



Who had the right to vote in the election for the first legislative assembly in Canadian history?

Answer on page 18

38th General Election

When was the minimum age for voting lowered to 18?

Answer on page 30



38th GENERAL ELECTION June 28, 2004

OFFICIAL RESULTS

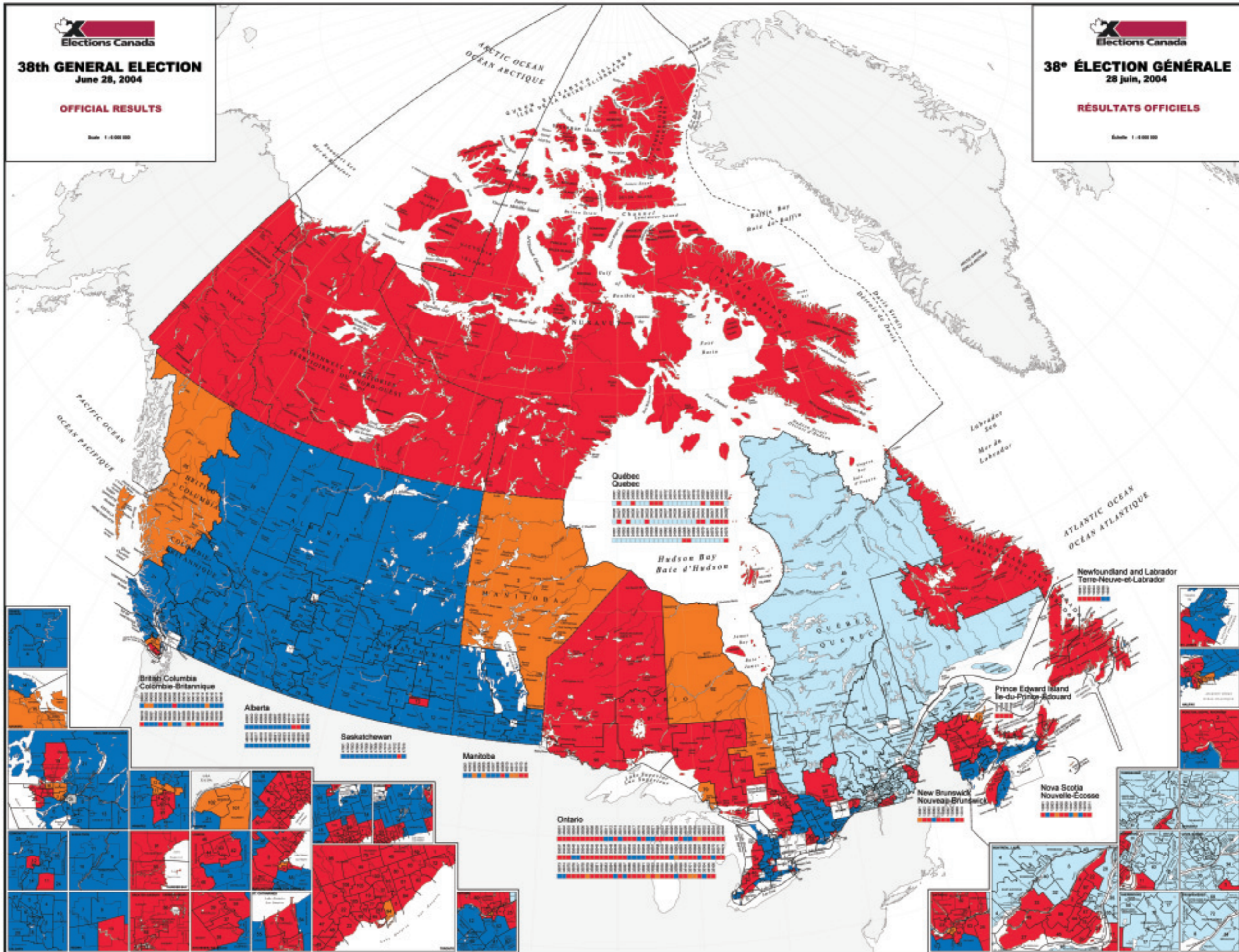
Scale 1:400 000



38^e ÉLECTION GÉNÉRALE 28 juin, 2004

RÉSULTATS OFFICIELS

Échelle 1:400 000



POLITICAL PARTIES / PARTIS POLITIQUES

Liberal Party of Canada / Parti libéral du Canada

Conservative Party of Canada / Parti conservateur du Canada

Bloc Québécois

New Democratic Party / Nouveau Parti démocratique

No Affiliation / Aucune appartenance

ÉLECTION 2004

When did
voters lists
come
into use?

Answer on page 70

When did Aboriginal
Canadians gain
the right to vote
in federal elections?

Answer on page 74

When did
Canadian women
gain the right
to vote in
federal elections?

Answer on page 80

Who had the
right to vote
in the 2004
general election?

