



Canada

REPORT OF THE

Chief Electoral Officer of Canada

on the 41st General Election
of May 2, 2011

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The Chief Electoral Officer • Le directeur général des élections

August 17, 2011

The Honourable Andrew Scheer
Speaker of the House of Commons
Centre Block
House of Commons
Ottawa, Ontario
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Dear Mr. Speaker:

I have the honour to provide my report following the 41st general election, held on May 2, 2011. I am submitting this report in accordance with subsection 534(1) of the *Canada Elections Act*, S.C. 2000, c. 9.

Section 536 of the Act requires the Speaker to submit this report to the House of Commons without delay. Standing Order 108(3)(a)(vi) of the *Standing Orders of the House of Commons* provides for its referral to the Standing Committee on Procedure and House Affairs.

Finally, I wish to inform you that the official voting results by polling division for the 41st general election have now been published on the Elections Canada Web site.

Yours truly,

Marc Mayrand
Chief Electoral Officer

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The 41st general election was the fourth within a seven-year period. Overall, I can say with confidence that the election proceeded smoothly and that Canadians were presented with an accessible electoral framework that they could trust and use.

We implemented a number of administrative changes during this election, including a new recruitment initiative for field staff; improvements to ensure greater accessibility of polling sites; the introduction of wireless technology, which enabled local offices to serve electors very soon after the election was called; the addition of advance polls in rural areas; and the use of the voter information card to facilitate proof of identity and address for specific categories of electors.

Before we can build on these improvements, however, we need to take stock and complete a detailed evaluation in light of our wider experience with this election. Section 3 of this report notes a number of challenges pointing to the need to modernize the legislation. As a first step, my office is completing a series of evaluations, including surveys, focus groups and individual consultations aimed at assessing our performance, measuring the impact of the most recent changes to the electoral framework and identifying areas for improvement. Our conclusions will be documented in the evaluations report to be presented to the House of Commons Standing Committee on Procedure and House Affairs in 2012.

The 41st general election confirmed the fact that the needs and expectations of Canadians are evolving. They live in a world replete with electronic services and increasingly expect a range of options that provide them with more flexibility and accommodate their busy schedules. Responding to these changing needs was the focus of my report on recommended changes to the *Canada Elections Act* following the 40th general election, which was tabled in Parliament in June 2010. This report is available on the Elections Canada Web site.

A number of the report's recommendations are aimed at making our electoral framework more flexible and responsive – for example, by allowing electronic signatures, which would permit the agency to conduct its business with political entities and electors electronically, or by providing for pilot projects to test initiatives such as new approaches to the voting process at polling sites. The 41st general election confirmed the relevance of these recommendations and the need for a more flexible framework. I would hope that the Committee has the opportunity to return to its study of these recommendations in the near future.

Conducting a general election in a large and diverse country like Canada over a 37-day period is a daunting task that would not be possible without the efforts and goodwill of many participants, including candidates and political parties. I am grateful for the assistance and services of government agencies and private sector organizations, which did a great deal to facilitate the administration of the 41st general election. I also wish to express my appreciation to my provincial and territorial counterparts, who once again provided their co-operation and support.

Lastly, and most importantly, I offer my sincere thanks to the staff of Elections Canada in Ottawa, the 308 returning officers across the country and the small army of over 200,000 election workers who deserve the credit for making this election a success.

Marc Mayrand
Chief Electoral Officer of Canada

I. Toward the 41st General Election

This section summarizes significant activities of the Office of the Chief Electoral Officer (commonly known as Elections Canada) following the 40th general election, held on October 14, 2008, as well as some issues that became more prominent during the period leading to the 41st general election, held on May 2, 2011. Within that period of two and a half years, the Chief Electoral Officer submitted three major reports to Parliament:

- The *Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008* presented a detailed picture of the event, from the issue of the writs to the official results and the final wrap-up.
- The *Report on the Evaluations of the 40th General Election of October 14, 2008* (the Evaluations Report) assessed the conduct of the election and noted challenges to be addressed.
- The report entitled *Responding to Changing Needs – Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election* (the Recommendations Report) proposed legislative amendments and administrative measures to address the challenges noted in the Evaluations Report.

Within the same period, Elections Canada conducted by-elections in four electoral districts on November 9, 2009, and in another three electoral districts on November 29, 2010. Information on these by-elections can be found in their respective statutory reports, which are available on-line at www.elections.ca under Resource Centre > Reports > Elections Canada's Official Reports.

I.1 Changing Expectations

Canadian society continues to experience rapid change. Today, government services are expected to be more convenient. Electors and candidates alike look for services that are available wherever they happen to be, when they want the services and on their own terms. Meeting their expectations requires new approaches.

Convenience in electoral services

Increasingly, Canadians expect to be able to conduct their business electronically, including when they engage in the electoral process. This is why Elections Canada has been preparing to provide e-services.

Voter registration is an important component of the electoral process that could be performed electronically. It was one of the subjects referred to by the Chief Electoral Officer in his 2010 Recommendations Report. The report notes that Alberta and British Columbia have introduced on-line voter registration, while Ontario is developing a similar system. The report proposes that the *Canada Elections Act* be amended to allow Elections Canada to provide a full line of services for on-line registration. Elections Canada will begin offering limited on-line registration services in the spring of 2012, based on the current legislation.

Candidates and political parties could also benefit from e-services. The Recommendations Report called for authentication methods other than traditional signatures for the transmission of information and the filing of returns.

Under section 18.1 of the Act, the Chief Electoral Officer may carry out studies on alternative voting methods and test electronic voting processes for use during general elections or by-elections, subject to the approval of the House of Commons Standing Committee on Procedure and House Affairs and the Standing Senate Committee on Legal and Constitutional Affairs. Elections Canada has been examining Internet voting as a complementary and convenient way to cast a ballot. The Chief Electoral Officer is committed to seeking approval for a test of Internet voting in a by-election held after 2013.

Canadians are increasingly using advance polls to cast their ballot. They appear to regard advance voting days as simply additional days to vote, no different from election day. They expect the same service and ease of voting at advance polls. This expectation makes it necessary to increase the number of advance polling stations in urban areas, with the aim of alleviating lineups. It also calls for more advance polls in remote rural areas, where distance is a barrier to access, to bring the ballot boxes closer to the electors.

Accessible voting for all electors

Three factors stop electors from voting: apathy, inconvenience and administrative barriers. Apathy is a societal issue largely beyond Elections Canada's control. The above paragraphs discussed ways to make the electoral process more convenient. The following discuss the removal of administrative barriers.

The way Canadians view barriers to exercising constitutional rights has been evolving over time. In the past, if some people had physical limitations, the solution was to set up a special arrangement for them. Today, the expectation is that the physical environment in which services are offered to the public should be free of barriers so that it serves all Canadians, whatever their abilities. In other words, the systems should be barrier-free, enabling all Canadians to participate on an equal footing as a matter of right.

A fully accessible electoral process is what Canadians expect, and Canada is bound to provide it under international and domestic law: the United Nations Convention on the Rights of Persons with Disabilities, the *Canadian Charter of Rights and Freedoms*, and the *Canadian Human Rights Act*.

This approach demands fully accessible polling sites. When one elector had to struggle with a flight of stairs at a Toronto polling station in 2008, the result was a complaint that his rights had been violated. The case of *Hughes v. Elections Canada* eventually led to changes that went considerably beyond providing level access to polling sites. The Canadian Human Rights Tribunal required Elections Canada to make significant changes to its approach to accessibility issues. In particular, the Tribunal required Elections Canada to:

- update its accessibility policies and guidelines
- develop a mechanism for processing complaints received on voting days
- provide better signage for persons with disabilities in the area of polling sites
- consult more widely with disability groups
- implement a procedure for verifying the accessibility of facilities on the day of an electoral event
- revise and update its training tools concerning accessibility

Elections Canada responded positively to the ruling and succeeded in fully complying with the Tribunal's decision by February 2011, in advance of the 41st general election.

Beyond polling site accessibility is the notion that all electors should be able to cast a ballot independently and secretly. In the November 29, 2010, by-election in Winnipeg North, Elections Canada conducted a pilot project involving an assistive voting device (AVD) for use by persons with visual impairments or limited dexterity. The AVDs were placed at all advance polls, the local Elections Canada office and seven central polling sites on election day.

The AVD used in this by-election did not prove to be a practical solution enabling electors with disabilities to vote independently and in secrecy. Nevertheless, Elections Canada will continue to study additional methods that could facilitate the voting process for electors with disabilities.

Voter identification requirements may also be a barrier to voting. The 2009 Evaluations Report noted that some groups of electors in the 40th general election found voting more difficult than the general population did, particularly because of the proof-of-address requirement. In another pilot project for the November 2010 by-elections, Elections Canada accepted the voter information card (VIC) for identification purposes at polling sites serving seniors' residences, long-term care facilities, Aboriginal reserves and on-campus student residences. The success of the initiative led to the expansion of the pilot project, for these groups of electors, to all electoral districts in the 41st general election.

1.2 Political Financing

Following the 40th general election, Elections Canada's main focus in the area of political financing was its review of the regulatory framework for political entities.

Review of the regulatory framework

The Evaluations Report noted that the political financing provisions have become more complex and place a greater burden on political entities. The Recommendations Report called for a series of measures to reduce this burden.

Even before the 40th general election, in 2008, Elections Canada undertook to review the regulatory framework. The aim of the review was to identify ways to streamline the framework and reduce the regulatory burden on political entities.

Elections Canada established the Regulatory and Compliance Committee with a mandate that included defining a streamlined regulatory framework for political financing – one that is consistent with applicable legislation and that promotes specific initiatives to reduce the burden on participants in the electoral process. The Committee has also been asked to define processes for identifying and resolving regulatory issues, or making recommendations for their resolution, in consultation with stakeholders.

As one of its first initiatives, the Committee reviewed the results of focus groups commissioned by Elections Canada, consisting of candidates' official agents and financial agents of electoral district associations. The focus groups sought to determine the key challenges faced by the agents and how Elections Canada could tailor its tools and support to help them carry out their duties (see the report at www.elections.ca under Resource Centre > Research > Political Financing).

An often-repeated comment in the focus groups was that official agents carried significant responsibility under the Act but that this was not reflected in the level of their authority during the electoral campaign. Elections Canada could not deal with this problem, but was able to address other difficulties faced by the agents. Among these were the content and tone of Elections Canada's written communications and the need for better tools, training and support.

In addition to in-person training for candidates' official agents and financial agents of electoral district associations, Elections Canada has developed on-line tutorials and has posted these on its Web site.

The focus groups were followed by an analysis that recommended consolidating and simplifying guidance materials. Elections Canada is currently engaged in revising and consolidating these various materials into a comprehensive tool for candidates and official agents, registered parties and their chief agents, and other entities' financial agents.

The Political Financing Sector recently reviewed the documentation it sends to official agents during and after an election. It revised the documents to make them simpler and clearer. In 2011–2012, the Sector will conduct a similar review of the documentation sent to electoral district associations.

Members of the Regulatory and Compliance Committee suggested a number of changes to the Act, and most of these were incorporated into the Chief Electoral Officer's Recommendations Report following the 40th general election.

I.3 Litigation

There were three significant court decisions involving Elections Canada following the 40th general election:

- *Hughes* (discussed earlier) – In February 2010, the Canadian Human Rights Tribunal ordered a range of remedies to improve the accessibility of polling sites for electors.
- *Callaghan v. Canada (Chief Electoral Officer)* – In February 2011, the Federal Court of Appeal upheld the Chief Electoral Officer’s decision to refuse reimbursement of election expenses claimed by candidates in circumstances where the Chief Electoral Officer was not satisfied that the expenses had been incurred by the candidates (and not by their party).
- *Conservative Fund Canada v. Chief Electoral Officer of Canada* – In December 2010, the Ontario Court of Appeal upheld the Chief Electoral Officer’s position that Goods and Services Tax rebates pursuant to the *Excise Tax Act* do not affect the value of election expenses under the *Canada Elections Act*, whether for the purpose of spending limits or the reimbursement of expenses.

I.4 Legislative Reform

There was only one change to electoral law in the period between the 40th and 41st general elections: updating of the Referendum Regulation by the Chief Electoral Officer. However, there were two notable developments with regard to potential changes.

Recommendations Report

In June 2010, the Chief Electoral Officer submitted the Recommendations Report to the Speaker of the House of Commons. This followed up on the challenges noted in the Evaluations Report, tabled in Parliament the previous year. The Recommendations Report is divided into four chapters:

- Chapter I deals with issues relating to the electoral process. It contains recommendations to make the process more adaptable and effective, preserve trust and increase accessibility.
- Chapter II deals with issues related to political financing. It presents recommendations to maintain the integrity of the system and reduce the regulatory burden.
- Chapters III and IV provide recommendations that would clarify certain aspects of the legislation as it relates to governance and address a number of more technical issues.

On October 7, 2010, the Chief Electoral Officer made an initial presentation about the Recommendations Report before the House of Commons Standing Committee on Procedure and House Affairs. From October 2010 to March 2011, the Committee held 10 meetings to study the report. However, it did not complete its study before Parliament was dissolved on March 26, 2011. Elections Canada is hopeful that the Committee will complete its study of the report in the coming months.

Since issuing its recommendations, Elections Canada has adopted a number of administrative improvements in relation to the accessibility of the electoral process:

- In response to the *Hughes* ruling, it improved access to polling sites for electors with disabilities.
- It provided more opportunities to vote in advance in rural areas by increasing the number of rural advance polls.
- It allowed use of the VIC as proof of identity and address for selected groups of electors who might otherwise have had difficulty providing the necessary proof.
- It extended communications and outreach initiatives to electors, particularly students and Aboriginal Canadians.

