



Canada

REPORT OF THE

Chief Electoral Officer of Canada

Following the November 9, 2009, By-elections Held in
Cumberland–Colchester–Musquodoboit Valley,
Hochelaga, Montmagny–L’Islet–Kamouraska–
Rivière-du-Loup and New Westminster–Coquitlam

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Report of the Chief Electoral Officer of Canada following the November 9, 2009, by-elections held in Cumberland–Colchester–Musquodoboit Valley, Hochelaga, Montmagny–L'Islet–Kamouraska–Rivière-du-Loup and New Westminster–Coquitlam

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The Chief Electoral Officer • Le directeur général des élections

March 31, 2010

The Honourable Peter Milliken
Speaker of the House of Commons
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Ottawa, Ontario
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Dear Mr. Speaker:

I have the honour to provide my report following the by-elections, held on November 9, 2009, in the electoral districts of Cumberland–Colchester–Musquodoboit Valley, Hochelaga, Montmagny–L'Islet–Kamouraska–Rivière-du-Loup and New Westminster–Coquitlam. I have prepared the report in accordance with subsection 534(2) of the *Canada Elections Act* (S.C. 2000, c. 9).

Under section 536 of the Act, the Speaker is required to submit this report to the House of Commons without delay.

This report includes a summary of the official voting results. For more information, please see the Elections Canada Web site at www.elections.ca.

Yours truly,

Marc Mayrand
Chief Electoral Officer

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Foreword

This report covers the four by-elections held on November 9, 2009, in the electoral districts of Cumberland–Colchester–Musquodoboit Valley, Hochelaga, Montmagny–L’Islet–Kamouraska–Rivière-du-Loup and New Westminster–Coquitlam.

According to subsection 534(2) of the *Canada Elections Act*, a report on by-elections must cover by-elections held throughout the year and also set out “any matter or event that has arisen or occurred in connection with the administration of the Chief Electoral Officer’s office since the last report [...] and that he or she considers should be brought to the attention of the House of Commons.”

This document follows the *Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008*, submitted in February 2009, and the *Report on the Evaluations of the 40th General Election of October 14, 2008*, submitted in June 2009, which identified a number of issues calling for legislative or administrative improvements. We were able to implement some of the improvement measures set out in those reports before or during the last by-elections – for example, the changes made to the telephone installations in our local offices and to our training programs for election officers.

This report is divided into three sections:

- **Context of the November 2009 by-elections** – The particular circumstances surrounding these elections and the administrative initiatives implemented for these electoral events.
- **Conduct of the November 2009 by-elections** – Elections Canada’s activities during these elections and the voting results.
- **Next steps** – The main actions that Elections Canada plans to undertake following these elections.

I. Context of the November 2009 By-elections

I.1 H1N1 flu

The November 2009 by-elections were held while the H1N1 flu pandemic alert was in effect across the country and abroad. Elections Canada, in collaboration with the Public Health Agency of Canada, had developed a contingency plan for dealing with the situation in case of an election.

For the by-elections, various precautions were taken to protect the health of electors and election workers, such as distributing bottles of hand cleaner and cleaning wipes to polling sites and to offices. In cases where polling stations for the general public had been set up in long-term care facilities during previous elections, returning officers were this time instructed to set up those polling stations elsewhere, whenever possible; this was done in most cases. Pertinent information on how to prevent the flu was provided to electors and election workers, and special measures were put in place in case the absenteeism rate proved to be higher than usual. The overall results were positive.

I.2 New administrative initiatives

Elections Canada took advantage of the November 2009 by-elections to introduce a number of measures for improving the administration of electoral events and service to electors. The main initiatives that were implemented are as follows:

Telephony – In the past, Elections Canada paid a monthly sum to telephone companies between elections in order to reserve a certain number of telephone lines for potential local offices. During the November 2009 by-elections, we tried a new strategy that involved using cell phones for the first 10 days of the election, while land lines were being installed. Overall, this system worked well and may be applied on a larger scale during a general election. The use of cell phones allows electors and candidates to contact their returning officer right from the issue of the writs. Furthermore, Elections Canada will realize savings by reducing the costs for guaranteeing in advance the availability of conventional telephone services for its local offices.