Answer on page 93

Elections Canada ○
strives to ensure ○ ○
the full and fair ○ ○
participation ○ ○ ○
of all Canadians ○ ○
in an equitable ○ ○
electoral process. ○



CANADA

Report of the Chief Electoral Officer of Canada
on the 38th General Election Held on June 28, 2004



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For enquiries, please contact:

Public Enquiries Unit

Elections Canada

257 Slater Street

Ottawa, Ontario

K1A 0M6

Tel.: 1 800 463-6868

Fax: 1 888 524-1444

TTY: 1 800 361-8935

www.elections.ca

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Art design: Bob Branding et design



The Chief Electoral Officer

October 21, 2004

The Honourable Peter Milliken
Speaker of the House of Commons
Centre Block, House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Speaker:

I have the honour to submit my report on the administration of the 38th general election, held on June 28, 2004, and the administration of my Office since the publication of my previous report. I am submitting this report in accordance with subsection 534(1) of the *Canada Elections Act*, S.C. 2000, c. 9.

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

The official voting results will be published later, in accordance with paragraph 533(a) of the Act.

Yours truly,

A handwritten signature in black ink that reads "Jean-Pierre Kingsley". The signature is written in a cursive style with a long, sweeping underline.

Jean-Pierre Kingsley

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Foreword

The following is a report on a period of my tenure as Chief Electoral Officer of Canada that has been abundant in both challenges and achievements.

Following the 37th general election of November 27, 2000, we held numerous consultations that provided valuable insights. Based on these consultations, we were able to develop new initiatives to inform and educate, and to put in place administrative and technological measures needed to ensure the efficient administration of the 38th general election, held on June 28, 2004.

This latest election presented its own particular challenges, most of them consequent upon a complex and fluid legislative environment. Far-reaching political financing changes were introduced in early 2004 by Bill C-24, and the readjustment of electoral boundaries came into effect shortly afterwards; both had significant repercussions on the systems and procedures established by Elections Canada to serve electors and the various political entities. Throughout, we also had the obligation to maintain a state of election readiness, a task that involved demanding deadlines based on a range of possible scenarios and assumptions.

Our observations in the field, as well as the preliminary data from post-electoral assessments, show that these challenges were met.

I am, moreover, pleased to find that our outreach work with electors has been productive. Over the last few years, my Office has expended considerable effort to improve communications with the electorate, paying special attention to groups that traditionally have not voted in large numbers – in particular, young people and Aboriginal electors. We are currently analyzing the effectiveness of these initiatives in light of data from the 38th general election.

At this election, the national voter turnout rate of 60.9 percent represented a decline from the rate at the previous general election. Although this result echoes a phenomenon observed in a number of other democracies, it is a matter of great concern to me as Chief Electoral Officer. My Office continues to work on an in-depth analysis, begun a number of years ago, to gain a better understanding of voter turnout and to fine-tune our approach in this area.

From this election we can already draw certain conclusions, which hold lessons important to our pursuit of improvement in the electoral process. In particular, it remains difficult to provide service of uniform quality across the country when the returning officers appointed for this purpose by the Governor in Council are not selected on the basis of merit and still less, it seems, on any test of their ability to carry out their duties. The work of the Chief Electoral Officer becomes all the more challenging when some returning officers do not feel obliged to respect his authority because they owe their appointment to another body.

I will discuss this matter further in a report that I will table in Parliament in the coming months, setting out my recommendations for improving various aspects of the electoral process. I will also present to Parliament a separate report with recommendations on the process for the readjustment of electoral boundaries.

The administration of the 38th general election across the country required the participation of more than 170,000 Canadians – Elections Canada personnel, returning officers, field liaison officers, election officers and office staff. I wish to express my appreciation to those who worked with dedication to make this vast operation a success. Their efforts, and those of our partners, made it possible for Canadian voters to make their voices heard as part of an accessible, fair and transparent electoral process.

I am committed to preserving and further improving this vital process, thanks to which every Canadian, by casting a ballot, can have a say in how our country is governed.

Jean-Pierre Kingsley
Chief Electoral Officer of Canada

1

Activities, 2000–2004

“The right to vote is only meaningful when you use it.”

*Jean-Pierre Kingsley
Chief Electoral Officer of Canada*

Meeting our commitments

The Office of the Chief Electoral Officer (known as Elections Canada) is the organization that carries out the specific roles and responsibilities under the mandate of the Chief Electoral Officer, who is responsible for the administration of elections, referendums and other important aspects of Canada's electoral system. The Chief Electoral Officer is appointed by resolution of the House of Commons and reports to Parliament. He is independent of government and of all political parties.

Following the 37th general election in 2000, Elections Canada examined the strengths and weaknesses of every service provided by each of our directorates. We gathered comments from returning officers and members of their staff at post-election meetings and workshops. We conducted an array of public surveys and consultations with electors, political parties, candidates, third parties, parliamentarians, the advisory committee of political parties, the academic community, and other organizations and individuals interested in the electoral process.

Our evaluations indicated that improvements to four areas should be priorities:

- 1) the quality of the lists of electors
- 2) the voter information cards sent to all registered electors
- 3) communications with electors through the advertising campaign
- 4) responses to enquiries from the public

The Chief Electoral Officer committed to making improvements in these four areas in *Elections Canada's Report on Plans and Priorities* for 2001–2002, 2002–2003 as well as 2003–2004. As the following pages show, that commitment has been met.

