to develop and test electronic voting procedures. Third parties are required to register with the Chief Electoral Officer and disclose their election advertising expenses.

- 2001** Further to a court case, the number of confirmed candidates required for an unregistered political party to be entitled to have its name on the ballot is reduced from 50 to 12.

- 2004** Legislative amendments bring significant and comprehensive changes to the rules regulating political financing. They introduce limits on political contributions by individuals and, henceforth, prohibit corporations and trade unions from contributing to registered parties or leadership contestants. The expenses of nomination contestants are capped. Registration requirements are extended to leadership contestants and electoral district associations. Financial reporting rules are extended to apply to all electoral district associations, leadership contestants and nomination contestants governed by the Act. Registered political parties that obtain a certain number of valid votes, nationwide or at the riding level, become eligible for quarterly public allowances. Tax credits for political contributions are also augmented.

Subsequently, the law is amended to lower the minimum number of candidates required for party registration from 50 to 1. The new legislation also introduces the first legal definition of a political party, along with a series of new administrative requirements for party registration.

- 2006** Legislative amendments introduced as part of the *Federal Accountability Act* further restrict political contributions and make other changes to the *Canada Elections Act* intended to increase the transparency of the electoral process and better control the influence of money on elections. The Act amends the rules for political contributions, gifts and the use of trust funds, and allows only individuals who are Canadian citizens or permanent residents to make political contributions. It also transfers the process of appointing returning officers from the Governor General, acting on advice of Cabinet, to the Chief Electoral Officer. Returning officers are appointed, based on merit, for a 10-year term. However, if any boundaries of an electoral district change as a result of the redistribution process each decade, a competition is held to appoint a returning officer for the new district.

The Act also brings changes to the prosecution process. First, it changes the deadline within which a prosecution can be initiated, making it no more than 5 years after the Commissioner of Canada Elections became aware of the facts, but in any case no later

than 10 years after the day the offence was committed. Second, prosecutions become the responsibility of the newly created Director of Public Prosecutions, while the Commissioner remains the investigative body for alleged offences under the *Canada Elections Act*.

- 2007** Legislative amendments introduce the requirement for voters to prove their identity and address before being handed a ballot. Further amendments are also made with respect to electors who have no residential or civic address or no way to prove such an address. Three options are made available to electors, including showing one piece of government-issued identification with a photo, name and address; showing two pieces of authorized identification, both of which must bear the elector's name and one of which must also bear the elector's address; or taking an oath and having another elector, whose name appears on the list of electors in the same polling division and who produces proper pieces of identification, vouch for them. An elector can vouch for only one other elector.

Further legislative amendments also introduce a fixed election date for federal elections. According to that legislation, if an election is not called under the constitutional prerogative of the Governor General or as a result of a government losing the confidence of the House of Commons, a general election must be held on the third Monday of October in the fourth calendar year following polling day for the previous general election. The 42nd general election, on Monday, October 19, 2015, is the first to be scheduled in accordance with this provision.

- 2011** Legislative amendments are put in place to phase out the quarterly per-vote public allowances paid by Elections Canada to registered political parties that attain a certain number of votes, nationwide or at the riding level, in the previous general election. The payments are reduced starting on April 1, 2012, and stop completely as of April 1, 2015.

The *Fair Representation Act* amends the rules in the *Constitution Act, 1867* for readjusting the number of members of the House of Commons and consequently changes the representation of the provinces in that House. The application of the new formula adds seats in the three provinces with the fastest-growing populations. It gives Ontario 15 more seats, while British Columbia and Alberta are each allotted an additional six. The amendments also include a new "representation rule" that applies in cases where the new calculation method would leave a province under-represented. Such a province's seat allocation is instead increased so that its share of representation will equal its share of the population. As a result, Quebec receives three more seats. The new seat total for all of Canada is 338.

The new Act also shortens the time allotted to conduct the process of readjusting the electoral boundaries. As well, it allows the reappointment of returning officers for a new term in cases where the position becomes vacant because electoral district boundaries are revised.

**2014** Significant legislative changes to almost every aspect of the electoral process took effect in the summer and winter of 2014 under Bill C-23, the *Fair Elections Act* (FEA).

The FEA adds an advance voting day on the second Sunday before election day, resulting in four consecutive days of advance polls. New provisions set out obligations for the Chief Electoral Officer to issue written opinions, guidelines and interpretation notes on the application of the *Canada Elections Act* to political entities in certain defined circumstances. The FEA also replaces vouching with an attestation process. Electors without proof of address must show two pieces of identification with their name and have an elector in their polling division attest to their address. Legislative amendments specifically prohibit the use of the voter information card as a piece of identification.