Advance polling stations – In the spring of 2009, returning officers in rural electoral districts reviewed the number and distribution of their advance polling stations with a view to ensuring closer voting services for electors, especially in remote areas. We compared the proportion of electors who voted at the advance polls in the areas served by the new advance polling stations during the by-election and the 40th general election. The initiative had a statistically significant positive effect on the advance poll in the area served by the new advance polling station in Cumberland–Colchester–Musquodoboit Valley. In Montmagny–L’Islet–Kamouraska–Rivière-du-Loup, the results were less conclusive. The findings cannot, however, be generalized for the country as a whole.

Training – Following the last general election, we undertook to enhance training for election officers, primarily to ensure a more consistent application of the rules and procedures. In September 2009, all training officers – who had had to train themselves in the past – received training in the regions on the training programs for election officers. Furthermore, we adopted a new instructional approach that focuses on the knowledge that election officers must have to perform their work, instead of looking to cover all of the exceptions. These initiatives led us to change some of our instructional tools and to create new ones. We are currently assessing the impact of those changes with a view to making any necessary adjustments.

2. Conduct of the November 2009 By-elections

2.1 Launch of the by-elections

Four vacancies in the House of Commons precipitated the November 2009 by-elections.

- On April 13, 2009, Dawn Black, the New Democratic Party Member of Parliament for **New Westminster–Coquitlam** (British Columbia), resigned, leaving her seat in the House of Commons vacant. Ms. Black was first elected on November 21, 1988.
- On April 30, 2009, Bill Casey, the Independent Member of Parliament for **Cumberland–Colchester–Musquodoboit Valley** (Nova Scotia), resigned, leaving his seat in the House of Commons vacant. Mr. Casey was first elected on November 21, 1988.
- On May 21, 2009, Paul Crête, Bloc Québécois Member of Parliament for **Montmagny–L’Islet–Kamouraska–Rivière-du-Loup** (Quebec), resigned, leaving his seat in the House of Commons vacant. Mr. Crête was first elected on October 25, 1993.
- On September 16, 2009, Réal Ménard, Bloc Québécois Member of Parliament for **Hochelaga** (Quebec), resigned, leaving his seat in the House of Commons vacant. Mr. Ménard was first elected on October 25, 1993.

Given the date on which the Member of Parliament for New Westminster–Coquitlam resigned, the deadline for calling an election in this electoral district was October 13, 2009, pursuant to the *Parliament of Canada Act*. On September 11, 2009, the Chief Electoral Officer held a teleconference with members of the Advisory Committee of Political Parties to update them on various topics, particularly the new measures taken by Elections Canada as part of its election preparations.

Writs were issued on October 4, 2009, directing the returning officers in Cumberland–Colchester–Musquodoboit Valley, Hochelaga, Montmagny–L’Islet–Kamouraska–Rivière-du-Loup and New Westminster–Coquitlam to conduct by-elections on November 9, 2009.

House of Commons seat distribution

On October 4, 2009, the seat distribution in the House of Commons was:

- Conservative Party of Canada – 143 seats
- Liberal Party of Canada – 77 seats
- Bloc Québécois – 47 seats
- New Democratic Party – 36 seats
- Independent – 1 seat
- Vacant – 4 seats

The returning officers

The returning officers in charge of conducting the 2009 by-elections in the four electoral districts in question were: Darlene Mackay for Cumberland–Colchester–Musquodoboit Valley; Suzanne Paquin for Hochelaga; Pierrette Couillard for Montmagny–L'Islet–Kamouraska–Rivière-du-Loup; and Leslie Neil Budd for New Westminster–Coquitlam.

The candidates

From the time the returning officers published the Notice of Election, prospective candidates in the by-elections had until 2:00 p.m. on October 19, 2009, to file their nomination papers. The candidates had until 5:00 p.m. on the same day to withdraw or make corrections to the name, address or occupation indicated on their nomination papers; none of the candidates withdrew before the deadline. Table 8 (page 24) presents in detail the political parties and candidates who participated in these elections.