However, Elections Canada finds itself constrained by the *Canada Elections Act*. Many important improvements – for example, in the area of political financing – would require changes to the legislation.

Referendum legislation

The *Referendum Act* gives the Chief Electoral Officer authority to make a regulation adapting the *Canada Elections Act* for the purposes of a referendum. Because of the numerous changes made to the *Canada Elections Act* since 2001, the date of the previous regulation, it was necessary to undertake a comprehensive review of the Referendum Regulation.

In June 2009, the Chief Electoral Officer submitted to the Clerks of the House of Commons and Senate a proposed revised Referendum Regulation. On October 7, 2009, he explained the proposed regulation in an appearance before the House of Commons Standing Committee on Procedure and House Affairs. After consultation, the Chief Electoral Officer made the regulation in February 2010.

In his appearance before the Committee, the Chief Electoral Officer noted that there are a number of discrepancies between the *Canada Elections Act* and the *Referendum Act*, particularly with regard to political financing. He recommended that the Committee review the *Referendum Act*. This statute was passed by Parliament in 1992 but has never been reviewed.

Subsequently, the Committee decided to initiate such a review and devoted more than eight hours to the subject in six meetings from November 17, 2009 to October 26, 2010. The Committee has not yet completed its review. It should be noted that, due to the need to maintain constant election readiness in recent years, Elections Canada is not in a position to conduct a referendum as provided for under the *Referendum Act*.

1.5 Readiness

Elections Canada must conduct ongoing or cyclical activities between general elections to maintain a base level of election readiness. This involves such things as continuously updating the National Register of Electors and electoral geography databases; restocking election supplies and reprinting manuals for election workers; and recruiting and training some 30 new returning officers each year – approximately 10 percent of the total.

In addition, the 40th general election was the third in succession to produce a minority government. In this situation, Elections Canada had to maintain a heightened state of readiness on an ongoing basis. In a majority government context, Elections Canada can follow a “just in time” strategy, planning actions for when they will be needed. But in a minority government situation, Elections Canada has had to follow a “just in case” strategy so that it would be ready for an election whenever one might be triggered. In terms of timing, crucial events were votes on the Throne Speech, votes on the budget, or other confidence motions.

Heightened readiness involved the following kinds of activities:

- Returning officers had to check the availability of potential offices, key staff and service providers two to three times a year. They had to be ready at all times to deploy local office infrastructure. To support them, Elections Canada maintained up-to-date, ongoing arrangements with key suppliers: IBM, to supply computer equipment to the more than 400 returning officers and additional assistant returning officers; telephone companies for phone lines; and the Canada Post Corporation for the delivery of supplies to local Elections Canada offices across the country.
- Additional staff at Elections Canada in Ottawa had to be hired and trained on an ongoing basis to support returning officers and respond to hundreds of thousands of calls from electors.
- Elections Canada learned to become more efficient at managing uncertainty and designed contingency plans that are less costly. For example, instead of reserving telephone lines for a year-round monthly fee, local offices relied on cellular phones for the first 10 days of the election, while land lines were still being installed. This strategy had been tested successfully in the November 2009 by-elections and further refined in the November 2010 by-elections. Furthermore, computers in the local offices were connected to Elections Canada in Ottawa via a wireless high-speed connection, which was considerably faster than the previous dial-up connections. The two upgrades enabled local offices to serve electors within the first few hours after the issue of the writs. The changes also reduced readiness costs by approximately \$1.5 million a year.

2. The 41st General Election

This section is an account of Elections Canada's activities to deliver the 41st general election.

2.1 Launch of the Election

Issue of the writs

On March 26, 2011, the Governor General dissolved Parliament at the request of the Prime Minister, and writs were issued for elections in all 308 federal electoral districts across Canada. The date for the 41st general election was set by proclamation of the Governor General as May 2, 2011. As a result, advance voting had to take place during the Easter weekend and Passover on April 22, 23 and 25. The election calendar was 37 days.

The timing of the election and advance polls led to some unique circumstances that could affect electoral participation – advance polls during religious days and statutory holidays, students changing their address toward the end of the school term and spring flooding in parts of Canada, all of which would require mitigation measures.

Local Elections Canada offices

Under the *Canada Elections Act*, returning officers must open offices without delay after the issue of the writs.

All returning officers had been mandated to identify potential office space in the weeks leading up to the election. On March 24, 2011, given the high likelihood of an imminent election call, the Chief Electoral Officer authorized returning officers to set up their offices.

Returning officers opened 308 returning offices, and 128 satellite offices in 80 of the geographically largest electoral districts. During the 41st general election, Elections Canada equipped local offices with cell phones and computers with high-speed wireless technology, which allowed local offices to serve electors in the first few hours after the issue of the writs.

Polling sites

Advance polls

For the 41st general election, a total of 4,706 advance polls were set up – 665 more than for the 40th general election. Of these 665 polls, 155 were added in rural areas, representing a 12 percent increase in the number of advance polls serving electors living in rural areas. The remaining 510 polls were added in urban areas, representing an 18.5 percent increase in the number of advance polls serving electors living in urban areas.

During the past year, and more particularly during the 41st general election, some remote Aboriginal communities in Churchill, Manitoba and around James Bay asked for advance polls in their communities. Plans were modified and adaptations to the Act were made to facilitate the delivery of advance poll services in these remote areas.

Election day polls

For the 41st general election, returning officers set up 64,477 stationary polling stations, an increase of 1,041 (1.6 percent) from the 40th general election. These polls were located in 15,260 polling sites, representing an increase of 55 polling sites (0.4 percent). In addition, 1,669 mobile polls were set up in 4,865 establishments; this represents an increase of 191 polls (12.9 percent) compared to the 40th general election.

Election staff

Recruiting field staff

During the 41st general election, 235,867 specific election worker positions were filled, compared with 236,366 positions in the 40th general election. The slight decrease in the number of workers, primarily revising agents and registration officers, is explained by the returning officers' latitude to have fewer individuals perform the required work or to vary the number of poll officials based on an electoral district's needs.

More than 7,000 workers were on standby to replace field staff if needed. Elections Canada estimates that more than 180,000 poll officials worked on election day. Table 1 in the Appendix lists the positions occupied by election staff for the 41st general election.

To fill the positions, returning officers turned to the 33,665 names of potential workers provided by the candidates of the registered political parties as prescribed in the legislation. This is compared with 53,393 names provided by the parties in the 40th general election, continuing a downward trend. An additional 130,427 applications were submitted through the Elections Canada Web site, compared with a total of 47,458 applications submitted during the 40th general election.

As in previous elections, the Chief Electoral Officer authorized returning officers to appoint additional poll officials to accommodate absences and last-minute resignations, and authorized returning officers to hire 16- and 17-year-olds to fill some positions. During the 41st general election, there were 28,803 workers aged 16 to 25, or 11 percent of the total electoral workforce across Canada, representing a 90 percent increase from the 40th general election.

On-line recruitment and advertising campaign

For the 40th general election, returning officers identified the recruitment of poll officials as one of their biggest challenges. To improve the process for the 41st general election, Elections Canada introduced a new employment section on its Web site, which featured an on-line application form for election day poll officials. Completed applications were automatically directed to the responsible recruitment officer based on the applicant's electoral district, rather than to a central administrative location.

Elections Canada also launched a “Need Pocket Money?” campaign aimed at recruiting youth aged 16 to 25. In addition to being featured on the Elections Canada Web site, local offices displayed campaign posters and handed out sample cheques to passersby at libraries, community centres and shopping malls. The cheques directed individuals to the Elections Canada Web site, where they could apply on-line.

In electoral districts where the number of employment applications was low, news releases proved to be an effective tool for recruiting potential workers.

The new Web application process, together with the advertising campaign, resulted in a total of 130,427 on-line applications received by election day. The total number of applications received for the 40th general election was 47,458.

Resources available to field staff

Several Elections Canada resources supported the field staff:

- **Elections Canada Support Network** – Network agents were based in Ottawa. They assisted returning officers and their staff with the day-to-day administration of the election. Approximately 120 advisors provided three levels of expertise in shifts covering up to 17 hours a day, seven days a week. Elections Canada recruited some of the advisors through partnerships with provincial electoral agencies. Many advisors had experience as election practitioners at the federal or provincial level. They were able to provide practical advice to returning officers and their staff.

Network agents dealt with 45,446 phone calls, down from 57,748 in the 40th general election. Of the calls in 2011, 43,263 were answered immediately, yielding a response rate of 95 percent. Network agents also processed 2,480 e-mails and 12,161 faxes.

- **Field liaison officers** – Each of these 31 experienced election practitioners provided support and guidance to all returning officers in a designated region. They also kept Elections Canada informed about how the election was progressing at the local level, and helped Elections Canada’s regional media relations advisors handle media calls in the field. As in past elections, the field liaison officers proved to be an important asset.
- **Resource persons** – Elections Canada supplemented the Field Liaison Officer Program with a response team of resource persons whose task was to support returning officers more intensively. Resource persons were experienced individuals – former assistant returning officers, retired professionals or provincial election officers, for instance – who could provide quick and personalized assistance to returning officers facing unusual or unforeseen situations. These contractors were retained through a competitive process. During the 41st general election, Elections Canada deployed resource persons to nine electoral districts. This initiative will likely be repeated in future elections.

2.2 Working with Political Entities

Throughout the election calendar, Elections Canada works with political entities from the nomination of candidates and registration of political parties through to the provision of information sessions to candidates and official agents. Elections Canada also administers regulatory requirements, such as those for election expenses, broadcasting time and third party election advertising.

Nomination of candidates

Nominations closed at 2:00 p.m., local time, on April 11, 2011. Only one candidate withdrew a nomination, in Kitchener Centre. The independent candidate withdrew after completion of the confirmation process but before the statutory deadline.

In Manicouagan, the Liberal Party of Canada withdrew support for its candidate after his nomination had been confirmed by the returning officer. However, because his nomination paper indicated that he had been endorsed by the Liberal Party and his candidacy had been confirmed for that party, the *Canada Elections Act* required that he be identified as “Liberal” on the ballot, and the party was not able to endorse another candidate in that district.

The total number of confirmed candidates was 1,587, compared with 1,601 in the 40th general election. There were 452 women candidates or 28.5 percent of the total, compared with 445 or 27.8 percent in the 40th general election. Of the 305 sitting members of the House of Commons at the dissolution of Parliament, 288 sought re-election and 17 did not.

Incidents relating to the nomination process

Returning officers are responsible for evaluating and accepting candidate nomination papers in the manner prescribed by the *Canada Elections Act*. While the Chief Electoral Officer supports returning officers’ decisions, he expressed concerns regarding the complexities involved with meeting the requirements of this process for certain potential candidates. In three cases, the intricacy of the process may have caused barriers for individuals, resulting in their being denied the right to be a candidate.

One case dealt with the lack of witness initials beside elector signatures on the nomination paper and the delay in returning this nomination paper to the returning officer once it was determined that such initials were not a legal requirement.

Another case concerned the request made by a returning officer that copies of documents that can be filed electronically, be filed by fax. Neither the returning officer nor the prospective candidate realized that filing the documents as attachments to an e-mail would also have been an acceptable form of electronic filing.

A third case involved a factual dispute between a potential candidate and the returning officer as to whether all required documents had been filed before the close of nominations.

Elections Canada plans to review the nomination process to prevent such cases from occurring in the future.

Post-election concerns with certain nomination papers

Following the 41st general election, Elections Canada was made aware of allegations concerning the nomination papers of two candidates.

According to media sources, opposing political parties in Berthier–Maskinongé claimed that the elected candidate's nomination paper contained irregularities such as missing or misspelled signatures and alleged forged signatures from electors. In certain cases, electors were allegedly led to believe they were signing a petition. The party of the elected candidate rejected the allegations and maintained that the signatures were collected in the appropriate manner by volunteers who went door-to-door and visited local gathering places. The elected candidate's nomination paper had been verified and confirmed by the returning officer for Berthier–Maskinongé. In accordance with sections 524 and 525 of the *Canada Elections Act*, Elections Canada issued a statement that the decision to overturn or uphold the results is at the discretion of the courts and not Elections Canada.

As well, the Commissioner of Canada Elections received a complaint alleging irregularities in the nomination paper of a candidate in another electoral district. Based on the allegations received, the Commissioner concluded that no contravention of the *Canada Elections Act* had occurred. The complainant was advised of the pertinent sections of the Act with respect to the contestation of an election result.

Registered political parties

At the issue of the writs, 19 political parties were registered. One party was deregistered during the election period for failing to endorse a candidate in the election. In total, 18 parties ran candidates, compared with 19 in the 40th general election.

Communications and information sessions

To prepare for the 41st general election, Elections Canada conducted an extensive review of communications material regarding political financing, with the aim of reducing the number of mailings and streamlining the information provided to political entities during the election period. Elections Canada provided official agents, candidates and political parties with information on topics such as good political financing practices, the obligations of official agents, election expenses limits and upcoming training.

During the election period, meetings between returning officers, candidates and candidates' representatives took place between April 12 and April 20, 2011. During the meetings, returning officers provided information about new procedures, the sites they had chosen for polling stations, the quality of the lists of electors and their plans for targeted revision of the lists.

After the election, Elections Canada held 26 information sessions for official agents, candidates and auditors. They were held in 11 major centres across the country between May 10 and May 31, 2011. In all, there were 299 participants. The sessions focused on financial reporting, the obligations of official agents and candidates, important deadlines and how to complete the *Candidate's Electoral Campaign Return*.