1) Improving the lists of electors

The National Register of Electors

The National Register of Electors is a permanent list of Canadians who are eligible to vote. It is used to produce the preliminary lists of electors; these are revised in the days leading up to an election to produce the official lists of electors, and are revised again after the election. The preliminary lists are provided to confirmed candidates early in an electoral event, and are used to mail each registered elector a voter information card. The Office of the Chief Electoral Officer also produces updated lists of electors from the Register in October of each year for members of Parliament and political parties, as the *Canada Elections Act* requires. The Register is increasingly shared with provinces, territories and municipalities to help them produce lists of electors for their elections.

In his report on the 37th general election, the Chief Electoral Officer noted eight areas of improvement for the National Register of Electors and the revision process. They have been addressed as follows.

Improving the quality of the lists of electors and addresses from other sources, including Canada Post Corporation

As a result of continual updates to the Register, it is estimated that more than 95 percent of electors were on the preliminary lists of electors used during the 38th general election, with 83 percent (plus or minus 2 percent) of them at the correct address. This is a marked improvement over the 37th general election (89 percent on the lists and 79 percent at the correct address), and exceeds our list-quality targets (92 percent on the lists with 77 percent at the correct address). The targets were established during the research and feasibility phase of Register development in 1996; they are based on the 1993 general election, where a one-year-old list was used successfully, combined with an enhanced revision process during the electoral period. Information for some 17 percent of electors changes each year, reflecting electors who move, new citizens, young electors and deceased electors.

This improvement results partly from access to new update sources, including Canada Post Corporation's National Change of Address data and data from drivers' licences for the province of Alberta, where an agreement was reached in 2004 with the assistance of the province's Chief Electoral Officer, Mr. O. Brian Fjeldheim.

Improving address and geographic information has been a priority for the Register. Since 2000, the number of electors we can pinpoint on our digital maps using their civic address information has increased from 65 to 87 percent. This greatly increases our ability to assign them to the correct poll. Addresses were updated to ensure conformity with Canada Post Corporation addressing standards. Other updates took into account recent municipal amalgamations and 9-1-1 addressing changes.

These address improvements have made the Register more consistent. In addition, improvements in postal code accuracy have increased the deliverability of voter information cards across the country. Elections Canada will continue to collaborate with its federal, provincial, territorial and municipal partners to develop mechanisms for improving address quality, particularly in rural Canada. Rural addresses are still a challenge: some Register data sources contain only mailing address information, while many others – including those provided by some electors – are incomplete and inconsistent.

Improving the Register's coverage, especially of youth, by adding electors from administrative data sources such as the Canada Revenue Agency

Before 2002, a tax filer was able to consent on his or her income tax return to have name, address and date of birth transferred by the Canada Revenue Agency (formerly the Canada Customs and Revenue Agency) to Elections Canada, but only to update existing information in the Register. Starting in 2002, following changes to the agreement between Elections Canada and the Canada Revenue Agency, eligible tax filers who were not already in the Register could also consent on their income tax returns to be added to it. However, Elections Canada is still required to obtain confirmation of the citizenship of these individuals before adding them to the Register because the question on citizenship is coupled with the question concerning the tax filer's consent to be added to the Register.

Elections Canada has used a variety of methods to confirm the citizenship of these potential electors. Some 496,000 potential electors were added through matching to provincial lists of electors. An additional 275,000 new electors were added as a result of a registration mailing to 2.2 million potential electors in the fall of 2003. Elections Canada also confirmed the electoral status of 305,000 youth by matching them to older electors at the same address with the same family name, in a procedure referred to as family matching. These registrations have contributed to improvements in the Register's coverage of electors. The advisory committee of political parties was consulted before and during implementation of these measures.

The Chief Electoral Officer continues to work with the Canada Revenue Agency (CRA) on modifying the income tax form to include a separate tick box for confirming citizenship. This would allow Elections Canada to add new electors directly, especially young electors. According to the CRA, the *Income Tax Act* apparently would have to be amended to make this change.



The registration of young electors remains a priority for Elections Canada. In February 2004, we wrote to some 1.1 million young Canadians who had turned 18 since the 37th general election, to remind

them of their right to vote and ensure that they were registered to vote in upcoming federal elections. This group included 300,000 young electors who were not in the Register; they received a registration kit. Of these, some 50,000 young people consented to be added to the Register. Those who

did not respond before the issue of the writs were sent a notice soon after the start of the election to encourage them to register locally to vote. We estimate that some 75 percent of young electors (aged 18 to 24) were on the preliminary lists, an improvement of more than 16 percent since the 37th general election.

Improving the currency of the preliminary lists produced from the Register by refining the update cycle

The Register's process to integrate updates from administrative and electoral source data has been improved, allowing the production of successive lists of electors more quickly. This maximizes the use of update sources, such as provincial lists of electors.