Elections Canada posted the names of candidates on its Web site as they were confirmed, and posted the final lists of confirmed candidates once nominations closed. It also provided the official lists to Canadian diplomatic missions and consular posts through the Department of Foreign Affairs and International Trade, and to Canadian Forces bases through the Department of National Defence.

2.2 Milestones of the electoral process

Table 1 is an overview of the milestones in the electoral process, from the issue of the writs to election day, for the by-elections held in 2009.

Table 1 – Key dates		
Date	Election calendar day	Event
October 4	Day 36	Issue of the writs; voting by special ballot begins; local Elections Canada offices open to the public
October 6	Day 34	Preliminary lists of electors sent to returning officers
October 7	Day 33	Revision of lists of electors begins
October 8	Day 32 (or earlier)	Notice of Election published – candidates may file nomination papers
October 9	Day 31	Preliminary lists of electors sent to candidates as they are confirmed
October 12	Day 28	Targeted revision begins
October 14–16	Days 26 to 24	Voter information cards mailed to all registered electors
October 19	Day 21 (2:00 p.m.)	Close of nominations
October 21	Day 19 (2:00 p.m.)	Confirmation of nominated candidates
October 21–23	Days 19 to 17	Reminder brochures distributed
October 29	Day 11	Revised lists of electors sent to candidates
October 30, 31 and November 2	Days 10, 9 and 7	Advance polls
November 2	Day 7	Final spending limits announced for candidates and parties
November 3	Day 6 (6:00 p.m.)	Revision ends; deadline for special ballot registration
November 9	Day 0	Deadline for special ballot voting; election day

2.3 Communicating with electors

At all electoral events, Elections Canada strives to promote awareness among electors about their right to vote, key dates in the electoral calendar, voting rules and procedures, as well as changes to electoral law. Each communications and outreach campaign is tailored to the geography and demographics of the electoral districts.

Advertising and media relations

The key messages of our advertising campaign for the 2009 by-elections, as for the general election of October 14, 2008, focused on the new identification requirements for voters and the different voting options. The campaign included two 30-second radio ads and two half-page print ads. According to a post-election survey conducted by Cossette Media, the percentage of voters who were aware that by-elections were being held was slightly lower than the usual rate (i.e. over 90 percent) in two electoral districts: Hochelaga (80 percent) and New Westminster–Coquitlam (83 percent).

Among those aware of the by-elections, 78 percent remembered receiving the voter information card at home, which is the rate normally observed during by-elections. The same was true with regard to the rate of recall for the reminder brochure (38 percent), newspapers ads (35 percent) and radio ads (31 percent). This information will help us optimize our media purchase plan for future events.

With regard to media relations, Elections Canada received 71 calls from the media, made 180 proactive calls to the media, granted 5 official interviews and published 15 news releases. Questions from the media primarily involved polling hours and locations, voter turnout at the advance polls and identification requirements for voters.

Specialized campaigns

Following our general practice, Elections Canada made special communications and outreach efforts to groups and communities thought likely to experience difficulty in exercising their right to vote, or not reached as easily by the general advertising campaign. For example, we distributed information kits to organizations that provide services to persons with special needs. In New Westminster–Coquitlam, we published ads in community newspapers in Korean, Punjabi and Chinese.

Our community relations officers played a key role in the specialized campaigns conducted in the four electoral districts. For example:

- For youth, they carried out numerous outreach activities – information sessions, information booths and distributed promotional material in educational institutions, including a new pamphlet developed specifically for students.
- For ethnocultural communities, they contacted the associations and organizations that represent these communities.
- For Aboriginal communities in Cumberland–Colchester–Musquodoboit Valley and New Westminster–Coquitlam, they contacted organizations such as First Nations reserves, Aboriginal health centres and friendship centres.
- For homeless electors, they initiated discussions with the administrators of homeless shelters and distributed information materials in churches, youth centres and soup kitchens.

Electoral information sources

Electors could obtain information on registration and voting by contacting their local Elections Canada office, contacting Elections Canada directly or using the Voter Information Service on our Web site. During the election period, our bilingual staff at the Enquiries Unit answered 617 calls and 59 e-mails from the public, and provided information materials upon request.