Provision of polling site information to political parties

In response to an initial request from a member of the Conservative Party of Canada, the preliminary list of all election day polls was sent to all parties. Because a polling site can be replaced by another at the last minute, and to ensure that electors always have access to the most accurate information regarding their location, Elections Canada indicated to political parties that the list supplied should only be used for internal purposes and that parties should not direct electors to polling sites. Political parties were invited to refer electors to the Elections Canada Web site, their local Elections Canada office or their voter information card for locations, to prevent electors from being directed to incorrect polling sites. Some political parties did not comply with this request.

Election expenses limits

The *Canada Elections Act* sets separate limits on the election expenses of candidates and registered political parties. The election expenses limit for candidates is based on the number of names appearing on the preliminary or revised lists of electors for the electoral district, whichever yields the higher expenses limit. In the 41st general election, limits for electoral districts ranged from \$69,634.73 to \$134,351.77, for an average election expenses limit of \$91,879.64. The average expenses limit for the 40th general election was \$88,097.12. The election expenses limit for a political party is based on the number of names on the lists of electors for all electoral districts in which the party has endorsed a candidate. A preliminary expenses limit is calculated using the number of electors on the preliminary lists of electors, and a final election expenses limit is determined at a later date using the number of electors on the preliminary or revised lists of electors, whichever number is greater.

For the number of each party's confirmed candidates and final party expenses limits, see Table 2 in the Appendix.

Broadcasting time for political parties

The Broadcasting Arbitrator allocates paid and free broadcasting time to parties in accordance with rules set out in the *Canada Elections Act*, and arbitrates disputes between political parties and broadcasters concerning the application of the Act. The Broadcasting Arbitrator also issues guidelines concerning the entitlement to and allocation of broadcasting time, the procedures for booking broadcasting time by registered and eligible parties, as well as the obligations of broadcasters during a general election.

During a general election, the *Canada Elections Act* requires every broadcaster in Canada to make at least 390 minutes of broadcasting time available for purchase by registered and eligible parties. The time must be provided during prime time, at the lowest rate that would be charged to any other purchaser for equivalent time.

Under section 343 of the Act, on February 17, 2011, the Broadcasting Arbitrator made an allocation of the broadcasting time available. This allocation was in effect for the 41st general election and is located on Elections Canada's Web site.

As well, the Act requires all network operators that provided free broadcasting time in the previous general election to provide as much free broadcasting time to registered and eligible parties during the election that follows. Free broadcasting time must be provided to parties in the same proportion as the allocation of paid broadcasting time.

For details on the paid and free broadcasting time that network operators were required to provide to parties in the 41st general election, see Table 3 in the Appendix.

Third party election advertising

The *Canada Elections Act* requires any third party conducting election advertising during an election to identify itself in the advertisement and to indicate that it has authorized the advertising. Third parties that incur election advertising expenses of \$500 or more must register with Elections Canada. They must also produce an election advertising report within four months after polling day, itemizing their election advertising expenses as well as all contributions and loans received for election advertising purposes in the period beginning six months before the issue of the writs and ending on polling day. The Act sets limits on the amount a third party may incur in election advertising expenses. In the 41st general election, the limits amounted to \$188,250 for a national campaign and \$3,765 per electoral district. In the 40th general election, the limits amounted to \$183,300 for a national campaign and \$3,666 per electoral district.

For the 41st general election, 55 third parties registered with Elections Canada, compared with 64 third parties for the 40th general election. The growing use of the Internet as a means of communication, and the development and transmission of advertising products at a significantly lower cost by using this medium, may be factors that explain the reduced number of registered third parties in the 41st general election.

2.3 Communicating with Canadians

A key role for Elections Canada is ensuring that electors understand the electoral process – including how they can exercise their right to vote – and having the capacity to meet their communications and information needs.

Campaigns targeted at the general population

As required by the *Canada Elections Act*, Elections Canada mailed 23.9 million voter information cards (VICs) by April 8, 2011, to electors whose names appeared on the preliminary lists of electors. Elections Canada subsequently mailed approximately 200,000 revised VICs to advise electors of changes to information.

From April 13 to 15, 2011, Elections Canada distributed a bilingual brochure to nearly 14 million households in Canada and 9,000 trilingual (English, French and Inuktitut) brochures to households in Nunavut. This brochure prompted electors to contact Elections Canada if they did not receive their VIC or if they received one that contained errors. The brochure also included information on advance voting, election day, other ways to vote and voter identification requirements.

Campaigns targeted at specific population groups

Community outreach

Community relations officers provide specific target groups – youth, ethnocultural communities, homeless electors, Aboriginal electors, seniors living in residences and in long-term care facilities – with important information on how, when and where to exercise their right to vote. Officers deliver their messages by setting up information kiosks, making presentations, hosting discussion groups and distributing communications material. For the first time in a general election, Elections Canada hired 300 community relations officers to provide information at seniors’ residences and long-term care facilities and to explain the new initiative to accept the VIC as proof of identity and address. In total, Elections Canada hired 863 community relations officers for the 41st general election, compared with 529 for the 40th general election.

Outreach to Aboriginal communities also included the hiring of 303 Aboriginal Elders and youth who worked on polling day to assist voters by explaining the voting process, answering general questions and providing translation services.

The table below lists the number of community relations officers and Aboriginal Elders and youth hired for the 39th, 40th and 41st general elections.

Community relations officers and Aboriginal Elders and youth hired for the 39th, 40th and 41st general elections

Program	Number of participants		
	39th general election	40th general election	41st general election
Community Relations Officer Program			
Youth	114	200	230
Ethnocultural	53	143	129
Aboriginal	157	154	164
Homeless	10	32	40
Seniors	0	0	300
Total	334	529	863
Aboriginal Elder and Youth Program			
Elders	240	168	163
Youth	225	181	140
Total	465	349	303

Information campaigns

Special efforts were made to inform and engage groups and communities that were likely to experience difficulty in exercising their right to vote, or that could not easily be reached through Elections Canada's general advertising campaign. For the 41st general election, Elections Canada targeted information campaigns toward youth, Aboriginal electors, ethnocultural communities and electors with disabilities. Outreach highlights included:

- voter information posted on the Elections Canada Web site in 11 Aboriginal and 27 heritage languages
- more than 24,500 voter identification information sheets and over 24,800 voter information guides ordered in heritage languages from Elections Canada's Public Enquiries Unit
- e-bulletins sent to more than 3,000 youth, ethnocultural, disability and Aboriginal organizations and associations across Canada
- a video of the Chief Electoral Officer encouraging youth to vote posted on the Elections Canada Web site and distributed to student associations
- a partnership with Student Vote, a not-for-profit educational organization that provides a parallel election experience for elementary and secondary students, which resulted in close to 3,800 participating schools and more than 560,000 students casting practice ballots for the official candidates running in their electoral districts
- collaboration with the Assembly of First Nations to conduct an outbound call initiative on ways to register and vote and on voter identification requirements
- a partnership with the National Association of Friendship Centres to deliver outreach communications activities through its Web site and 120 friendship centres across Canada
- literature and services offered in multiple formats such as Braille, American Sign Language and the *Langue des signes québécoise*
- key news releases, backgrounders and radio ads aired on broadcast reading service networks, such as VoicePrint, La Magnétothèque and Audiothèque, to reach electors with a visual impairment

Information channels used by electors

In addition to contacting their local Elections Canada office or satellite office, electors could obtain information directly from Elections Canada about registration, voting procedures, polling locations and other common topics.

Electors could obtain information by phoning Elections Canada's national toll-free number (1-800-463-6868). The more than 348,900 calls to that number were directed to an automated voice response system (VRS) operating 24 hours a day throughout the election period. The VRS self-serve option provided information without the assistance of a call agent. More than 164,000 callers used the self-serve menu to obtain information, compared with 95,000 callers during the 40th general election. Call centre agents answered the remaining 184,874 calls.

To handle the call volume, Elections Canada renewed an agreement with the federal government's Canada Enquiry Centre. In addition, the Canada Revenue Agency supplied 50 call centre agents, on several days during the election and on polling day, who answered 41,539 calls.

Staff in local Elections Canada offices handled 939,335 calls during the election period.

Similar information was available on the Elections Canada Web site. To prepare for the election, Elections Canada redesigned the entire Web site to make information more accessible. During the election, the site received more than 5 million visits, compared with 3 million during the 40th general election. On election day alone, there were 1.25 million visits.

On-line complaints received by the Chief Electoral Officer

For the first time, Elections Canada changed its Web site for the duration of a general election to facilitate access for electors wishing to lodge a complaint. More than 6,000 e-mails were received from March 26 to May 28, 2011, regarding complaints, comments and general inquiries. This initiative demonstrated the need for Elections Canada to find ways to improve e-mail communication with electors. Electors wrote to Elections Canada (separate from complaints about offences under the *Canada Elections Act*, which are addressed to the Commissioner of Canada Elections) on a wide range of issues, such as special ballot voting at the University of Guelph, advance polls being held on several days of religious observance, the format of leadership debates, harassing phone calls from alleged representatives of political parties and candidates, and voter identification requirements (including the VIC not being accepted as identification). Other inquiries involved issues such as the location of polling sites, procedures at the polls and the behaviour of election staff.

More details will be provided in the evaluations report assessing the conduct of the 41st general election.

Advertising and media relations

Elections Canada maintained a constant presence in a mix of media throughout the election period. The campaign involved overlapping phases: electors were advised of registration, key dates, voting options and voter identification requirements. The theme of the campaign was "Vote. Shape your world." The main message in all media was "To vote, you must prove your identity and address."

Ads were carried on 162 television and 639 radio stations, and in 111 daily newspapers and 776 community newspapers. Ads also ran on 1,856 movie screens and 42 Internet networks representing several hundred Web sites, including Facebook and YouTube. For the first time, Elections Canada used out-of-home public advertisements, including more than 4,200 regular and digital boards in public venues such as transit stations, restaurants, fitness centres and on bus sides. Ads were aired on the rink boards during several Stanley Cup playoff games in Vancouver. To help reach Aboriginal and ethnocultural communities, ads were also featured in multiple languages on specialty television and radio, in community newspapers and as Internet banners.

To support direct contact with national and regional media, Elections Canada used its Canada-wide network of 15 national and regional communications professionals. From the issue of the writs to the end of judicial recounts, this team answered 3,729 calls from members of the media. The vast majority of these media inquiries – some 2,838 – concerned routine matters of electoral administration, such as the nomination process, ways to vote, voter identification, advance polls, the list of confirmed candidates, voter turnout and recounts. Elections Canada also initiated 726 calls to the media to provide information on the electoral process and issued 36 news releases.

Elections Canada responded to a total of 457 media requests for formal interviews (print, radio or television) with the Chief Electoral Officer, the Elections Canada spokesperson, regional media advisors or other Elections Canada officials.

2.4 Conducting the Election

This subsection describes the adaptations made to the Act; the registration of electors; voting by special ballot and at advance and ordinary polls, as well as measures taken with regard to accessibility; actions taken by Elections Canada to finalize the results of the election; compliance and enforcement actions taken by the Commissioner of Canada Elections; and the costs of the election.

Adaptations

The Chief Electoral Officer may adapt the *Canada Elections Act* under subsection 17(1) to address an emergency, an unusual or unforeseen circumstance, or an error. Table 4 in the Appendix provides details on adaptations of the Act pursuant to subsection 17(1) that were made during the 41st general election. An adaptation made pursuant to this subsection is only applicable for the period of the election during which it is made and the 30 days after polling day for that election.

In addition, section 179 of the *Canada Elections Act* permits the Chief Electoral Officer to issue instructions for the purpose of adapting any provision of the Special Voting Rules set out in Part 11 (sections 177 to 282) of the Act in order to execute the intent of those sections in respect of a particular circumstance. In general, these adaptations by instruction are required to address issues with the Special Voting Rules process that are not contemplated by the Act, or to fill gaps in the Act that would have the effect of preventing electors who are otherwise qualified to vote from casting their ballot. Adaptations made pursuant to section 179 can be made applicable only for the purposes of a particular election or made to continue to apply for future elections until rescinded by the Chief Electoral Officer. During the 41st general election, it was necessary for the Chief Electoral Officer to issue five new adaptations by instruction and to reapply seven adaptations by instruction that were made at a previous election. Table 5 in the Appendix contains descriptions of the adaptations by instruction used during the 41st general election.

Registration of electors

Lists of electors

When an election call is imminent, information is extracted from the National Register of Electors to produce the preliminary lists of electors. For the 41st general election, the preliminary lists included 23,933,743 electors.

When the 41st general election was called, there was a notable jump in the number of transactions on the Elections Alberta and Elections British Columbia Web sites offering registration services to provincial electors. The number of updates and new registrations on the two provincial Web sites doubled, going from roughly 50 to 100 per day in British Columbia and from roughly 60 to 120 per day in Alberta. These registrations were provided to Elections Canada revising agents, who followed up with electors to obtain proof of identity or signatures when necessary. Elections Canada is working to start introducing on-line registration services in the near future.

After address updates, deletions and new registrations during the election period and at the advance and ordinary polls, the number of electors on the final lists was 24,257,592. Following the 40th general election, the final lists contained 23,677,639 electors. Table 6 in the Appendix provides more details about voter registration.

The figure for the final lists of electors represented an increase of 1 percent over the number of electors on the preliminary lists for the 41st general election, and a 1 percent increase over the number of electors on the final lists for the 40th general election. On election day, some 757,500 electors registered at the polls, representing 6.2 percent of voters, compared with 731,000 and 6.1 percent for the 40th general election.