Introducing regular reviews of the Register by returning officers, particularly of geographic information and addresses

Returning officers conducted extensive pre-event list reviews in 2002 and 2003. New software allowed returning officers to correct addresses, revise polling division boundaries

and assign electors to polling divisions. In 2002, some 2.3 million address improvements were made; some 18,400 polling divisions were adjusted to reflect resulting boundary changes and renumbering. In 2003, the emphasis was on ensuring that electors were assigned to the proper electoral district, in accordance with the 2003 Representation Order.

Before the election, returning officers also received and revised a list of areas where the Register tended to be of lower quality, allowing them to target the revision for their respective electoral districts.

Incorporating the ability to record elector moves between ridings into the REVISE computer system used in the field during elections

A new version of REVISE – the computer application used to revise the lists of electors during an election – was developed in partnership with CGI, a consulting company, following the 37th general election. Several system innovations facilitated the revision of elector information and improved the accuracy of the lists of electors. The most important feature of the new version is the transfer of data for individuals who have moved between electoral districts. Another feature is the ability to accept electronic updates from the National Register of Electors during elections. Once the writs were issued, the Register continued to process data updates. Some 335,000 elector updates were provided to returning offices during the 38th general election.

Simplifying and improving revision and targeted revision

To assist returning officers in targeted revision, Elections Canada set up a central registry of high-mobility addresses and carried out a demographic analysis of Register coverage to identify areas with low registration rates. Returning officers received this information for addition to their lists of dwellings for targeted revision.

Studying the feasibility of secure on-line registration and verification

In 2002, Elections Canada commissioned CGI Systems to perform a study on the feasibility of developing and implementing an on-line voter registration system. In March 2003, the *On-line Voter Registration Feasibility Study* concluded that on-line voter registration offers benefits for electors, would improve Elections Canada's service to electors, and would empower electors to take a more active role in the voter registration process. It would also facilitate more robust, integrated service that would offer electors convenient access to voter registration by a variety of means. On the other hand, there would be security and privacy issues to resolve, and legislation to amend. (An executive summary of this study appears on the Elections Canada Web site.) The pursuit of on-line voter registration remains a priority for Elections Canada.

Continuing to work with provincial electoral agencies to share Register data

Our collaboration with provincial, territorial and municipal agencies remains a core component of the Register program, particularly as more provinces are working with Elections Canada and on their own to establish permanent registers of electors. Twice a year, the Advisory Committee to the National Register of Electors (which includes

representatives from all the provincial and territorial electoral agencies, the Federation of Canadian Municipalities, the Canadian Council of Motor Transport Administrators, and the Vital Statistics Council for Canada) meets to discuss topics related to voter registration, Register maintenance and enhancing data sharing. Recent discussions have dealt with mechanisms to improve registration among special voter populations, on-line registration, and registration success in elections in the various jurisdictions.

These efforts allow all agencies to improve data quality, minimize duplication of effort, save money and, most importantly, better serve the electorate. Since 2000, Elections Canada has shared Register data and/or collaborated on registration initiatives with provincial electoral agencies in British Columbia, Newfoundland and Labrador, Nova Scotia, Ontario and Prince Edward Island, and with municipal electoral agencies, including that of the City of Winnipeg.

Elections Canada also conducted these initiatives to improve the National Register of Electors following the 37th general election:

Working with parliamentarians and other partners

As a result of our data-sharing initiatives, maintaining the Register has become a much more collaborative effort. The Chief Electoral Officer has emphasized that political parties and members of Parliament share responsibility for maintaining the accuracy of the Register.

For example, while distributing the annual lists of electors to members of Parliament and registered political parties in October 2002 and 2003, the Chief Electoral Officer asked to be advised of any issues regarding the lists of electors that had come to the attention of the political parties or members of Parliament.

The October 2003 lists included indicators to highlight the nature of any changes made to elector information since the previous year's lists. This marked an important step in improving the usefulness of the lists for stakeholders. Other suggestions for improvements, which would require changes to the *Canada Elections Act*, will be noted in the Chief Electoral Officer's report recommending legislative changes following the 38th general election.

Redistribution

As of April 1, 2004, the National Register of Electors was reconfigured to assign some 22 million electors to the corresponding electoral districts and polling divisions, in accordance with the 2003 Representation Order, which increased the number of electoral districts from 301 to 308. With the assistance of returning officers, all but 65,000 electors were reassigned to the new electoral districts. At the beginning of the election, Elections Canada wrote to the electors who had not been reassigned, to obtain complete residential address information and register them to vote. Some 47,000 of them contacted their local returning office to provide updated address information.

Targeted revision

In preparation for the 38th general election, Elections Canada made great strides in creating a detailed targeted revision strategy for returning officers. Targeted revision is the process of going door to door in areas where a high percentage of eligible voters may not have been included on preliminary lists, in order to register these electors. This helps to maximize both list coverage and currency of information.

Before the election, returning officers received (in CD-ROM format) a list of areas where the Register tended to be of lower quality. It included specific addresses, as well as streets and polling divisions that might require targeted revision: areas of high mobility, college and university residences, Aboriginal reserves, long-term care facilities, new housing developments, shelters and under-covered demographic groups. Such areas could be found in both urban and rural districts.