Furthermore, advertisements were placed so that they were clearly visible on our Web site in order to help returning officers recruit the staff required for election day. On election night, voting results were posted on the site as they became available and there was a record number of 21,900 visits to the site.

2.4 Communicating with candidates, official agents and auditors

Returning officers supplied various materials to candidates, official agents and auditors for the November 2009 by-elections. The returning officers met with the candidates and/or their representatives to ensure everyone received the same information on various issues, such as election day rules, the election officer positions for which candidates could recommend applicants, and certain initiatives that Elections Canada planned to implement during the elections.

2.5 Revising the lists of electors

As usual, Elections Canada used the information from the National Register of Electors to produce the preliminary lists of electors. The revision period ran from October 7 to November 3, 2009.

- In **Cumberland-Colchester-Musquodoboit Valley** (estimated population of 67,789 electors), quality estimates at the beginning of the by-election indicated that 95 percent of electors were on the preliminary lists and that 83 percent were at the correct address as of October 7, 2009. As part of the targeted revision drive, revising agents visited 490 addresses identified by the returning officer in high-mobility areas, new residential developments, long-term care facilities and university residences. In all, 1,773 electors were registered during the revision period, and 531 on election day.
- In **Hochelaga** (estimated population of 78,620 electors), quality estimates at the beginning of the by-election indicated that 97 percent of electors were on the preliminary lists and that 83 percent were at the correct address as of October 7, 2009. Targeted revision involved visits to 620 addresses. In all, 3,117 electors were registered during the revision period, and 206 on election day.
- In **Montmagny-L'Islet-Kamouraska-Rivière-du-Loup** (estimated population of 77,886 electors), quality estimates at the beginning of the by-election indicated that 95 percent of electors were on the preliminary lists and that 87 percent were at the correct address as of October 7, 2009. Targeted revision involved visits to 579 addresses. In all, 2,605 electors were registered during the revision period, and 303 on election day.
- In **New Westminster-Coquitlam** (estimated population of 82,225 electors), quality estimates at the beginning of the by-election indicated that 91 percent of electors were on the preliminary lists and that 86 percent were at the correct address as of October 7, 2009. Targeted revision involved visits to 2,894 addresses. In all, 1,530 electors were registered during the revision period, and 476 on election day.

Table 2 lists the types of revision transactions.

Table 2 – Lists of electors: Revision transactions during the by-elections				
Electoral district	Cumberland- Colchester- Musquodoboit Valley	Hochelaga	Montmagny- L'Islet- Kamouraska- Rivière-du- Loup	New Westminster- Coquitlam
Preliminary lists of electors, including Special Voting Rules (SVR)	67,789	78,620	77,886	82,225
Moves between electoral districts ¹	345	1,914	375	743
Electors added ²	687	478	432	785
Moves within the electoral district ³	1,268	915	2,088	474
Other corrections ⁴	656	172	463	303
Electors removed from lists ⁵	527	2,216	820	1,859
SVR Group 1 updates ⁶	10	5	4	9
Electors on the final lists	68,304	78,801	77,877	81,903

¹ Electors who moved into the electoral district before the beginning of the revision period but were not included in the last release made from the National Register of Electors before the by-election was called.

² Electors who did not appear on any lists at the beginning of the by-election and were added during the event.

³ Electors who appeared on a list for their electoral district at the beginning of the by-election but at the wrong address. These figures also include administrative changes made by the returning officer to elector records during the event.

⁴ Electors who appeared on a list of electors with a correct address and requested a correction to their name or mailing address during the event.

⁵ Electors who appeared on a list of electors but were removed for one of the following reasons: the elector was deceased; the elector asked to be removed; the elector had moved; the individual was not qualified to be on the list (for example, less than 18 years old or a non-citizen); or the elector had a duplicate record on the same list. This figure also reflects elector records removed as a result of elector moves to another electoral district during the event and duplicates removed during the preparation of the final lists of electors.