Quality of the preliminary lists of electors

The quality of information on the preliminary lists of electors can be measured by two main indicators: coverage and currency. Coverage represents the proportion of electors on the lists relative to the total electoral population. Currency represents the proportion of electors on the lists at the correct residential address.

The preliminary lists for the 41st general election included 93 percent of Canadian electors, and 84 percent of electors were listed at the correct residential address. These figures are comparable to those for the two previous general elections.

The currency of the lists in 10 ridings was estimated to have dropped to less than 75 percent. The revision activities in these ridings were closely monitored during the revision period.

Non-residential addresses

Electors must appear on the voters list at a valid residential address, which determines the polling division where they may vote on advance or ordinary polling days.

On occasion, electors use an address on their driver's licence or tax information that is different from their home address. For example, they may use the address of their place of business or a mailbox service. Returning officers can verify addresses and remove electors listed at non-residential (or commercial) addresses. Commercial addresses are then flagged in the National Register of Electors so that they cannot be associated with electors in the future.

In accordance with the *Canada Elections Act*, candidates receive voters lists (name, address and unique identifier only) for the electoral district in which they are running. During the 41st general election, candidates advised returning officers for the electoral districts of Brampton West, Mississauga–Erindale, Edmonton–Strathcona and Burnaby–Douglas that the addresses for a number of electors on the lists appeared to be commercial properties.

Of the 1,415 electors identified in the four electoral districts, more than 66 percent were listed at their correct residential address. Approximately 17 percent were listed at mailbox service addresses. The remaining 17 percent were listed at other non-residential addresses, such as their place of business.

Returning officers removed the electors with commercial addresses from the preliminary lists of electors and, where possible, advised the electors that they could not vote in the polling division associated with that address. All candidates in the four electoral districts were advised of the results of this work by the returning officers, who also expressed their thanks to the candidates who brought this issue to their attention.

Voting

Electors could choose to vote by one of three methods:

- by special ballot, throughout the election, under the Special Voting Rules
- at a polling station during the three days of advance voting
- at a polling station on election day

Voting under the Special Voting Rules

For electors seeking alternatives to voting at advance polls or on election day in their electoral district, the Special Voting Rules afford the opportunity to vote by mail or at a local Elections Canada office. Special ballot application forms and guides are widely available in Canada and throughout the world. As in the previous general election, electors could download the application form from the Elections Canada Web site after answering some basic questions to determine their eligibility. A total of 86,270 special ballot application forms were downloaded from the Web site, compared with 88,722 forms during the 40th general election.

Elections Canada undertook a number of outreach initiatives to increase awareness of the voting options available to Canadians away from their electoral district or abroad. E-bulletins were sent to 122 post-secondary institutions with international student exchange or internship programs, representing 21,643 students abroad, as well as companies employing Canadians overseas, representing 11,724 workers abroad. Elections Canada also distributed registration kits to 34 Passport Canada offices and notices to shipping lines. Ads were placed in various newspapers

and publications by Elections Canada's partners in missions abroad, who also posted information about the election on their Web sites.

As with the 40th general election, Elections Canada contacted national electors (electors living in Canada but away from their electoral district during the election period) whose applications for registration were still incomplete at the close of registration on April 26, 2011, along with the 660 electors whose applications arrived after the prescribed deadline, and encouraged them to vote in person on election day when possible. Electors who were located within a radius of 500 kilometres of their home address were contacted by phone and others were contacted by e-mail or letter.

Due to distance and the short election calendar, some electors could not return their special ballots within the prescribed period. Of the 42,496 national and international applications received, 3,550 required follow-up as a result of missing or unreadable proof of identification or other missing required information. About 70 percent of electors submitted their applications by fax, a transmittal method that affects the quality and readability of documents. Some 400 electors whose proof of identification or residential address remained unreadable, even after several attempts to submit the documentation, were not sent a special ballot voting kit. In total, 1,166 electors did not provide the required information in time.

In all, 285,034 special ballots were cast in the 41st general election (including 5,680 rejected ballots), compared with 257,972 in the 40th general election. The following table lists the statistics regarding electors who voted by special ballot under the Special Voting Rules for the 39th, 40th and 41st general elections.

Special Voting Rules ballots for the 39th, 40th and 41st general elections

	Election	Electors on the lists	Valid ballots	Rejected ballots	Total ballots cast	Voter turnout	Ballots received late
Group 1 (Canadian Forces, incarcerated, international)	39th	111,275	40,116	1,408	41,524	37.3%	1,001
	40th	113,058	42,957	1,569	44,526	39.4%	1,147
	Subtotals	41st	119,090	47,856	2,350	50,206	42.2%
Group 2 (Local* and national**)	39th	419,510	398,274	5,497	403,771	96.3%	3,173
	40th	223,608	210,112	3,334	213,446	95.5%	2,718
	Subtotals	41st	244,304	231,498	3,330	234,828	96.1%
Grand totals	39th	530,785	438,390	6,905	445,295	83.9%	4,174
	40th	336,666	253,069	4,903	257,972	76.6%	3,865
	41st	363,394	279,354	5,680	285,034	78.4%	2,910

**Local* represents electors whose applications were processed by local offices and includes electors in acute care hospitals. The number of local ballots received late is not available.

***National* represents electors whose applications were processed by Elections Canada in Ottawa and includes electors in acute care hospitals.

Special Voting Rules System

For the 41st general election, Elections Canada introduced improvements to the special ballot application process. New technology, such as a Web-based application wizard and image capture of application forms made possible through a shared agreement with Public Works and Government Services Canada, helped Elections Canada to more effectively process applications and respond to elector inquiries. In addition, prior to the introduction of the new Special Voting Rules System, the list of Canadian Forces electors was managed and provided to Elections Canada by the Department of National Defence; however, this process entailed duplication of effort and in some cases caused administrative delays. The introduction of the new system allowed Elections Canada to wholly manage and produce this list. The new Special Voting Rules System was first used during an outreach activity with members of the Canadian Forces, who were invited to update their *Statement of Ordinary Residence* on-line in June 2010.

International voting

Elections Canada maintains a register of international electors – that is, Canadian citizens who are temporarily living outside the country. These persons are entitled to vote if they left Canada less than five years before applying to register and vote by special ballot. At the beginning of an election, a special ballot voting kit is mailed to each of them. For the 41st general election, international electors outside the United States and Western Europe who received their special ballot by courier were informed by e-mail of the delivery of a package from Elections Canada. At the call of the 41st general election, there were 5,701 international electors on the lists. An additional 5,032 electors registered during the election. In all, 6,332 voted but 263 of the ballots had to be rejected. In the end, the ballots of 6,069 international electors were counted. The ballots of 822 international electors were returned too late to be counted.

Five-year residency rule

With some exceptions, Canadians residing abroad are only authorized to vote in an election if they have been residing outside Canada for less than five consecutive years immediately prior to applying to vote and if they intend to return to Canada to resume residence in the future.

Up to and including the 2006 general election, anyone who had returned to Canada, even for a brief visit, was deemed to have “resided” in the country and the five-year clock was reset, allowing them to vote by special ballot.

Following the 2006 general election, in the course of reviewing information material for these international electors, Elections Canada changed the information provided to more closely respect the text of the legislation by indicating that the five-year period begins from the date the elector leaves Canada to live abroad and remains in effect until the date the elector returns to Canada to reside. A visit to Canada cannot be considered a resumption of residence in Canada and does not interrupt the five-year period.

Elections Canada also changed the letter sent to electors on their five-year anniversary away. This letter was not as clear as it could have been, and many Canadians who had resided abroad for longer than the last five years only realized when the election was called that they would not be entitled to vote. Since the last general election, 2,524 international electors who reached the five-year limit were deleted from the International Register of Electors.

In his recommendations report submitted to Parliament in September 2005 following the 38th general election, the Chief Electoral Officer recommended the removal of the clause imposing a five-year limit to residency abroad as prescribed in paragraph 11(d) of the *Canada Elections Act*. The Act has not been amended to reflect this recommendation and the limitation remains.

Canadian Forces voting

Members of the Canadian Forces (CF) can vote by special ballot in a general election wherever they are stationed. For a minimum period of three days between April 18 and April 23, 2011, polling stations were set up on CF bases around the world to give all members the opportunity to vote. Because the military voting period happened to include religious and statutory holidays, some electors may have been on leave. Liaison officers were advised to encourage unit commanding officers to hold voting at the beginning of the military voting period. For the first time, an ad was published in base papers and on the Elections Canada Web site to inform CF members of their voting options.

Some 4,598 CF electors were unable to vote during the prescribed voting period because of their assigned military duties. To allow them to vote, the Chief Electoral Officer adapted the *Canada Elections Act*, extending the Special Voting Rules period.

Some CF members were still unable to vote during the designated military voting period because they were deployed and not able to vote at their military base. The current legislation offers little flexibility when dealing with such situations.

Approximately 2,500 CF members stationed in Afghanistan voted. The CF helped facilitate voting by special ballot for civilian personnel in Afghanistan.

There were 65,198 CF electors on the lists for the 41st general election. Of them, 26,667 voted by special ballot but 551 of the ballots were rejected. In the end, the ballots of 26,116 CF electors were counted.

Voting in correctional institutions

Under the Supreme Court of Canada's decision in *Sauvé v. Canada (Chief Electoral Officer)* on October 31, 2002, all incarcerated electors are eligible to vote by special ballot, regardless of the length of their sentences. At present, however, the *Canada Elections Act* provides a voting process only for inmates of provincial institutions. Therefore, the Chief Electoral Officer has adapted the Act to extend the voting process to federal institutions.

The prescribed voting day for incarcerated electors under the Act is the 10th day before polling day. For the 41st general election, this coincided with Good Friday. Federal and provincial correctional administrators advised the Chief Electoral Officer that they would not have enough staff available to facilitate the voting process in a secure and orderly manner if voting day for incarcerated electors were to occur on a statutory holiday. Therefore, for the purpose of the 41st general election, the Chief Electoral Officer adapted the Act by issuing an instruction to establish voting day for incarcerated electors on the 11th day before polling day – that is, on April 21, 2011. Furthermore, adaptations to extend the voting period were necessary in two cases, in order to provide a total of 14 electors who filed applications to vote the opportunity to do so.

A new elector registration tool, part of the new Special Voting Rules System, helped liaison officers in correctional institutions to identify an elector's electoral district and complete the registration form. The tool was developed in collaboration with provincial and federal correctional partners, and was made available on a USB key to 91 correctional institutions.

In correctional institutions in Canada, 17,207 incarcerated electors voted but 1,536 ballots had to be rejected for various reasons, including voting for a candidate not in one's riding or voting for a political party rather than a candidate, which is not permitted under the legislation. In the end, the ballots of 15,671 incarcerated electors were counted.

Fort McMurray initiative

At least 50,000 electors from across Canada work in the oil sands industry in the electoral district of Fort McMurray–Athabasca in northern Alberta. Many are not able to vote at advance or ordinary polls at their place of residence. Voting by special mail-in ballot is difficult because there is limited or no access to postal services.

During the 40th general election, some 68 mail-in applications to vote by special ballot were received by Elections Canada in Ottawa from electors who had an address for voting purposes outside Fort McMurray. Of these, 29 workers returned their ballot on time to be counted. During the Chief Electoral Officer's appearance in October 2009 and March 2010 before the House of Commons Standing Committee on Procedure and House Affairs, the situation of electors working away from their electoral district in the oil sands industry was discussed.

For the 41st general election, Elections Canada carried out a comprehensive awareness campaign on voting options directed at these workers. Mail-in ballot registration kits, information posters and brochures were distributed in a number of camps, campgrounds and hotels, as well as two intercity bus stations and the main airport. In all, Elections Canada in Ottawa received 99 mail-in applications to vote by special ballot from electors in Fort McMurray who were outside their electoral district.

Between April 14 and April 25, 2011, Elections Canada opened on-site registration and special voting booths at six remote camps facing the greatest accessibility barriers. Of the 8,285 workers at these locations, 1,156 voted by special ballot, representing a voter participation rate of 14 percent.

The University of Guelph

The timing of the election had the potential to make it harder for students to vote, given that they would be in transit between their school and home or temporary summer address. Elections Canada adapted the electoral reminder program to ensure that students were aware of the range of voting options they had. As in the past, however, Elections Canada did not plan to provide voting on campus except for those electors who reside there.

A well-intentioned returning officer decided to set up a special ballot registration and voting booth at the University of Guelph. Elections Canada immediately issued a news release and sent an e-bulletin to student organizations reminding them of Elections Canada's position and services provided to students. While the votes cast were valid, there were to be no more special ballot booths on campus. This resulted in complaints.

Elections Canada will review the situation and will, in consultation with all interested stakeholders, identify service improvements that could be initiated to make voting more convenient for these electors. The review will need to consider what amendments, if any, would be required to the *Canada Elections Act*.

Voting in advance

Advance polls took place on April 22, 23 and 25. On those days, 4,706 polling stations were set up in 3,258 advance polling sites across Canada. A total of 2,111,542 electors cast votes at advance polls, representing 14 percent of all electors who voted. This compares to 1,528,780 electors, or 11 percent of all voters, who cast votes at advance polls in the 40th general election.

To improve service for an expected increase in advance poll electors, the Chief Electoral Officer adapted the Act, allowing returning officers to hire registration officers, information officers and central poll supervisors to facilitate the flow of electors at advance polling sites. These additional resources have become a necessity, in light of the increasing number of electors who take advantage of advance polls and the increasing complexity of the voting process.

Even though returning officers were well prepared for the possibility of a higher voter turnout, the popularity of advance voting exceeded expectations, likely due to statutory and religious holidays. To help alleviate wait times, returning officers hired additional staff and dispatched additional poll officials to polling locations.