On reviewing this data, returning officers could modify and add to their lists as necessary, and then establish a targeted revision strategy for their electoral districts. The results were entered into a comprehensive general database.

Cost savings

The Register saves taxpayers a significant amount of money. Preliminary estimates indicate that \$30 million net was saved, compared with what door-to-door enumeration would have cost at the 38th general election. The Register has also become central to our ongoing partnership with provincial and territorial electoral agencies. The cumulative cost avoidance attributable to use of the Register at March 31, 2004, is estimated at some \$40 million over and above the savings identified in the original business case for the Register at the federal level. In addition, the Register has generated some \$31 million in savings at the provincial and municipal levels.

Electoral geography

A good geographic database contributes to improving the lists of electors. Elections Canada's National Geographic Database is a computerized database of Canadian streets, developed and maintained jointly with Statistics Canada for use by both agencies. Elections Canada uses the database for electoral mapping, for locating electors inside an electoral district and assigning them to a polling division ("geocoding"), and for readjusting electoral boundaries after a decennial census.



By April 1, 2004, we had georeferenced (that is, linked to a point on the computerized map) 87 percent of elector addresses, up from 65 percent before the 37th general election. This is a result of improvements made to the National Geographic Database and to our records of elector addresses. Also, by April 1, 2004, Elections Canada made revised maps and atlases available to returning officers, members of Parliament and political parties. For the 38th general election, we produced 69,752 original maps with geographic documents; from these, we produced more than 546,803 copies for use in the electoral districts.

We have given the political parties computer-readable versions of all of our maps, as well as access to a Web application, GeoView. This better serves their needs and reduces the amount of paper used. We expect a continuation of the trend away from paper and toward the use of digital maps.

In October 2004, Elections Canada received an APEX Award in the Leadership in Service Innovation category. Elections Canada was recognized for its participation in the GeoBase portal project led by Natural Resources Canada. With GeoBase, federal, provincial and territorial governments have agreed to work together to provide access to high-quality unique data, and to make it available to all users at no cost and with no restrictions.

2) Improving the voter information card

The voter information card (VIC) is an essential tool for reaching electors and transmitting important information to them. Early in the election period, the personalized card is sent to each elector. It confirms that the elector is registered on a preliminary list of electors at the address on the card, and provides information on polling dates, times and locations, and voting options.

Following suggestions from electors, political parties and returning officers, Elections Canada made improvements to the VIC – and to the strategies for delivering it. The revised VIC now displays the eligibility criteria for voting and the Elections Canada Web site address, in addition to the information prescribed by the *Canada Elections Act* (the election date and contact information for Elections Canada). Cards were addressed to “electors” instead of “occupants.” In the case of an elector who had moved, Canada Post Corporation was instructed not to forward the card to the new address, but rather to leave it at the address indicated. Potential electors who were not already listed, or needed to be moved from a previous list, would thus receive information about registering and about how to contact the returning officer for the correct polling station locations, dates and times.

For the 38th general election, Elections Canada also introduced a generic reminder card, sent one week after the VICs were delivered. This *Important Reminder to Voters* card, introduced in 2002 and tested during subsequent by-elections, reminded electors to act without delay if they had not received a VIC or had received one containing errors. It included a telephone number for Elections Canada; elector calls were redirected to the local returning officer.

3) Improving communications with electors

Communications with Canadians at all levels of involvement – electors, representatives of special groups, and those who inform about or are directly involved in the electoral process – is vital to both the transparency and effectiveness of elections. Elections Canada is committed to providing intuitive, rapid and comprehensive ways for electors to learn about their voting rights, the electoral process and election results.

The Elections Canada Web site

With its Web site, Elections Canada has sought to provide to electors the best possible information tool – one that takes full advantage of expanding technological possibilities, and that meets or exceeds the expectations of Canadians.

Electors who log on to the Web site to find information are greeted with more information than ever before; almost all Elections Canada publications – from official reports to our *Electoral Insight* magazine – are reproduced on the Web, as are forms, manuals, information sheets explaining the changes resulting from Bill C-24, instructional videos and electronic software to help political entities file returns. By the time of the 38th general election, the site had grown to 7,000 pages and included sections on electoral legislation and enforcement, and the new electoral boundaries; special information for political parties, candidates, registered associations, nomination contestants, leadership contestants, third parties, young people and the media; electoral district information; a general election module; backgrounders; research reports; and links to related sites.

The revamped “Young Voters” section of the Elections Canada Web site is a key component of our outreach. Launched in February 2004, the young voters’ gateway was integrated with the Elections Canada site. The gateway is now more interesting visually and gives young people ways to engage in the electoral process. The launch followed consultation with youth focus groups, which demonstrated the value of retaining the same look and feel as the Elections Canada site, providing a youth focus to it. Monthly visits to the site increased from 4,500 before the launch to 18,000 during it and 8,000 afterwards.