⁶ Indicates the increase in the number of Group 1 electors registered under the Special Voting Rules (Canadian electors temporarily residing outside Canada, Canadian Forces electors and incarcerated electors) during the event.

2.6 Ordinary polls and advance polls

On election day, electors could vote at the ordinary polls from 8:30 a.m. to 8:30 p.m. (Atlantic Time) in Cumberland–Colchester–Musquodoboit Valley; from 9:30 a.m. to 9:30 p.m. (Eastern Time) in Hochelaga and Montmagny–L’Islet–Kamouraska–Rivière-du-Loup; and from 7:00 a.m. to 7:00 p.m. (Pacific Time) in New Westminster–Coquitlam. Electors could also vote at the advance polls, which were open on October 30 and 31, as well as on November 2, from noon to 8:00 p.m. Table 3 lists the types of polling sites (each one may include several polling stations).

Table 3 – Types of polling sites ¹				
Facility type	Ordinary poll ²		Advance poll	
	No.	%	No.	%
Cumberland–Colchester–Musquodoboit Valley				
Church hall	8	11	2	12
Commercial site	2	3	–	–
Community centre	25	34	4	24
School	2	3	1	6
Fire station	18	24	3	18
Municipal building	3	4	1	6
Recreation centre	6	8	2	12
Royal Canadian Legion	8	11	2	12
Other	2	3	2	12
Total	74	100	17	100

Table 3 – Types of polling sites¹

Facility type	Ordinary poll ²		Advance poll	
	No.	%	No.	%
Hochelaga				
Apartment building	7	25	1	20
Church hall	1	4	–	–
Community centre	4	14	2	40
School	9	32	–	–
Municipal building	3	11	1	20
Recreation centre	1	4	–	–
Seniors residence	2	7	1	20
Other	1	4	–	–
Total	28	100	5	100
Montmagny-L'Islet-Kamouraska-Rivière-du-Loup				
Apartment building	5	7	–	–
Church hall	13	19	1	8
Commercial site	1	1	1	8
Community centre	4	6	1	8
School	1	1	–	–
Municipal building	39	57	7	58
Recreation centre	4	6	2	17
Other	2	3	–	–
Total	69	100	12	100

Table 3 – Types of polling sites¹

Facility type	Ordinary poll ²		Advance poll	
	No.	%	No.	%
New Westminster–Coquitlam				
Apartment building	1	3	–	–
Church hall	5	17	3	75
Commercial site	1	3	–	–
Community centre	3	10	–	–
School	17	57	–	–
Federal building	1	3	1	25
Seniors residence	2	7	–	–
Total	30	100	4	100

¹ Because the percentages have been rounded, there may be some discrepancies in the totals.

² Excludes mobile polls.

Elections Canada provided a number of mobile polls to assist people in seniors residences, long-term care facilities and other institutions. Table 4 shows the types of polling stations used in the four electoral districts.

Table 4 – Types of polling stations

Electoral district	Ordinary		Advance	Total
	Stationary	Mobile		
Cumberland–Colchester– Musquodoboit Valley	215	11	17	243
Hochelega	201	6	10	217
Montmagny–L’Islet– Kamouraska–Rivière-du- Loup	226	15	14	255
New Westminster– Coquitlam	204	7	12	223

Table 5 shows the polling sites with level access during the November 2009 by-elections. In Hochelaga, two temporary level-access ramps were built, at a total cost of \$3,600, to ensure that two central polling places located in schools were accessible.

Table 5 – Polling sites with level access (excluding institutions visited by mobile polls)¹			
Electoral district	Accessible without modification	Accessible after modification	Total
Cumberland–Colchester–Musquodoboit Valley	76	0	76
Hochelaga	26	2	28
Montmagny–L’Islet–Kamouraska–Rivière-du-Loup	70	0	70
New Westminster–Coquitlam	30	0	30

¹ According to the information contained in the inventory of polling sites.