The Chief Electoral Officer's mandate to implement public education and information programs is revised to target primary and secondary students only. A defined list of subjects the Chief Electoral Officer may address – namely how, where and when to register and vote or become a candidate – applies when he or she transmits advertising to electors about the exercise of their democratic rights.

For political financing, among other changes, the reforms result in a new regime for reporting loans and unpaid claims, new loan restrictions in terms of source and amount, a new regime for dealing with applications for extensions of time to file or correct financial returns, reductions in reimbursement payments for overspending, new spending limits for parties and candidates, new contribution limits, greater contribution limits for candidates and leadership contestants to their own campaigns, and restrictions on testamentary dispositions.

Another significant reform is the addition of a new Schedule 4 to the *Canada Elections Act* contemplating standard rules for conducting recounts. The amendments also make important changes to the enforcement regime by placing the Commissioner of Canada Elections within the Office of the Director of Public Prosecutions. The FEA creates a number of new offences, increases fines, and introduces a registration and data retention regime for voter contact calling services that is partly enforced by the Canadian Radio-television and Telecommunications Commission.

## Appendix 2: Further Information on Canada's Electoral System Since 1867

### Representation in the House of Commons

Federal electoral boundaries are readjusted after each decennial (10-year) census to reflect changes and movements in Canada's population, in accordance with the Constitution and the *Electoral Boundaries Readjustment Act*. Readjustment usually results in an increase in the number of electoral districts, each of which elects a representative to sit in the House of Commons.

Year	Can.	N.B.	N.S.	Ont.	Que.	Man.	B.C.	P.E.I.	N.W.T.	Y.T.	Nun.		
1867	181	15	19	82	65								
1871	185	15	19	82	65	4							
1872	200	16	21	88	65	4	6						
1873	206	16	21	88	65	4	6	6					
1882	211	16	21	92	65	5	6	6					
1887	215	16	21	92	65	5	6	6	4				
1892	213	14	20	92	65	7	6	5	4				
1903	214	13	18	86	65	10	7	4	10	1			
									Alta.	Sask.	N.W.T. / Y.T.		
1907	221	13	18	86	65	10	7	4	7	10	1		
1914	234	11	16	82	65	15	13	3	12	16	1		
1915	235	11	16	82	65	15	13	4	12	16	1		
1924	245	11	14	82	65	17	14	4	16	21	1		
1933	245	10	12	82	65	17	16	4	17	21	1		
1947	255	10	13	83	73	16	18	4	17	20	1		
1949	262	10	13	83	73	16	18	4	17	20	1		
											N.L.		
											7		
									N.W.T.	Y.T.			
									.				
1952	265	10	12	85	75	14	22	4	17	17	1	1	7
1966	264	10	11	88	74	13	23	4	19	13	1	1	7
1976	282	10	11	95	75	14	28	4	21	14	2	1	7
1987	295	10	11	99	75	14	32	4	26	14	2	1	7
1996	301	10	11	103	75	14	34	4	26	14	2	1	7
2003	308	10	11	106	75	14	36	4	28	14	1	1	7
2013*	338	10	11	121	78	14	42	4	34	14	1	1	7

\*The 2013 Representation Order increased the number of seats in the House of Commons by 30, effective August 2015.

For a complete history of federal electoral districts since 1867, click [here](#).

## Parliaments

Since 1867, the number, names and boundaries of federal electoral districts have changed repeatedly. In successive elections, voters in each electoral district have chosen a candidate to represent them in the House of Commons.