On February 6, 2004, the Chief Electoral Officer launched the new Young Voters Web site in Bedford, Nova Scotia.

Other work carried out before the 2004 election included development of an election night results application that was easier to use and did not require prior configuration by the user; an updated list of frequently asked questions that reflected legislative changes; and new Voter Information Service material to help electors locate their polling stations. Elections Canada also created a new portal to provide information about the 308 new ridings under the 2003 Representation Order, and added a tool with which electors could find out whether their electoral districts had changed since the 37th general election.

From year to year, visits to the Elections Canada Web site have sharply increased. In 2001 the number of visits was 463,391, an average of 8,911 weekly; the figure rose by 46 percent in 2002 to 675,654, or 12,993 weekly. There was a further 72 percent increase in 2003, when visits numbered 1.16 million, or 22,329 weekly.

Advertising

With the experience of the 37th general election, Elections Canada planned an advertising campaign featuring clear, easily understood messages that informed Canadians on how to register and vote, and that encouraged them to participate in the electoral process.

Cossette Communication Group conducted research for Elections Canada in 2002 using discussion groups to identify attitudes about the electoral process and voting. Research results were presented to the advisory committee of political parties on September 27, 2002, and on December 15, 2003, the theme of the advertising campaign was introduced to the same committee. The Chief Electoral Officer also informed the Standing Committee on Procedure and House Affairs that Elections Canada was reviewing its advertising campaign. In early 2003 we developed and tested creative concepts and key messages. Television and radio ads were based on a common theme, described in Part 2 of this report.

4) Improving responses to enquiries

As part of our new Voter Information Service, recent developments in telephone system technology – including voice-response and text-to-speech technologies – were introduced to serve electors calling Elections Canada for information during the 2004 general election. Bell Canada's application was chosen to respond to our needs.

Callers to Elections Canada's national toll-free number were greeted by a sophisticated Voice Response System, which recognizes what callers are asking for and then finds the answers in a comprehensive database. The Voter Information Service is available 24 hours a day. It is connected to the same database that supports Elections Canada's Web site and call centre agents, ensuring consistency of information through all channels. To ensure caller satisfaction, the service allows callers the option of being transferred to an information officer.

During the election period, there were 734,954 calls to the Voice Response System.

Fulfilling our mandate

In Elections Canada's *Report on Plans and Priorities* for successive fiscal years from 2001–2002 to 2003–2004, the Chief Electoral Officer committed to providing three strategic outcomes for Canadians:

- to achieve and maintain a state of readiness to deliver electoral events, and to improve the delivery of electoral events by using modern technology and creativity
- to deliver federal elections, by-elections and referendums that maintain the integrity of the electoral process, and to administer the political financing provisions of the *Canada Elections Act*
- to provide timely and high-quality public education and information programs, and assurance that support on electoral matters is available to the public, parliamentarians, candidates, political parties and their associations, federal electoral boundaries commissions, our partners and other stakeholders

The following pages show how Elections Canada has achieved these goals.

Event readiness

To maintain readiness for an electoral event, the Office of the Chief Electoral Officer must continually monitor parliamentary and political events and trends, so that it can react to situations that affect its election preparations. At the same time, the Office conducts by-elections and makes continual efforts to improve the electoral process and to enforce the Act.

Managing risk

In 2003, Elections Canada undertook a review of its event governance. As one of the outcomes, it created a new position to give the Chief Electoral Officer greater presence in the field. A total of 24 field liaison officers were engaged. Their job was to work directly with returning officers in the field as functional leaders, service quality enhancers and troubleshooters. Within weeks of their arrival, the field liaison officers (all of them experienced former federal or provincial returning officers) proved their worth. Elections Canada gained unprecedented insight into the conduct of field activities, as well as a greater capacity to intervene in the field when required.



Supporting returning officers

More than ever, preparing for and delivering electoral events depends on our ability to use information technology and adapt it to Elections Canada's needs. Some improvements are visible to the public, while others enhance data quality and support our staff in Ottawa and in the field.

Elections Canada developed and integrated several new and enhanced applications to help returning office staff conduct an election. By-elections in 2003 provided an opportunity to pilot these applications in the field.

Elections Canada updated much of its communications infrastructure in October 2001, when we began to provide home computers to each returning officer, along with training and several important pieces of software, including e-mail access to the Elections Canada network. These home computers have become the primary tool used by returning officers to communicate with Elections Canada and complete various assignments. An improvement to our Supplies Management System, for example, allows returning officers to use the Web browser to order election material.

Returning offices use a local area network (LAN) that connects all the computers in the office and enables them to share software and data. For the 38th general election, equipment for the LANs was distributed through Canada Post Corporation staging centres, which gave returning offices access to the equipment soon after the issue of the writs. Hard drives containing the software and data were kept separate for last-minute updating.

Information technology

In addition to calling on our own information technology resources, Elections Canada worked closely with a variety of technology partners to prepare for and conduct the 2004 general election, including IBM. We took advantage of the expertise available in the private sector, as we had done for the 37th general election. For example, Elections Canada's Internet services have been outsourced to a private Internet service provider (Qunara, now Allstream). Through this partnership, we are establishing best practices and improving the delivery of services and information over the Web to employees, returning office staff, the public and other stakeholders. Upgrading and standardizing desktop software at all locations greatly improved our ability to communicate electronically internally and with our clients.