2.7 Voting by special ballot

As in any election, electors could vote by mail or at the local Elections Canada office using a special ballot, under the Special Voting Rules (SVR). Canadians abroad could obtain information about voting by special ballot by contacting any of the diplomatic missions and consular posts of the Department of Foreign Affairs and International Trade, or by visiting the Elections Canada Web site. Members of the Canadian Forces – whether based in Canada or abroad – were informed of their voting rights by the Department of National Defence. When the writs were issued, special ballot voting kits were sent to all Canadian Forces electors and electors residing outside Canada whose names appeared on the lists established for the electoral districts of Cumberland–Colchester–Musquodoboit Valley, Hochelaga, Montmagny–L’Islet–Kamouraska–Rivière-du-Loup and New Westminster–Coquitlam.

Elections Canada ensured that electors hospitalized in acute-care facilities during the by-elections were able to register and vote by special ballot. Registration and voting in acute-care hospitals took place on November 1, 2 and 3, 2009.

Table 6 shows the number of registrations for voting by special ballot, by group and category.

Table 6 – Registrations for voting by special ballot (Special Voting Rules)				
Groups and categories of electors registering to vote by special ballot	Number of ballots issued			
	Cumberland–Colchester–Musquodoboit Valley	Hochelaga	Montmagny–L’Islet–Kamouraska–Rivière-du-Loup	New Westminster–Coquitlam
Group 1¹				
Members of the Canadian Forces	417	87	198	94
Incarcerated electors	6	1	1	2
Electors temporarily residing outside Canada	10	37	5	51
Group 1 subtotal	433	125	204	147
Group 2²				
Electors temporarily outside their electoral district	27	13	8	11
Electors voting in their electoral district	478	307	337	797
Group 2 subtotal	505	320	345	808
Total number of registrations for electors voting by special ballot	938	445	549	955

¹ Electors in the three categories registered under Group 1 of the Special Voting Rules are not included in the local lists that are revised by the returning officer during an event.

² Electors in the categories registered under Group 2 of the Special Voting Rules are included in the local lists of electors.

2.8 Voter turnout

Table 7 shows the numbers of ballots cast and the overall voter turnout.

Table 7 – Number of ballots cast by voting method and voter turnout¹				
Electoral district	Cumberland- Colchester- Musquodoboit Valley	Hochelaga	Montmagny- L'Islet- Kamouraska- Rivière-du- Loup	New Westminster- Coquitlam
Number of electors on final lists	68,304	78,801	77,877	81,903
Ordinary polls	20,514 ² 83.9%	15,660 ² 87.8%	25,315 ² 88.0%	20,631 ² 84.1%
Advance polls	3,408 13.9%	1,835 10.3%	3,093 10.8%	3,076 12.5%
Voting by special ballot	536 2.2%	338 1.9%	358 1.2%	834 3.4%
Rejected ballots	97 0.4%	264 1.5%	264 0.9%	65 0.3%
Total valid ballots	24,361 99.6%	17,569 98.5%	28,502 99.1%	24,476 99.7%
Total votes cast	24,458	17,833	28,766	24,541
Voter turnout in the November 2009 by-elections	35.8%	22.6%	36.9%	30.0%
Voter turnout in the 2008 general election	57.8%	58.2%	57.5%	61.7%

¹ The percentages have been rounded.

² Includes electors who voted at mobile polls.

2.9 By-election results

On election night, each returning officer's Event Results System (ERS) was linked to Elections Canada's central computer. At the end of the count at each polling station, the deputy returning officer called in the results to the local Elections Canada office, where a staff member entered the totals into the ERS and transmitted them to Elections Canada in Ottawa for posting on the Elections Canada Web site. Ballots cast under the Special Voting Rules by incarcerated and Canadian Forces electors, and by Canadians voting outside their electoral districts, were counted at Elections Canada in Ottawa during the week before election day and on election night.

- In **Cumberland–Colchester–Musquodoboit Valley**, Scott Armstrong, the Conservative Party of Canada candidate, was elected.
- In **Hochelaga**, Daniel Paillé, the Bloc Québécois candidate, was elected.
- In **Montmagny–L'Islet–Kamouraska–Rivière-du-Loup**, Bernard Généreux, the Conservative Party of Canada candidate, was elected.
- In **New Westminster–Coquitlam**, Fin Donnelly, the New Democratic Party candidate, was elected.