Religious days during advance polls

Concerns were expressed that advance polls for the 41st general election coincided with statutory holidays and several days of religious observance for the Christian and Jewish communities. The Chief Electoral Officer communicated with religious leaders and indicated that Elections Canada would accommodate workers' requests to attend religious services where operationally feasible, but that the dates for advance polls could not be changed because they were mandated by the *Canada Elections Act*. A news release was issued prior to advance polls, acknowledging concerns and encouraging Canadians to take advantage of other early voting opportunities, such as voting by special ballot by mail or at their local Elections Canada office. Despite concerns, turnout at advance polls was higher than in any previous election.

Bringing advance polls closer to communities in the North

Elections Canada increased the number of advance polls in northern communities for the 41st general election. In the spring of 2009, returning officers were mandated by the Chief Electoral Officer to review their advance poll boundaries, particularly those serving electors in remote areas, to verify the proximity of advance polling sites to the electors they serve. Improvements to the accessibility of polls is also made possible through monitoring feedback from electors and members of Parliament, as well as collaborative relationships with members of local communities.

Elections Canada set up more advance polls in northern Quebec and Labrador to better serve northern populations. For example, in Abitibi–Baie-James–Nunavik–Eeyou, new mobile advance polls were created to serve the five isolated Aboriginal communities of Wemindji, Eastmain, Nemaska, Waskaganish and Mistissini on a rotational basis. This approach allowed the larger communities of Chisasibi and Chapais to hold their advance polls for three days as usual, while the five smaller communities each had an advance poll for one out of the three days.

New advance polls were also set up in the remote northern communities of Pond Inlet (Nunavut), Peawanuck and Fort Albany (Timmins–James Bay), and God's River and St. Theresa Point (Churchill).

Voting on election day

Casting a ballot at a polling station on election day remained the choice of the vast majority of electors during the 41st general election: a total of 12,426,832 electors chose this option, representing 83.8 percent of electors who voted.

Of the 66,146 polling stations on election day, 237 polls in 57 electoral districts either opened late or closed briefly because of delays or interruptions, affecting service to a potential 94,848 electors. Many of these polls opened within an hour of the appointed time, and interruptions were minimal.

Voter information card as proof of identity and address

For the November 2010 by-elections, Elections Canada piloted an amended list of authorized pieces of identification to include the voter information card (VIC), along with another piece of authorized identification, for polling sites serving seniors' residences, long-term care facilities, Aboriginal reserves and on-campus student residences.

For the 41st general election, Elections Canada expanded this pilot initiative to include these types of polling sites in all electoral districts. On election day, the VIC was accepted as an authorized piece of identification at a total of 5,680 polling sites, including:

- 745 polling stations on Aboriginal reserves, representing 71,578 electors
- 4,935 polling stations in seniors' residences and long-term care facilities served by 2,998 mobile polls, representing 805,018 electors

Pre-election plans provided for the establishment of 272 polling stations at student residences across the country, representing 29,922 electors. However, most of these sites were not used, since the majority of students had moved away at the end of the school term.

From the limited data returned as of July 18, 2011, the proportion of electors who used their VIC with another authorized piece of identification (e.g. hospital bracelet) to cast their vote in seniors' residences and long-term care facilities was about 73 percent. In targeted polling sites on Aboriginal reserves, the proportion of electors who used their VIC with another authorized piece of identification (e.g. Certificate of Indian Status) was 36 percent. Of the small number of students able to take advantage of the initiative, 62 percent used the VIC. The initiative made the voter identification process run more smoothly and reduced the need to ask the responsible authorities for letters of attestation of residence.

Bringing ordinary polls to flood-affected areas in Manitoba

Major floods in parts of Manitoba affected many communities, some requiring evacuations. Most electors were back in their homes on election day and were able to vote at the ordinary polling site in their electoral district. However, the residents of two communities in Manitoba – Peguis in Selkirk–Interlake and Roseau River in Provencher – were still affected by the floods on election day. While some electors stayed behind in both communities, others were evacuated to hotels in Winnipeg and Gimli.

The Chief Electoral Officer adapted the *Canada Elections Act* to allow returning officers to facilitate the voting process for evacuated electors on election day. For Peguis electors, two mobile polling stations were established, and two teams of poll officials travelled to several hotels to ensure voting accessibility. Of the 320 people evacuated from Peguis, 70 voted at the mobile polling stations. A polling site was established for the entire day at the Winnipeg hotel where electors from Roseau River had been evacuated. Of the 40 electors affected, 35 voted at this polling site.

The Chief Electoral Officer also adapted the *Canada Elections Act* to enable returning officers to issue transfer certificates to electors in other flooded areas. Due to flooded roads and road closures, some electors would have had to travel great distances to get to their assigned polling site. The transfer certificate allowed them to vote at the polling site that was the most convenient for them.

Report on accessibility

In response to the ruling in the case of *Hughes v. Elections Canada*, Elections Canada implemented procedures “for receiving, recording and processing verbal and written complaints about lack of accessibility”,¹ as well as for reporting on those complaints.

For the 41st general election, a new *Polling Site Accessibility Feedback Form* was made available at all polling locations and local Elections Canada offices, and was posted on the Elections Canada Web site. This enabled electors to file complaints about accessibility immediately at the site when they voted or by telephone, fax, regular mail and e-mail. Returning officers collected the forms and were responsible for following up with electors if they so requested. Returning officers resolved the complaints whenever possible.

During advance voting days, the forms were reviewed every evening and it was often possible for the issue to be remedied in time for the next day. For example, if an elector indicated that directional signage for the accessible entrance was inadequate, staff made sure to post more signage along the route. In other cases, the accessibility feedback form was completed during the advance polls for a facility that would be used again on election day, allowing the returning officer to address the issue in the meantime. In one instance, a door-opening device was available but found not to be functioning. The landlord was advised, and if repairs could not be completed in time, the returning officer was prepared to place extra staff at the door. In many cases, electors suggested other facilities that returning officers could consider for future elections.

For the 40th general election, the Chief Electoral Officer approved the use of 40 inaccessible polling locations, while for the 41st general election only 20 such requests were made and approved. All inaccessible polling locations were flagged on the page for the appropriate electoral district on the Elections Canada Web site, with instructions to contact the local office for more information.

The following table summarizes the number of accessibility complaints reported by category on feedback forms.

¹ *Hughes v. Elections Canada* [2010] CHRT 4, at 33.

Summary of accessibility complaints

Accessibility category	Number of complaints	Percentage of total complaints
Parking	480	25.6%
Signage	329	17.6%
Walkways and pathways	267	14.3%
Entrances	219	11.7%
Interior accessible routes	210	11.2%
Doors	144	7.7%
Voting area	116	6.2%
Other*	107	5.7%
Total**	1,872	

*The majority of electors who chose “other” filed complaints relating to: the distance from their home to the polling location, the lack of available public transportation and the location of the polling site.

**A single feedback form can report on multiple categories. The 1,872 issues reported above are the results from 1,203 accessibility feedback forms.

Of the 1,203 feedback forms that reported accessibility issues, returning officers have addressed 1,124 (93.4 percent) while the remaining 79 forms (6.6 percent) are still considered “open.” In most cases, this is because the returning officer has not yet been successful in contacting the elector.

In total, 3,387 accessibility feedback forms were logged by returning officers, but 2,184 did not correspond to the above categories of polling site accessibility. Instead, they reflected a wide range of elector feedback, from compliments about election staff to complaints about lineups and ideas about the electoral process itself. Of these forms, 2,122 (97.2 percent) have been addressed and 62 (2.8 percent) are still in progress.

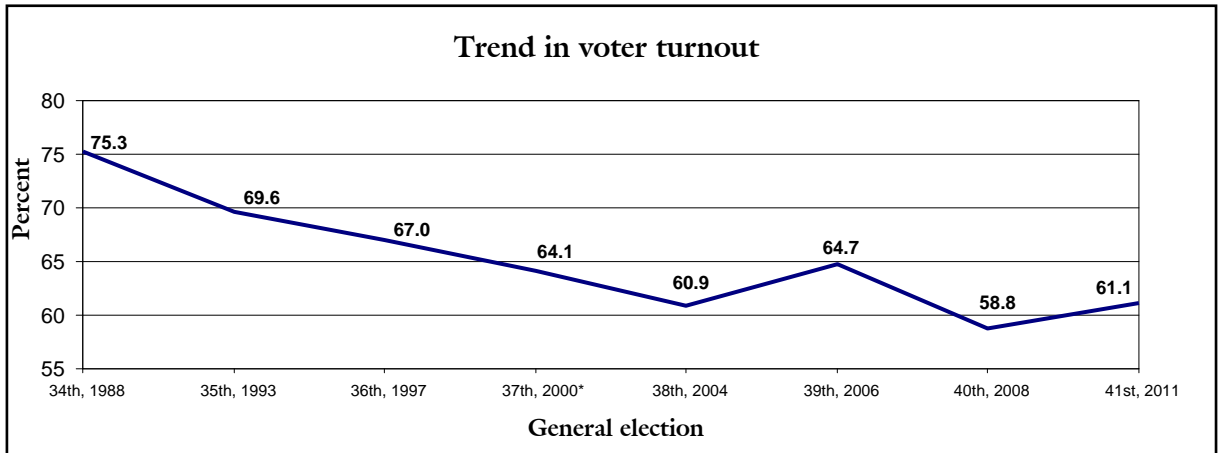
Election results

Voting results

Elections Canada posted election results on its Web site as soon as they were available, after the final poll closed in British Columbia at 10:00 p.m. (Eastern Time).

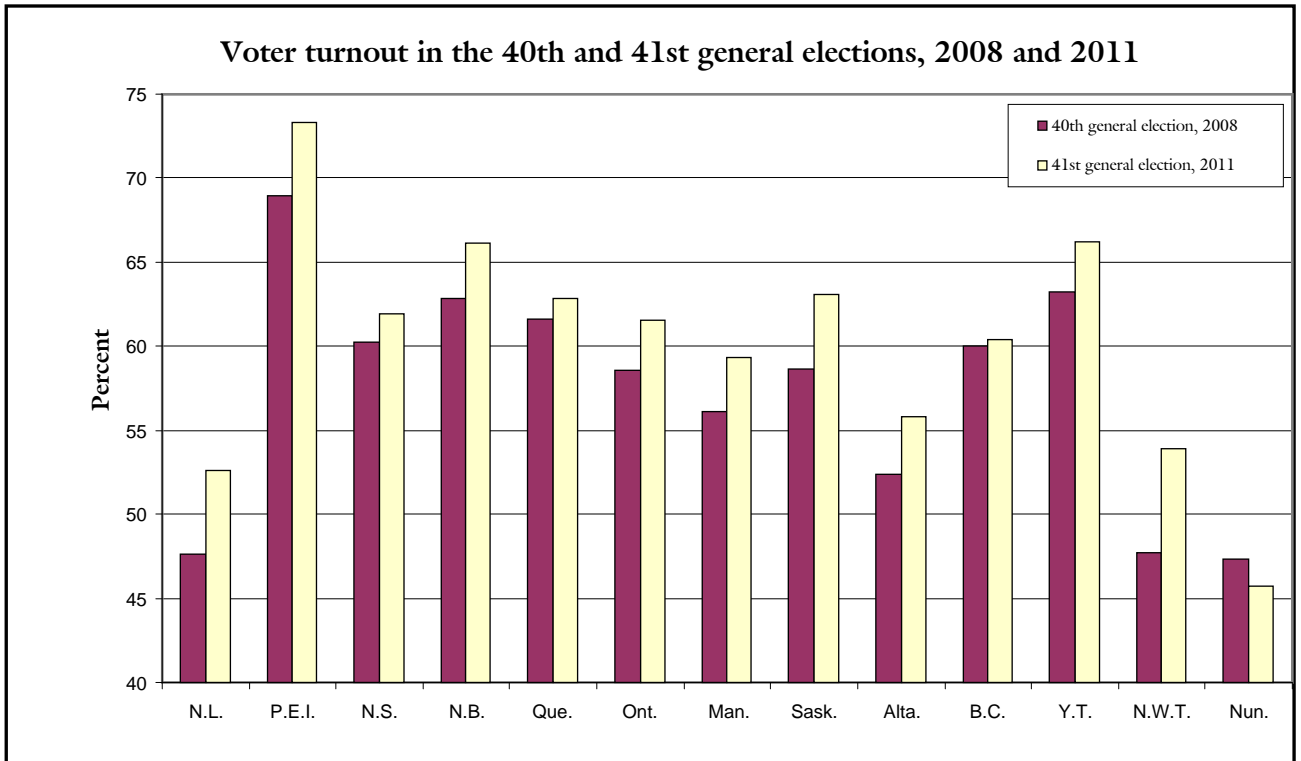
Including advance polls, special ballots and election day, the total number of voters in the 41st general election was 14,823,408, or 61.1 percent of registered electors. This represents a 6.4 percent increase in votes cast and a 2.3 percentage point increase in turnout, compared to the 40th general election when 13,929,093 voters cast a ballot for an overall participation rate of 58.8 percent. For more information on the numbers of ballots cast and voter turnout compared to the 40th general election, see Table 7 in the Appendix.

The figure below shows the trend in voter turnout for the past eight elections.



*The turnout in 2000 was adjusted from 61.2 percent to 64.1 percent following the normal maintenance of the National Register of Electors to remove duplicate entries and the names of deceased electors.

As the following figure shows, both the number of votes cast and the turnout rate increased in all provinces and territories for the 41st general election, except in Nunavut, compared with the 40th general election.