Updating REVISE

Since the 37th general election, Elections Canada has re-engineered REVISE. The result has been significant improvements. Taking into account comments from returning

officers and automation coordinators, we identified critical areas for software improvement, and set up a team to manage the project.

The most notable improvements to REVISE are the added ability to assist in transfers of electors from one electoral district to another during the election, and the ability to accept recent updates electronically from the Register. This gives every returning officer a more accurate list of electors, and reduces significantly the number of duplicate records. The system can instantly inform electors of their correct polling stations.

Event delivery after the 37th general election

By-elections

Since the 37th general election, Elections Canada has administered 12 by-elections: 6 in Quebec, 2 each in Newfoundland and Labrador and in Ontario, and 1 each in Alberta and Manitoba. These electoral events were described by the Chief Electoral Officer in reports submitted to Parliament in March 2003 and March 2004.

Commissioner of Canada Elections

The Commissioner of Canada Elections, selected and appointed by the Chief Electoral Officer, is an independent officer whose duty is to make sure that the *Canada Elections Act* and the *Referendum Act* are complied with and enforced. The current Commissioner, Raymond A. Landry, C.M., was appointed in April 1992. He receives complaints, he decides when an investigation is warranted, and he prosecutes offenders through Canada's court system.

During an election period, if the Commissioner believes that a serious breach of the Act may compromise the fairness of the electoral process, he may apply for a court injunction. During or between electoral events, the Commissioner may also enter into a compliance agreement with someone he believes has committed or is about to commit an offence. A compliance agreement is a voluntary agreement between the Commissioner and the person, in which the person agrees to terms and conditions necessary to conform with the Act. As of January 1, 2004, designated members of the Commissioner's staff can also apply for a search warrant. Details of convictions and of compliance agreements are published on the Elections Canada Web site.

Anyone who has reason to believe that an offence has been committed may complain to the Commissioner and request an investigation. The Commissioner received 968 complaints of alleged offences arising from the 37th general election. He authorized 41 prosecutions, of which 11 resulted in compliance agreements. Eleven offenders were convicted, three cases resulted in acquittals, six are still before the courts and the remaining cases were stayed. There were, in total, 58 compliance agreements related to the 37th general election. The offence of electors voting more than once resulted in 36 compliance agreements and one prosecution.

The Commissioner also received 42 complaints concerning the 12 by-elections between 2000 and 2004; all have been resolved. Four compliance agreements were concluded.

Answer to question 1

The first election for a legislative assembly in Canadian history was held in 1758 in the British colony of Nova Scotia. As in Britain, the right to vote was strictly limited. It was based on property ownership, but virtually the only individuals allowed to own property were male British subjects.

In addition, voters had to take three oaths – one of allegiance to the King of England, one denouncing Catholicism and papal authority, and one repudiating all rights to the throne of the deposed King James II and his descendants (champions of the Catholic cause in England). The oaths had the effect of excluding from the electoral process any Acadians remaining in Nova Scotia; these were the Catholic descendants of French settlers, most of whom had been expelled starting in 1755.

At the time the election was called, waves of European immigrants had recently settled in Nova Scotia, and few of them could meet the property requirements or take the required oaths that would enable them to vote. To increase the number of voters, the governor of the colony loosened the property qualification by dropping the requirement that an elector's freehold generate a minimum annual revenue of 40 shillings.

Public education, information and support

Our education and information programs concentrate on making the electoral system and processes more easily understood by the general public, and on reaching out to electors whose participation rate in voting has been historically lower than that of the electorate generally. This is in accordance with the mandate given to the Chief Electoral Officer in section 18 of the *Canada Elections Act*. Since the last general election, Elections Canada has been particularly active in approaching young people and Aboriginal electors.

Youth

Following the 37th general election, Elections Canada commissioned professors Jon H. Pammett and Lawrence LeDuc to undertake a study on voter participation (see "Relations with the academic community," below). The study shows that low turnout is particularly severe among youth. Other research by Professor André Blais and his colleagues from the Canadian Election Study shows why youth turnout has declined over time. Average turnout for the six elections held before 1990 was 74 percent; this dropped to 67 percent for the three elections after 1990. According to the study's authors, most of this seven-point drop is the result of the generation effect. In other words, turnout is lower among baby boomers (born between 1945 and 1959) and post-baby boomers than among pre-baby boomers. As well, the number of post-baby boomers had grown to represent one half of the electorate in 2000. (The 2000 Canadian Election Study also examined youth electoral participation.) In response

to these findings, Elections Canada has made a major effort to inform youth about the electoral process, and to encourage them to participate in voting.