Table 8 identifies each candidate by political affiliation and shows the number and proportion of valid votes obtained.

Table 8 – Valid votes obtained, by candidate¹					
Candidate	Political affiliation	Place of residence	Occupation	Valid votes obtained	Percentage of valid votes (%)
Cumberland–Colchester–Musquodoboit Valley					
Scott Armstrong	Conservative Party of Canada	Truro	Educator	11,167	45.8
Mark Austin	New Democratic Party	Old Barns	Sustainability consultant	6,267	25.7
Jim Burrows	Liberal Party of Canada	Green Oaks	Dairy farmer	5,193	21.3
Jason Blanch	Green Party of Canada	Amherst	Environmental educator	807	3.3
Jim Hnatiuk	Christian Heritage Party of Canada	Enfield	Naval electronics technician	778	3.2
Kate Graves	Independent	Truro	Human ecologist	149	0.6
Total				24,361	100

Table 8 – Valid votes obtained, by candidate¹

Candidate	Political affiliation	Place of residence	Occupation	Valid votes obtained	Percentage of valid votes (%)
Hochelaga					
Daniel Paillé	Bloc Québécois	Montréal	Professor	8,989	51.2
Jean-Claude Rocheleau	New Democratic Party	Montréal	Procedure technician	3,444	19.6
Robert David	Liberal Party of Canada	Mont-Royal	Professor	2,519	14.3
Stéphanie Cloutier	Conservative Party of Canada	Montréal	Director of production	1,768	10.1
Christine Lebel	Green Party of Canada	Montréal	Plumber	572	3.3
Gabrielle Anctil	neorhino.ca	Montréal	Shepherd	129	0.7
Christine Dandenault	Marxist-Leninist Party of Canada	Montréal	Secretary	79	0.4
John Turmel	Independent	Brantford	Banking systems engineer	69	0.4
Total				17,569	100
Montmagny-L'Islet-Kamouraska-Rivière-du-Loup					
Bernard Généreux	Conservative Party of Canada	La Pocatière	Entrepreneur	12,162	42.7
Nancy Gagnon	Bloc Québécois	Rivière-du-Loup	Parliamentary assistant	10,737	37.7
Marcel Catellier	Liberal Party of Canada	Cap-Saint-Ignace	Municipal officer	3,768	13.2
François Lapointe	New Democratic Party	L'Islet	Project officer	1,363	4.8
Charles A. Marois	Green Party of Canada	Saint-André	Organic producer	472	1.7
Total				28,502	100
New Westminster-Coquitlam					
Fin Donnelly	New Democratic Party	Coquitlam	Executive director	12,171	49.7
Diana Dilworth	Conservative Party of Canada	Port Moody	City councillor	8,730	35.7
Ken Beck Lee	Liberal Party of Canada	New Westminster	Engineer	2,528	10.3
Rebecca Helps	Green Party of Canada	Port Moody	Business consultant	1,047	4.3
Total				24,476	100

¹ Because the percentages have been rounded, there may be some discrepancies in the totals.

Returning officers validate the results as soon as possible after election day. Validation was done on November 10 in Hochelaga and Montmagny–L'Islet–Kamouraska–Rivière-du-Loup; on November 11 in New Westminster–Coquitlam; and on November 12 in Cumberland–Colchester–Musquodoboit Valley.

The official voting results for the November 2009 by-elections, including poll-by-poll results, are available on the Elections Canada Web site at www.elections.ca under *General Information* > *Official Reports* > *Elections Canada's Official Reports*.

2.10 Adaptations

In accordance with subsection 17(1) of the *Canada Elections Act*, the Chief Electoral Officer may adapt any provision of the Act to deal with an emergency, an error, or an unusual or unforeseen circumstance. During the November 2009 by-elections, the Chief Electoral Officer used this authority for the following reason:

- In general, a growing number of electors choose to vote at advance polls, but the Act provides for fewer election officers at the advance polls than at the ordinary polls on election day. The Chief Electoral Officer therefore adapted the Act to enable returning officers to appoint additional election officers to assist for the advance polls.