Over the coming months, Elections Canada will be estimating voter turnout by age group and gender. Elections Canada also collaborated with Statistics Canada to better understand differences in participation among population groups and to help identify reasons for not voting.

Constitutional challenge to the disclosure of election results

On April 4, 2011, the Canadian Broadcasting Corporation and Bell Media Inc., owner of the CTV Television Network, filed an application in Ontario's Superior Court of Justice. They asked the court to declare unconstitutional section 329 of the *Canada Elections Act*. They claimed that section 329, which prohibits the disclosure in an electoral district of election results until all polls have closed in that district, runs counter to the *Canadian Charter of Rights and Freedoms*.

The applicants' position was that the culture of communications in Canada has been significantly transformed as a result of recent technological and cultural changes, including the advent of social media such as Facebook and Twitter, and the increased usage of smart phones. Accordingly, the public now expects to receive news immediately and to participate in its dissemination. They also pointed out that the prohibition in section 329 of the Act results in a complete ban on transmission of any election results by the Internet or social media, even to areas in Canada where polling stations are closed, until all polling stations in Canada have closed.

The applicants wanted the court to hear the case on an urgent basis so that they could transmit the results from coast to coast as they became available.²

The application for an expedited hearing was heard on April 8, 2011, and the court rendered its decision three days later. The court pointed out that the issues raised by the applicants involve complex matters that require careful analysis, and it refused to expedite the hearing. Elections Canada understands that the case is to be heard in March 2012.

Throughout the remainder of the election period, the media questioned the enforceability of section 329, particularly with regard to the Internet and social media.

Validation of results

In the 41st general election, 151 electoral districts completed validation on May 3, 2011, and another 103 completed this step on May 4. The vast majority of the remaining 54 electoral districts held their validation of results within the next few days. There were postponements (or "adjournments") ranging from one to six days in six electoral districts where ballot boxes had not all arrived in time for the original date planned for the validation. By May 15, 2011, all 308 electoral districts had completed validation. As validation was completed for each electoral district, the results were posted as usual on the Elections Canada Web site.

² As in any case challenging a provision of the *Canada Elections Act*, the respondent is not the Chief Electoral Officer but the Attorney General of Canada.

Recounts

Judicial recounts took place in four electoral districts. The returning officers in three electoral districts – Montmagny–L’Islet–Kamouraska–Rivière-du-Loup, Etobicoke Centre and Nipissing–Timiskaming – made a request to a judge for a recount as the difference between the number of votes cast for the first- and second-place candidates was less than one one-thousandth of the total votes cast in the electoral district. In such cases, the *Canada Elections Act* provides that a judicial recount must take place. In Winnipeg North, an elector applied for a recount, which was granted by the judge.

All four recounts confirmed the results obtained by the returning officers at the validation of the results of the vote. The difference between the vote totals of the first- and second-place candidates changed by very little: by four votes in Montmagny–L’Islet–Kamouraska–Rivière-du-Loup, by one vote in Etobicoke Centre, by three votes in Nipissing–Timiskaming and by one vote in Winnipeg North.

The media applied to attend the recount in Etobicoke Centre, and the judge granted the request. The media was not present at the other recounts.

For the judicial recount results, see Table 8 in the Appendix.

Return of the writs

The date set for the return of the writs was May 23, 2011. Writs must be held by the returning officer for six days after the validation of the results to allow time for candidates and electors to request a recount. Should such a request occur before a winner is declared, the returning officer must await the recount judge’s decision before declaring a candidate elected, completing the writ and returning it. The last two writs for the 41st general election were returned on May 27. That of Etobicoke Centre was late as a result of the judicial recount. The late arrival of the writ from Nunavut is more likely attributable to the adjournments that were needed prior to the validation of the vote, as well as to distance.

Official results

Elections Canada publishes the official voting results about three months after the election. This publication contains the poll-by-poll results for each electoral district as well as various statistics.

A total of 308 candidates were elected to the House of Commons in this election. Of these, 197 were members in the 40th Parliament. Seventy-six of the elected candidates were women, setting a new record.

The following table lists the distribution of seats in the House of Commons, by political affiliation, before and after the election.

Distribution of seats in the House of Commons by political affiliation

Political affiliation	After the 40th general election (October 14, 2008)	At the dissolution of Parliament (March 26, 2011)*	After the 41st general election (May 2, 2011)	Change from the 40th general election
Conservative Party of Canada	143	143	166	+23
Liberal Party of Canada	77	77	34	-43
Bloc Québécois	49	47	4	-43
New Democratic Party	37	36	103	+67
Independent/ No affiliation	2	2	–	-2
Green Party of Canada	–	–	1	+1
Total	308	305	308	

*At the dissolution of Parliament, three seats in the House of Commons were vacant. Two of these were previously held by the Bloc Québécois and one, by the New Democratic Party.

Contested elections

On June 2 and June 28, 2011, respectively, applications contesting the results of the election in the electoral districts of Elmwood–Transcona (Manitoba) and Etobicoke Centre (Ontario) were made. Elections may be contested in the superior court of a province or territory, or in the Federal Court, pursuant to Part 20 of the *Canada Elections Act*. An election may be contested either on the basis that the elected candidate was not eligible to be a candidate under section 65 of the Act, or on the basis that there were irregularities, fraud, or corrupt or illegal practices that affected the result of the election. In both Elmwood–Transcona and Etobicoke Centre, the application is based on the latter category of allegations. At the time of writing, both matters remain before the courts.

Electoral law enforcement

The Commissioner of Canada Elections is the independent officer who ensures compliance with and enforces the *Canada Elections Act* and the *Referendum Act*.

During the 41st general election, the Commissioner's Office received:

- 1,003 communications or referrals that required individual responses
- 2,956 e-mails regarding the application of the Special Voting Rules at the University of Guelph that did not require individual responses
- more than 700 e-mails about an alleged violation of the blackout period as a result of a radio interview that was broadcast on election day (however, there was no violation of the *Canada Elections Act*)

The Commissioner's Office dealt with the majority of the 1,003 communications in a timely manner by verifying the complaint, providing the requested information, contacting the parties to correct the situation or educating the parties involved on the requirements of the *Canada Elections Act*. Most of these complaints concerned one of the following categories:

- the legality of certain activities undertaken during the election
- the absence of authorization statements in election advertising
- election advertising that appeared to be paid for by the government or appeared to provide an advantage to incumbents
- campaigning in certain locations, such as malls and apartment buildings
- unsolicited telephone calls
- automated telephone messages
- signs placed without permission
- crank calls

A noted trend was the greater use of communications tools by candidates during the election. The use of Facebook, Twitter, YouTube videos, automated telephone messages, e-mail and Web sites is on the rise and raises the question of whether these messages amount to election advertising. The Commissioner's Office examined each case individually and took action as necessary.

Third party advertising also continues to shift from traditional media to Web-based communications. Owners of Web-based communications often do not consider themselves third party advertisers and do not post authorization statements. Investigation of Web-based third party advertising is challenging as it is difficult to contact site owners, sites are often hosted abroad, or advertisers claim they did not exceed \$500 in election advertising expenses.

The Commissioner is looking into several complaints surrounding:

- premature transmission of election results on polling day by major media
- crank calls designed to discourage voting, discourage voting for a particular party, or incorrectly advise electors of changed polling locations
- employers' obligation to allow employees time to vote

Cost of the election

While spending related to a general election spans several fiscal years, the bulk of the costs for the 41st general election will be incurred in 2011–2012. The total cost of a general election includes direct election delivery and evaluation expenditures, election readiness (including heightened readiness costs due to the uncertain timing of an election during a minority government), and the cost of maintaining the National Register of Electors (the Register) between two general elections.

The preliminary estimated costs for Elections Canada for the 2011 general election is \$291 million, approximately \$12.00 for each registered elector.

Approximately half of the estimated election costs (\$144.4 million) went to workers – returning officers, staff in local offices and poll officials – and to goods and services providers in the 308 electoral districts across Canada, including printers, renters of polling sites, and local furniture and equipment suppliers.

Another large amount (\$56.4 million) is projected to be paid to eligible political parties and candidates for the partial reimbursement of their election expenses.

The third category of costs is split into two sub-categories: the first encompasses the direct costs incurred at Elections Canada in Ottawa from the time writs are issued until the last complaint regarding the election is resolved, and the second encompasses the election readiness costs incurred between the 40th general election and the 41st general election, including the cost of maintaining the Register.

Direct costs are estimated at \$43.7 million and include those for items such as the production and placement of election advertising (television, print, radio, Web) across the country; the production and printing of reminder brochures delivered to every household; the delivery of a large volume of election materials and supplies to the 308 electoral districts; the additional staff required in the various call centres operating during the election; and the technical help to support the required information technology infrastructure between Elections Canada in Ottawa and the returning offices.

The cost of maintaining constant readiness between the end of the 40th general election and the start of the 41st general election was \$24.9 million. This cost covered temporary staff, training of returning officers and their key staff, replenishment of election materials and supplies, field readiness checks, information technology, and telecommunication services and equipment. In addition, the cost of heightened readiness – a “just in case” operational strategy during the minority government – was \$4.7 million. Lastly, the cost of maintaining the Register was \$16.8 million for the last two and a half years.

Costs of the 39th, 40th and 41st general elections

Activity	39th (Jan. 2006) Actuals* (\$ millions)	40th (Oct. 2008) Actuals* (\$ millions)	41st (May 2011) Preliminary estimate* (\$ millions)
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	132.0	135.5	144.4
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	94.6	94.5	90.2
<i>Subtotal</i>	226.6	230.0	234.6
Reimbursement of election expenses to candidates and political parties**	53.1 (revised)	56.2 (revised)	56.4 (projected)
Total (\$ millions)	279.7	286.2	291.0
Cost per elector (dollars)	12.13	12.08	12.00

*The costs for the 41st general election are preliminary, while those for the 39th and 40th general elections are actual and revised due to ongoing candidate file reviews in the Political Financing Sector.

**Reimbursement of election expenses to candidates and political parties for the 41st general election is a projected cost based primarily on past election results. Better estimates will be available once election returns are submitted to Elections Canada and reviewed. After a general election, each registered political party must submit an audited report on its election expenses within six months of election day (November 2, 2011). Candidates' official agents must submit audited returns of their election expenses and contributions within four months of election day (September 2, 2011). With regard to the 39th and 40th general elections, these are adjustments to reimbursements since the last report (i.e. payments of unpaid claims and amendments to return submissions).

3. Key Issues

The experience of the 41st general election points to a number of avenues that need to be further explored in order to improve our electoral framework in the areas of services to electors, services to candidates and communications. The present section examines these areas for improvement as Elections Canada goes forward. In some cases, the issues are specific and already well defined. In other cases, however, the agency will need to pursue its evaluations and analysis, as well as continue to engage parliamentarians and stakeholders.

3.1 Services to Electors

The 2010 report entitled *Responding to Changing Needs – Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election* (the Recommendations Report) noted that Canadian society is quickly evolving: it is becoming more mobile and diversified, and it is rapidly aging. Canadians have come to expect flexible services to accommodate their changing needs. Many non-voters cite inconvenience as a reason for not voting. The experience of the 41st general election confirmed that current services are too rigid to meet the changing needs and expectations of electors and that a thorough review is required.

The rigidity of the voting process is not only an inconvenience for electors, but is also expensive and, in some cases, inefficient. As Elections Canada looks to improving the range and quality of services to electors, it also needs to explore more efficient processes for conducting the vote.

Special Voting Rules

The Special Voting Rules system provides voting opportunities to electors who cannot or choose not to vote at advance polls or on election day. The number of electors who vote by special ballot has continued to increase. For military, incarcerated and international electors, special ballot voting is the only way to vote. This is also true for electors away from their electoral district during advance and regular voting, including students and workers in remote camps.

As discussed in the previous section, the Special Voting Rules pose a number of challenges to electors pertaining, among other things, to the tight election calendar and difficulties in transmitting documentary proof of identity and address.

While the Special Voting Rules need to be re-examined to address these difficulties, they also present a significant opportunity for offering electors more convenient and flexible voting options. Elections Canada already uses the special ballot to meet the needs of two categories of electors who, for practical reasons, would otherwise be unable to vote or who face very significant barriers: electors in acute care centres and electors in remote work camps. However, the use of the special ballot could be expanded to make voting more convenient. For example, returning officers could be authorized to set up special voting kiosks on campuses or in shopping malls, or allow electors to vote at any polling station on election day.

Following the 38th general election, the Chief Electoral Officer called for a “far-ranging review” of the Special Voting Rules, including an examination of how new technology could be used to facilitate special ballot processes. His call was endorsed by both the House of Commons Standing Committee on Procedure and House Affairs as well as the government. However, due to successive minority governments, this task was not undertaken. The current context may provide the opportunity for such a review.

Advance voting

The number of Canadians who take advantage of advance voting has continued to increase, and this trend is expected to continue in the future. While Elections Canada has increased the number of advance polls, notably in rural areas, the regime is ill-designed to provide adequate service to electors.

In the Recommendations Report, changes were suggested to allow more flexibility in the hiring of election workers for advance polls. Although this remains critical, other aspects of the regime also need to be considered. For example, providing mobile advance polls in remote areas where the number of electors or availability of workers does not allow for three days of advance polls could improve services to electors while allowing for a more efficient use of resources.