Parliament	Date the writs were issued	Election date	Dissolution date	Duration (years, months)	Political party in power	Seats (won/total)
1st	August 6, 1867	Aug. 7–Sept. 20, 1867	July 8, 1872	4 y, 9 m	Liberal-Conservative	101/181
2nd	July 15, 1872	Jul. 20–Oct. 12, 1872	January 2, 1874	1 y, 5 m	Liberal-Conservative	103/200
3rd	January 2, 1874	January 22, 1874	August 17, 1878	4 y, 6 m	Liberal	133/206
4th	August 17, 1878	September 17, 1878	May 18, 1882	3 y, 7 m	Liberal-Conservative	137/206
5th	May 18, 1882	June 20, 1882	January 15, 1887	4 y, 6 m	Liberal-Conservative	139/210
6th	January 17, 1887	February 22, 1887	February 3, 1891	4 y, 0 m	Liberal-Conservative	123/215
7th	February 4, 1891	March 5, 1891	April 24, 1896	5 y, 1 m	Liberal-Conservative	123/215
8th	April 24, 1896	June 23, 1896	October 9, 1900	4 y, 3 m	Liberal	118/213
9th	October 9, 1900	November 7, 1900	September 29, 1904	3 y, 9 m	Liberal	132/213
10th	September 29, 1904	November 3, 1904	September 17, 1908	3 y, 9 m	Liberal	139/214
11th	September 18, 1908	October 26, 1908	July 29, 1911	2 y, 8 m	Liberal	133/221
12th	August 3, 1911	September 21, 1911	October 6, 1917	6 y, 0 m	Conservative	133/221
13th	October 31, 1917	December 17, 1917	October 4, 1921	3 y, 8 m	Unionist	153/235
14th	October 8, 1921	December 6, 1921	September 5, 1925	3 y, 6 m	Liberal	118/235*
15th	September 5, 1925	October 29, 1925	July 2, 1926	0 y, 6 m	Liberal	115/245*
16th	July 20, 1926	September 14, 1926	May 30, 1930	3 y, 7 m	Liberal	125/245
17th	May 30, 1930	July 28, 1930	August 14, 1935	5 y, 1 m	Conservative	137/245
18th	August 15, 1935	October 14, 1935	January 25, 1940	4 y, 3 m	Liberal	173/245
19th	January 27, 1940	March 26, 1940	April 16, 1945	5 y, 1 m	Liberal	181/245
20th	April 16, 1945	June 11, 1945	April 30, 1949	3 y, 9 m	Liberal	125/245
21st	April 30, 1949	June 27, 1949	June 13, 1953	4 y, 0 m	Liberal	190/262
22nd	June 13, 1953	August 10, 1953	April 12, 1957	3 y, 7 m	Liberal	171/265
23rd	April 12, 1957	June 10, 1957	February 1, 1958	0 y, 5 m	Progressive Conservative	111/265*

Parliament	Date the writs were issued	Election date	Dissolution date	Duration (years, months)	Political party in power	Seats (won/total)
24th	February 1, 1958	March 31, 1958	April 19, 1962	4 y, 1 m	Progressive Conservative	208/265
25th	April 19, 1962	June 18, 1962	February 6, 1963	0 y, 6 m	Progressive Conservative	116/265*
26th	February 6, 1963	April 8, 1963	September 8, 1965	2 y, 3 m	Liberal	128/265*
27th	September 8, 1965	November 8, 1965	April 23, 1968	2 y, 4 m	Liberal	131/265*
28th	April 25, 1968	June 25, 1968	September 1, 1972	4 y, 2 m	Liberal	155/264
29th	September 1, 1972	October 30, 1972	May 9, 1974	1 y, 5 m	Liberal	109/265*
30th	May 9, 1974	July 8, 1974	March 26, 1979	4 y, 7 m	Liberal	141/264
31st	March 26, 1979	May 22, 1979	December 14, 1979	0 y, 5 m	Progressive Conservative	136/282*
32nd	December 14, 1979	February 18, 1980	July 9, 1984	4 y, 4 m	Liberal	147/282
33rd	July 9, 1984	September 4, 1984	October 1, 1988	4 y, 1 m	Progressive Conservative	211/282
34th	October 1, 1988	November 21, 1988	September 8, 1993	4 y, 8 m	Progressive Conservative	169/295
35th	September 8, 1993	October 25, 1993	April 27, 1997	3 y, 5 m	Liberal	177/295
36th	April 27, 1997	June 2, 1997	October 22, 2000	3 y, 4 m	Liberal	155/301
37th	October 22, 2000	November 27, 2000	May 23, 2004	3 y, 5 m	Liberal	172/301
38th	May 23, 2004	June 28, 2004	November 29, 2005	1 y, 4 m	Liberal	135/308*
39th	November 29, 2005	January 23, 2006	September 7, 2008	2 y, 6 m	Conservative	124/308*
40th	September 7, 2008	October 14, 2008	March 26, 2011	2 y, 4 m	Conservative	143/308*
41st	March 26, 2011	May 2, 2011	August 2, 2015	4 y, 3 m	Conservative	166/308
<b>Average</b>				<b>3 y, 4 m</b>		

For the current number of seats in the House, broken down by province and party, click [here](#).

## **Prime Ministers**

The Prime Minister of Canada is appointed by the Governor General to form a government after a general election or whenever the position otherwise falls vacant. For a list of Canadian prime ministers since 1867, click [here](#).

## **Voter Turnout**

Canada's population has grown steadily since 1867, as has the number of Canadians entitled to vote in a federal election. The turnout in an election is the percentage of electors who cast ballots. For details from 1867 onward, click [here](#).