In accordance with section 179 of the *Special Voting Rules as Adapted for the Purposes of a By-election (Regulations (by-election))*, the Chief Electoral Officer may issue any instructions that he considers necessary in order to apply or adapt these regulations to a particular circumstance. During the November 2009 by-elections, the Chief Electoral Officer used this authority for the following reason:

- The Act formerly prohibited voting by prisoners serving sentences of more than two years and therefore did not provide a voting process for prisoners in federal correctional institutions. As a result of the 2002 decision of the Supreme Court of Canada in *Sauvé v. Canada (Chief Electoral Officer)*, which struck down the prohibition, the *Regulations (by-election)* were adapted by instruction to extend to federal institutions the statutory process for voting in provincial institutions.

2.11 Enforcement of the *Canada Elections Act*

The Commissioner of Canada Elections received 15 complaints regarding the November 2009 by-elections. All the complaints involved acts that took place during the election period and most of them were related to election advertising. Thirteen of the files have been closed and two others are still under review.

2.12 Candidates' election expenses

All candidates in a federal election are bound by the Act to report their election expenses. The 23 candidates in the November 2009 by-elections had until March 9, 2010, to submit the *Candidate's Electoral Campaign Return*.

Any candidate who is elected or who receives at least 10 percent of the valid votes cast is eligible to receive election expenses reimbursements equal to 60 percent of paid election expenses and paid candidate personal expenses. In addition, any candidate who submits a return is eligible for an audit subsidy (paid directly to the campaign auditor) equal to the lesser of \$1,500 or 3 percent of the candidate's election expenses; the minimum is \$250.

Following the November 2009 by-elections, 13 candidates are eligible for reimbursement. Partial reimbursements already paid for these by-elections total \$169,816.

2.13 Estimated cost of the by-elections

Table 9 presents the estimated cost of the November 2009 by-elections.

Table 9 – Estimated cost of the by-elections	
Activity	Cost (\$ thousands)
Conduct of elections in the electoral districts , including expenses related to election workers and officers, printing the lists of electors, and leasing local Elections Canada offices and polling sites ¹	1,708.6
Preparations for and conduct of the election at Elections Canada in Ottawa and support to the returning officers , including election materials, training returning officers and other key employees, updating the National Register of Electors, advertising and awareness campaigns, the Support Network, and information technology ²	444.4
Post-election studies and consultations , including surveys conducted by Elections Canada and post-mortem sessions with returning officers	82.0
Subtotal	2,235.1
Reimbursement of election expenses to candidates and political parties – projected cost³	327.4
Total estimated cost	2,562.5

¹ Real expenditures as of March 19, 2010. Other minor expenditures may be added, but cannot be accurately estimated.

² Estimated expenditures.

³ Estimated expenditures. The final amount is not known, as the candidates' records are being audited.

3. Next Steps

Overall, the November 2009 by-elections ran smoothly. However, our post-electoral evaluations identified some issues that we intend to address in order to make the electoral process even more efficient and accessible.

Elections Canada has made many changes to its administrative processes over the past two decades to make voting more accessible to all electors, including those with physical disabilities. In fact, increasing the accessibility of the electoral process is a key objective of Elections Canada's five-year strategic plan and the organization remains committed to working with stakeholders, including organizations representing persons with physical disabilities, to make additional improvements that will continue to build on our progress in this area. This includes following up on the February 2010 decision of the Canadian Human Rights Tribunal, which found that a complaint that level access was not provided at a Toronto polling station during the March 2008 by-election and October 2008 general election was substantiated. Elections Canada has acknowledged that the elector's rights had been violated and will work with the Canadian Human Rights Commission, the complainant and other interested parties to improve its processes and implement the changes requested by the tribunal.

With regard to the administrative issues described in our reports on the 40th general election, we will continue to work diligently to implement the most efficient and effective solutions. Some initiatives, such as those described at the beginning of this report, have already produced encouraging results.

As for the legislative issues, Elections Canada will soon submit its recommendations report following the 40th general election. This will include a more detailed analysis of the key challenges that will have to be addressed to continue to meet the changing needs and expectations of all participants in the Canadian electoral process.