Voting operations

The vast majority of electors (98 percent) made use of either an ordinary poll on election day (84 percent) or an advance poll (14 percent). During the 41st general election, issues arose regarding the efficiency of the process for voters at the polls. These issues are essentially the same as those pointed out in the reports on the 40th general election:

- Lineups may occur at one polling station within a polling site while workers at another station are idle. Voters may also arrive in waves, causing information officers, poll clerks and registration officers to be busy at different times.
- The limited time available and the increasing complexity of the voting process make training election workers more challenging. At times, these circumstances may lead to high turnover rates and increase the risk of inconsistent service to electors.
- The voting process is strictly defined, and no poll official can replace another. There is no opportunity to share the workload or take on tasks other than those prescribed in the Act.
- Work on election day proceeds for 15 hours, with no designated time for lunch or breaks. This makes recruitment a challenge. At the end of that long day, workers must conduct the critical activities of counting the votes and closing the polls.

In these instances, legislative changes authorizing pilot projects would allow for testing a more effective model, similar to the one used in New Brunswick provincial elections: Workers at central polling places would not be assigned to a specific polling division. Electors would go to the polling station that has the shortest lineup, receive their ballot and vote. This is an interesting approach that would provide the flexibility to manage traffic flows at polls in a businesslike fashion. It would prevent long lineups at advance polls and would streamline training and the recruitment of election workers. A pilot project, as proposed in the Recommendations Report, would enable the Chief Electoral Officer to test the model and provide a more effective recommendation to Parliament.

3.2 Services to Candidates

Nomination process

A number of issues were reported in connection with the nomination process: alleged irregularities with regard to signatures on nomination papers and difficulties experienced by three candidates with the nomination process. These incidents indicate a need to review the nomination process, re-examine it with stakeholders, and assess the extent to which some of these issues are systemic as well as how they can be addressed. Some of the problems may be unavoidable consequences of the very short time frame for nominations, but there may well be room for improvement.

Apart from addressing specific incidents, a review should also consider ways to modernize and thus facilitate the nomination process for candidates. For many candidates, especially in large electoral districts, providing the necessary documents within the strict statutory timelines is a challenge. The Recommendations Report proposed allowing electronic signatures. If this change to the *Canada Elections Act* were made, could nominations be conducted on-line? Is the requirement to obtain signatures from 100 electors residing in the electoral district still relevant today? These are matters that should be examined by parliamentarians.

3.3 Communications and Social Media

The expansion of Web-based communications technology – particularly social media such as YouTube, Facebook and Twitter – is transforming communications both outside and during elections. In this rapidly evolving context, the relevance of the existing legal framework must be reconsidered. The 41st general election showed the need for re-examination, especially of two aspects of the regime: the premature transmission of election results, prohibited under section 329 of the *Canada Elections Act*, and the regulation of third party election advertising.

Premature transmission of election results

With respect to the ban on the premature public transmission of election results, Elections Canada has no information to suggest that there was widespread disregard for the rule. Nevertheless, the growing use of social media puts in question not only the practical enforceability of the rule, but also its very intelligibility and usefulness in a world where the distinction between private communication and public transmission is quickly eroding. The time has come for Parliament to consider revoking the current rule.

Third party advertising on the Internet

As for the regulation of third party advertising, there is also a need to rethink the legislative framework. The distinction between advertising and non-advertising messages was relatively straightforward with television, radio and print media, but this is not the case with newer technologies. For example, humorous video clips posted on YouTube or Facebook may be considered to be commentary, programming, art or advertising. Messages shared on Twitter can be perceived as public discussion or advertisements. Even Internet sites or pages are not easily categorized. The confusion around the nature of such communications results in uncertainty and inconsistent behaviour, perceptions of illegality and a tendency to discourage participation.³

The third party regime reflects a concern for creating a level playing field between opponents with differing financial resources. The regime regulates advertising expenses, but its purpose is not to reduce the information available to electors or prevent individuals from participating in the electoral debate. Social media and the Internet are conducive to political participation by allowing a broad dissemination of messages at a very low cost. The use of new technologies can improve the federal electoral process by enhancing both equality and freedom of expression. To reduce the current uncertainty and take advantage of new technologies, Parliament may wish to consider excluding from the definition of election advertising all Internet-based communications by third parties, except perhaps communications placed for a fee by the originator on another site.

³ Section 319 of the Act provides a general definition of *election advertising*, followed “for greater certainty” by a list of illustrations of what the general definition is not meant to capture. One of these is “the transmission by an individual, on a non-commercial basis on what is commonly known as the Internet [...] of his or her personal political views” [paragraph 319(d)]. This approach gives rise to much confusion. The reference to an individual’s “personal” political views is difficult to apply. More importantly, the very specific wording of paragraph 319(d) leads readers to treat it as an *exception* to the definition, as opposed to a mere *illustration* of what the definition does not capture. The questions above as to what other types of Internet communications do not come within the definition largely remain without a satisfactory answer.

Conclusion

Given the frequency of elections in recent years, Elections Canada has had to maintain an ongoing state of readiness to conduct a general election whenever it might be called. With the election of a majority government and the end of successive minority governments, we now have the opportunity to focus on longer-term priorities and improvements for the 42nd general election in October 2015. Our approach will benefit from our experience with four general elections over the last seven years.

Elections Canada will also benefit from the results of the evaluations currently being conducted on a range of topics – such as accessibility – based on feedback from electors, candidates and election workers.

As the statutory report following a general election must be submitted within 90 days, it is not possible to integrate the findings of our evaluations into the present report. Since the evaluations take more time to conduct, they will be completed over the summer and fall, and a report that includes the resulting analysis will be presented to parliamentarians in 2012. The results will be of interest to parliamentarians and other key stakeholders.

Looking toward the next election, which is scheduled to take place on October 19, 2015, under the *Canada Elections Act*, it is important to note that six provincial and territorial elections are also scheduled to be held in the fall of 2015. Although they do not all occur on the same day, holding so many elections in close proximity poses challenges that need to be closely examined early on, so that proper measures can be taken in time to ensure a smooth process.

To a large extent, however, the improvements to the electoral process will depend on legislative changes to the *Canada Elections Act*. Elections Canada has reached a point where the limited flexibility of the current legislation no longer allows us to meet the evolving needs of electors and candidates. Our previous report on recommended changes to the Act indicated a number of areas that require modernization in order to make the Act more efficient and better serve Canadians, and we look forward to working with parliamentarians as we prepare for the 42nd general election.

Table 1 – Number of election workers by position for the 40th and 41st general elections

Position	40th general election	41st general election		
	Positions filled*	Positions filled*	Standby or additional workers	Active in the election
Additional assistant returning officer	120	128	–	128
Assistant automation coordinator	333	321	–	321
Assistant returning officer	308	308	–	308
Automation coordinator	320	316	–	316
Central poll supervisor**	14,662	16,541	392	16,149
Community relations officer	529	863	–	863
Deputy returning officer**	80,615	79,049	5,374	73,675
Financial officer	342	358	–	358
Hospital liaison officer	–	98	–	98
Information officer	19,030	18,801	205	18,596
Interpreter – Aboriginal Elder and Youth Program	349	303	–	303
Interpreter, language	52	38	–	38
Inventory clerk	718	733	–	733
Judicial recount clerk	247	202	–	202
Office clerk	8,334	8,280	–	8,280
Office coordinator	533	522	–	522
Office messenger	998	774	–	774
Poll clerk	72,735	74,803	365	74,438
Receptionist	1,208	1,223	–	1,223
Recruitment officer	661	701	–	701
Registration officer**	18,644	17,551	754	16,797
Returning officer	308	308	–	308
Revising agent	10,301	8,535	–	8,535
Revision centre clerk	1,006	1,152	–	1,152
Revision supervisor	445	436	–	436
Special ballot coordinator	1,960	2,058	–	2,058
Special messenger	665	461	–	461
Support staff for office of additional assistant returning officer	72	58	–	58
Training officer	689	705	–	705
Witness – validation of results	182	241	–	241
Total	236,366	235,867	7,090	228,777

*With the exception of the positions of returning officer, assistant returning officer and additional assistant returning officer, all figures indicate election workers who filled specific positions during the election period. In reality, 226,102 individuals were hired during the election. In some cases, more than one individual was hired to perform a given task – for example, because of staff changes or job sharing. In addition, some workers filled more than one position. This brings the total to 235,867 election workers, as presented in the table.

**Of the 113,141 central poll supervisors, deputy returning officers and registration officers, 6,520 (6 percent) were on standby to replace field staff if needed.

Data as of July 27, 2011.

Table 2 – Confirmed candidates and final registered party election expenses limits

Political affiliation	Confirmed candidates	Final election expenses limit
Liberal Party of Canada	308	\$21,025,793.23
New Democratic Party	308	\$21,025,793.23
Conservative Party of Canada	307	\$20,955,088.91
Green Party of Canada	304	\$20,764,344.60
Bloc Québécois	75	\$5,373,817.88
Marxist-Leninist Party of Canada	70	\$5,162,704.67
Independent	55	n/a
Christian Heritage Party of Canada	46	\$3,202,184.33
Libertarian Party of Canada	23	\$1,743,667.01
Communist Party of Canada	20	\$1,358,384.14
Rhinoceros Party	14	\$982,437.09
Canadian Action Party	12	\$840,225.51
Pirate Party of Canada	10	\$757,193.21
Progressive Canadian Party	9	\$765,502.06
Animal Alliance Environment Voters Party of Canada	7	\$467,969.04
No affiliation	6	n/a
Marijuana Party	5	\$339,676.42
Western Block Party	4	\$333,954.75
United Party of Canada	3	\$241,406.53
First Peoples National Party of Canada	1	\$62,702.06
Total	1,587	

Table 3 – Allocation of broadcasting time

Political party	Paid time (min:sec)	Free time* (min:sec)		
		CBC-TV SRC-TV	CBC Radio One SRC Première chaîne	TVA V Télé
Conservative Party of Canada	103:00	56:30	32:00	16:30
Liberal Party of Canada	69:30	38:00	21:30	11:00
New Democratic Party	48:00	26:00	15:00	8:00
Bloc Québécois	36:30	20:00	11:30	6:00
Green Party of Canada	23:30	13:00	7:30	4:00
Christian Heritage Party of Canada	9:30	5:30	3:00	1:30
Marxist-Leninist Party of Canada	9:30	5:30	3:00	1:30
Communist Party of Canada	8:30	5:00	3:00	1:30
Libertarian Party of Canada	8:30	5:00	3:00	1:30
Canadian Action Party	8:00	4:30	2:30	1:30
Animal Alliance Environment Voters Party of Canada	7:30	4:00	2:00	1:00
First Peoples National Party of Canada	7:30	4:00	2:00	1:00
Marijuana Party	7:30	4:00	2:00	1:00
People's Political Power Party of Canada	7:30	4:00	2:00	1:00
Progressive Canadian Party	7:30	4:00	2:00	1:00
Rhinoceros Party	7:30	4:00	2:00	1:00
Western Block Party	7:30	4:00	2:00	1:00
Pirate Party of Canada	6:30	3:30	2:00	1:00
United Party of Canada	6:30	3:30	2:00	1:00
Total (rounded)	390:00	214:00	120:00	62:00

*In the case of the CBC and SRC television and radio stations, the number of minutes shown applies to each station, English and French.

Source: Broadcasting guidelines for the 41st general election, issued March 28, 2011.

Table 4 – Adaptations of the *Canada Elections Act* during the 41st general election pursuant to subsection 17(1) of the Act

Statutory provision adapted	Explanatory notes
Section 10	<p>Purpose: Provided a process for any candidate who was a member of Parliament immediately before the election or any elector who continued to live with the candidate to register to vote in an electoral district other than the electoral district in which his or her place of ordinary residence is located.</p> <p>Explanation: Paragraphs 10(1)(b), (c) and (d) of the Act provide for these individuals to be authorized to vote in an electoral district other than the electoral district in which their place of ordinary residence is located. However, an adaptation is required to allow their name to be added to a list of electors for the electoral district in which they decide to vote and to vote in this electoral district if it is not the electoral district in which their place of ordinary residence is located.</p>
Sections 22, 32, 39, 135, 168, 169, 283–285, 287	<p>Purpose: Allowed returning officers to hire additional election officers where necessary to effectively conduct an advance poll.</p> <p>Explanation: The Act provides for fewer election officers at advance polls than for ordinary polls, yet more and more electors are choosing to vote at advance polls, resulting in longer waits during the vote and some advance polling stations having a high number of votes to count. This adaptation was required to permit the appointment of additional election officers where necessary to conduct an advance poll, as well as additional deputy returning officers and poll clerks for the counting of the votes cast on advance polling days.</p>
Section 120	<p>Purpose: Allowed the establishment of a second polling station for a polling division in the electoral district of Provencher (Manitoba).</p> <p>Explanation: In the Manitoba electoral district of Provencher, polling division 091 was affected by flooding. Some residents of the polling division were evacuated to Winnipeg, while others remained in the community. The polling station for polling division 091 was opened to serve the electors who remained, and the adaptation permitted a second polling station to be opened in Winnipeg to allow the evacuated electors from polling division 091 to vote. The adaptation also directed the returning officer to report the results of polling division 091 by combining the results from the statements of the vote from the first and second polling stations for the polling division.</p>

Table 4 – Adaptations of the *Canada Elections Act* during the 41st general election pursuant to subsection 17(1) of the Act

Statutory provision adapted	Explanatory notes
Section 120	<p>Purpose: Allowed the establishment of a second polling station in a polling division in the electoral district of Drummond (Quebec).</p> <p>Explanation: In the Quebec electoral district of Drummond, polling division 400-0 was located in a seniors' residence in which there were 435 electors. By 5:00 p.m. on polling day, less than half the electors had voted and the other electors were facing long waits to vote. The Act was adapted to permit the returning officer to establish a second polling station in polling division 400-0 and to report the results of polling division 400-0 by combining the results from the statements of the vote from the first and second polling stations in the polling division.</p>
Section 122	<p>Purpose: Allowed returning officers who could not locate suitable premises for a polling station within a polling division to establish a polling station for that division in an adjacent electoral district.</p> <p>Explanation: Section 122 permits a returning officer who is unable to secure suitable premises for a polling station within a polling division to locate the polling station in an adjacent polling division within the same electoral district. However, in the Ontario electoral districts of Ottawa–Orléans and Lanark–Frontenac–Lennox and Addington, and in the New Brunswick electoral district of Fundy Royal, suitable premises could not be found in the same district, but could be found in an adjacent electoral district.</p>
Sections 124, 135	<p>Purpose: Allowed returning officers to appoint central poll supervisors at polling sites consisting of one or more polling stations.</p> <p>Explanation: Legislative changes and the imposition of additional administrative responsibilities have created a heavier burden for poll officials already tasked with carrying out many duties. In polling stations where a high volume of voters is expected, central poll supervisors can facilitate the effective conduct of voting operations, yet the Act does not contemplate the appointment of central poll supervisors when a polling site consists of less than four polling stations.</p>
Section 125	<p>Purpose: Allowed the establishment of two mobile polling stations in an electoral district where some electors were evacuated as a result of flooding.</p> <p>Explanation: In the Manitoba electoral district of Selkirk–Interlake, some electors from polling divisions 012, 013A, 013B and 014 were evacuated to Winnipeg, while some electors remained in the community. The adaptation permitted mobile polling stations, in addition to the regular polling stations, to be established to serve the electors who had been evacuated, and directed the returning officer to report the results of these polling divisions by combining the results from the statements of the vote from the regular polling stations and from the mobile polling stations for these polling divisions.</p>

Table 4 – Adaptations of the *Canada Elections Act* during the 41st general election pursuant to subsection 17(1) of the Act

Statutory provision adapted	Explanatory notes
Section 159	<p>Purpose: Allowed the issuance of transfer certificates in electoral districts affected by flooding.</p> <p>Explanation: During the election period, several communities were affected by flooding; the normal routes of access for certain electors to their polling stations were cut off and it was easier for them to access a polling station other than their own. Sections 158 and 159 of the Act permit transfer certificates to be issued to an elector, under certain circumstances, to allow the elector to vote at a polling station other than his or her own, but inability to access the polling station due to flooding is not one of the circumstances contemplated by the Act. The adaptation permitted transfer certificates to be issued to electors whose ability to vote at their polling stations had been adversely affected by flooding.</p>
Section 171	<p>Purpose: Allowed the establishment of mobile advance polling stations in certain isolated communities and the sending of notice of these advance polls after the 16th day before polling day.</p> <p>Explanation: The Quebec electoral district of Abitibi–Baie-James–Nunavik–Eeyou contains communities that are isolated from the sites where the advance polls were scheduled to be held. The electors in the isolated communities had requested that advance polls be established in their communities. The returning officer was unable to recruit enough election workers to staff separate advance polls in all the communities in question, but was able to provide advance polling opportunities to all electors through the use of mobile advance polls. The Act requires that notice of advance polls be sent no later than the 16th day before polling day, but arrangements for the mobile advance polls could not be completed by this date. As the Act does not contemplate the establishment of mobile advance polls and requires that notice of advance polling sites be sent no later than the 16th day before polling day, this adaptation was required to permit the establishment of mobile advance polls and the late sending of notice.</p>
Section 295	<p>Purpose: Deemed a polling division and an advance polling district merged.</p> <p>Explanation: In the electoral district of Wascana (Saskatchewan), the deputy returning officers of polling division 147 and advance polling district 611 counted the ballots for that polling division and advance polling district together and completed a single statement of the vote in error. For the purposes of publishing the voting results, the polling division and the advance polling district were deemed merged so that the results could be combined.</p>

Table 5 – Adaptations of the *Canada Elections Act* pursuant to section 179 of the Act that were made and/or used during the 41st general election

Statutory provision	Explanatory notes
Section 190 (Adaptation made in a previous election)	<p>Purpose: Authorized the Special Voting Rules Administrator to extend the voting period for Canadian Forces electors who were performing military duties.</p> <p>Explanation: A number of Canadian Forces electors would not have been able to exercise their right to vote during the voting period set out in the Act because of their military duties. The Act had to be adapted to allow these electors to vote.</p>
Section 233 (New adaptation)	<p>Purpose: Extended to electors voting by special ballot the rules regarding proof of residence applicable to electors voting at advance polls or on polling day who have no civic address.</p> <p>Explanation: Subsection 143(3.1) of the Act provides that if the address contained in the piece or pieces of identification provided by an elector at an advance poll or on polling day does not prove the elector’s residence, but is consistent with the information relating to the elector appearing on the list of electors, the elector’s residence is deemed to have been proven. The Act does not contain a similar provision for electors who wish to vote by special ballot, yet some electors residing in rural or remote areas have no civic address by which to prove their address, or such a residential address is not contained in their pieces of identification. This adaptation provides electors who wish to vote by special ballot the same flexibility in proving their place of residence as is afforded to electors who vote at advance polls or on polling day.</p>
Section 237 (Adaptation made in a previous election)	<p>Purpose: Allowed a second special ballot voting kit to be issued by the returning officer, with the prior approval of the Special Voting Rules Administrator, to an elector who did not receive his or her special ballot voting kit by mail and who provided a statement signed under oath to that effect.</p> <p>Explanation: The Act does not allow for a second special ballot voting kit to be issued to an elector by the returning officer. The adaptation by instruction was required in order to allow the elector to exercise his or her right to vote by special ballot.</p>
Section 242 (Adaptation made in a previous election)	<p>Purpose: Allowed electors who, by reason of erroneous information from an election officer, completed a special ballot by naming a candidate other than the candidate of the elector’s choice to ask for another special ballot, up to the close of polls on election day. Where such a request is made, the elector’s first special ballot is not to be opened or counted but is to be marked as spoiled and set aside.</p> <p>Explanation: Electors voting by special ballot were given erroneous information, resulting in improperly marked ballots. Paragraph 279(1)(c) of the Act requires that a special ballot be rejected only if it is marked with a name other than the name of a candidate. There is no provision in the Act whereby a ballot marked with the name of a candidate not of the elector’s choice could be set aside. The adaptation permitted the elector to request another special ballot, at which time the original, unopened special ballot envelope would be set aside.</p>

Table 5 – Adaptations of the *Canada Elections Act* pursuant to section 179 of the Act that were made and/or used during the 41st general election

Statutory provision	Explanatory notes
<p>Section 245 (New adaptation for the purposes of the 41st general election only)</p>	<p>Purpose: Changed the polling day for incarcerated electors from the 10th day before polling day to the 11th day before polling day.</p> <p>Explanation: The Act specifies that incarcerated electors may vote, by special ballot, only on the 10th day before polling day. The 10th day before polling day for the 41st general election, April 22, 2011, was a holiday at the federal level and in the provinces. The administrators of many federal and provincial correctional institutions informed the Chief Electoral Officer that they could not ensure the availability of the personnel necessary to conduct the vote if it were to take place on that day. The day for voting by special ballot in correctional institutions was, therefore, changed to the 11th day before polling day, which was not a holiday.</p>
<p>Sections 246, 247 (Adaptation made in a previous election)</p>	<p>Purpose: Extended the statutory process for voting under the Special Voting Rules in provincial correctional institutions to federal correctional institutions.</p> <p>Explanation: Because the Act formerly prohibited voting by incarcerated electors in federal institutions, it does not describe a process for such electors to vote. Since the 2002 decision of the Supreme Court of Canada in <i>Sauvé</i> struck down the prohibition, the Act has had to be adapted in every federal election to extend the statutory process for voting in provincial correctional institutions to federal correctional institutions.</p>

Table 6 – Voter registration statistics for the 41st general election

Province or territory	Electors on preliminary lists	Electors added ¹	Inter-ED address changes ²	Moves within ED ³	Other corrections ⁴	Electors removed ⁵	SVR Group 1 update ⁶	Electors on final lists ⁷
Newfoundland and Labrador	409,455	9,801	5,466	16,082	4,917	10,239	296	414,779
Prince Edward Island	105,948	5,020	2,019	3,532	1,857	4,647	116	108,456
Nova Scotia	723,046	21,648	11,082	17,563	9,664	23,491	809	733,094
New Brunswick	587,700	12,108	6,382	12,058	6,256	13,957	585	592,818
Quebec	6,117,038	81,531	54,801	66,948	82,452	128,096	5,033	6,130,307
Ontario	8,865,628	316,350	161,139	150,633	143,258	317,963	8,112	9,033,266
Manitoba	812,718	31,797	16,261	26,725	15,727	31,257	1,522	831,041
Saskatchewan	708,135	25,757	12,664	23,728	11,271	24,196	1,454	723,814
Alberta	2,469,813	85,027	38,923	40,143	30,753	86,800	2,427	2,509,390
British Columbia	3,066,103	91,022	58,351	57,499	33,707	108,153	2,594	3,109,917
Yukon	23,357	1,125	725	1,608	610	904	38	24,341
Northwest Territories	27,886	1,477	613	1,409	875	1,128	172	29,020
Nunavut	16,916	690	189	247	105	607	161	17,349
National total	23,933,743	683,353	368,615	418,175	341,452	751,438	23,319	24,257,592

Notes:

1. Electors who did not appear on any lists of electors at the beginning of the election and were added during the election.
2. ED = electoral district. Electors who appeared on the lists of electors of one ED at the beginning of the election but changed their address during the election because of a move to another ED.
3. Electors who appeared on the lists of electors of one ED at the beginning of the election and changed their address during the election because of a move to another polling division. These figures also include administrative changes the returning officer made to elector records during the election.
4. Electors who appeared on a list of electors and requested a correction to an error in their name or mailing address during the election.
5. Electors who appeared on a list of electors but were removed because of one of the following: the elector was deceased, the elector requested to be removed, the elector was no longer resident at that address or the elector was not qualified to be on the list (for example, less than 18 years old or a non-citizen). Figures also reflect elector records removed as a result of electors moving to another ED during the election and other duplicates removed during the election, including those removed during the preparation of the final lists of electors.
6. SVR = Special Voting Rules. This column indicates the increase in the number of Group 1 electors registered under the SVR (Canadian electors temporarily residing outside Canada, Canadian Forces electors and incarcerated electors) during the election.
7. The total number of electors on the final lists is the sum of electors on the preliminary voters lists, electors added, inter-ED address updates and SVR Group 1 updates, minus removed records.

Table 7 – Voter turnout for the 40th and 41st general elections

Province or territory	40th general election, 2008			41st general election, 2011			Increase or decrease (-) from the 40th general election		
	Electors on final lists	Ballots cast	Voter turnout	Electors on final lists	Ballots cast	Voter turnout	Electors on final lists	Ballots cast	Voter turnout
Canada	23,677,639	13,929,093	58.8%	24,257,592	14,823,408	61.1%	579,953	894,315	2.3%
Newfoundland and Labrador	410,411	195,669	47.7%	414,779	218,166	52.6%	4,368	22,497	4.9%
Prince Edward Island	108,211	74,636	69.0%	108,456	79,511	73.3%	245	4,875	4.3%
Nova Scotia	727,875	438,551	60.3%	733,094	454,266	62.0%	5,219	15,715	1.7%
New Brunswick	590,984	371,586	62.9%	592,818	392,208	66.2%	1,834	20,622	3.3%
Quebec	5,954,763	3,671,728	61.7%	6,130,307	3,853,120	62.9%	175,544	181,392	1.2%
Ontario	8,834,987	5,177,150	58.6%	9,033,266	5,556,608	61.5%	198,279	379,458	2.9%
Manitoba	835,401	468,743	56.1%	831,041	493,340	59.4%	-4,360	24,597	3.3%
Saskatchewan	715,291	419,600	58.7%	723,814	456,501	63.1%	8,523	36,901	4.4%
Alberta	2,433,695	1,274,992	52.4%	2,509,390	1,400,674	55.8%	75,695	125,682	3.4%
British Columbia	2,996,864	1,799,892	60.1%	3,109,917	1,879,304	60.4%	113,053	79,412	0.3%
Yukon Territory	23,281	14,721	63.2%	24,341	16,124	66.2%	1,060	1,403	3.0%
Northwest Territories	28,787	13,733	47.7%	29,020	15,655	53.9%	233	1,922	6.2%
Nunavut	17,089	8,092	47.4%	17,349	7,931	45.7%	260	-161	-1.7%

Table 8 – Judicial recounts

Electoral district	Candidate's name (political affiliation)	Number of votes cast	Candidate's name (political affiliation)	Number of votes cast	Valid votes cast in electoral district	Variance* (number of votes)	Variance* (%)	Type of situation
Montmagny–L'Islet–Kamouraska–Rivière-du-Loup	François Lapointe (NDP-New Democratic Party)	17,285	Bernard Généreux (Conservative)	17,276	47,545	9	0.02	Automatic
Etobicoke Centre	Ted Opitz (Conservative)	21,644	Borys Wrzesnewskyj (Liberal)	21,618	52,523	26	0.05	Automatic
Nipissing–Timiskaming	Jay Aspin (Conservative)	15,495	Anthony Rota (Liberal)	15,477	42,271	18	0.04	Automatic
Winnipeg North	Kevin Lamoureux (Liberal)	9,097	Rebecca Blaikie (NDP-New Democratic Party)	9,053	25,427	44	0.17	Requested

**Variance* refers to the difference between the number of votes cast for the two leading candidates.