To raise awareness and build partnerships by meeting youth organizations and student leaders, we hosted the 2003 Symposium on Electoral Participation in Canada at Carleton University in Ottawa, Ontario, the 2003 National Forum on Youth Voting in Calgary, Alberta, the 2003 Roundtable on Youth Voting at the University of British Columbia, in Vancouver, and the 2004 Roundtable on Aboriginal Youth and the Federal Electoral Process at Carleton University.

In preparation for the 2004 general election, 95 returning officers were mandated to appoint community relations officers who would, among other things, identify neighbourhoods that have large concentrations of students for special registration drives, assist the returning officer in locating polls where they are easily accessible to youth, and provide information about registration and voting to the community, youth leaders and youth media.

We are developing or supporting a number of projects in co-operation with other organizations, leveraging their expertise and level of contact with young electors:

- Canada Post Corporation provided assistance with registration in the “I’m Mailing My Vote!” campaign for mail-in special ballots, by sending completed applications daily directly to Elections Canada from 157 post office locations. The convenience of this method is intended to appeal to students who are often on the move; postal outlets near areas with high student populations were chosen to participate.

- We worked in a joint initiative with Rush the Vote, an organization that aims to increase youth voter turnout and political awareness through art, music and education. Rush the Vote held a Vote 2004 Music Power Summit in Edmonton on April 2, 2004, to coincide with Juno Awards festivities; 500 young people attended the free concert. Elections Canada was also a partner in two earlier Rush the Vote concerts: in Ottawa in April 2003 and in Toronto in September 2003. This also provided valuable publicity informing young Canadians about the importance of exercising the right to vote.



Getting youth involved before they can legally vote is a promising avenue for raising voting levels in the future. Elections Canada has undertaken the following:

- The Student Vote 2004 initiative gave students who have not yet reached voting age the opportunity to experience the federal electoral process through a parallel election in their schools. Over 243,000 students in more than 1,100 schools voted for the candidates in their school's electoral district, and assumed the roles of deputy returning officers and poll clerks. The results were broadcast on television, posted on the Web and published in newspapers across the country. This program builds on a successful trial that was conducted last fall during the Ontario provincial election.
- Games, links and other resources on the Elections Canada Young Voters Web site target Canadians under 18 years of age.
- In co-operation with Cable in the Classroom, Elections Canada ran a "Your Vote ... Your Voice" contest in 2003 for students in grades 10 to 12 (Secondary IV and V, as well as CEGEP in Quebec), challenging students to create 30-second public service announcements on the importance of voting. We also provided teachers with tools and materials for teaching about democracy and elections.
- Supported in part by Elections Canada, the Dominion Institute and CanWest Global launched Youth Vote 2004, an education and media program that offered high school students across Canada the opportunity to participate in weekly on-line voting on selected issues throughout the 2004 election. Students in 10 cities also had a chance to participate in weekly town-hall meetings with political party representatives.
- The Historica Foundation is developing *Voices*, a new YouthLinks module on citizenship and voting. YouthLinks is a free, bilingual, on-line education program that links high school students in Canada and abroad. The program has been operating as a pilot project for over two years in some 400 high schools across Canada. When the new module is launched in the fall of 2004, it will provide a valuable teaching tool on elections and the democratic process.

Aboriginal communities

Elections Canada is striving to make the federal electoral process more familiar and accessible to Aboriginal people, and thus seeking to encourage their electoral participation. This has been a two-way process of learning about the needs of Aboriginal electors, and delivering an active outreach strategy through key contact points: band chiefs, band council offices, friendship centres, Elders, high schools, and Aboriginal associations and business leaders.

Consultations helped us to hear the voices of Aboriginal people:

- From the fall of 2003, the Chief Electoral Officer met at least once with the leaders of national Aboriginal associations: the Assembly of First Nations, the Congress of Aboriginal Peoples, the Métis National Council, the Inuit Tapiriit Kanatami, the

Native Women's Association of Canada, the National Aboriginal Women's Association, and the National Association of Friendship Centres. The meetings were valuable opportunities for dialogue and information sharing.

- In January 2004, Elections Canada and the Canadian Centre for Indigenous Research, Culture, Language and Education at Carleton University hosted a Roundtable on Aboriginal Youth and the Federal Electoral Process, to develop an understanding of factors that influence decisions to vote, and to explore options for both Elections Canada and Aboriginal communities to improve participation.

Elections Canada's field programs focus on encouraging Aboriginal groups and individuals to register and vote. In one program, Aboriginal community relations officers help returning officers better serve the Aboriginal electors in their ridings by helping with targeted revision, identifying appropriate polling locations, recruiting and training Aboriginal staff, and informing the returning officers about issues of concern to the local Aboriginal community. The number of electoral districts taking advantage of this program rose from 52 in the 2000 election to 124 in 2004.



In Ottawa Centre and 123 other electoral districts, Aboriginal community relations officers helped to register Aboriginal electors.

Another program brings Elders and youth to polling stations to assist, and to provide interpretation and information to, Aboriginal electors; returning officers are encouraged to appoint Aboriginal persons to work as election officers at predominantly Aboriginal polls. We encourage returning officers to place polls in Native friendship centres where possible. We also seek to make the voting process accessible by placing polling stations on or near reserves where appropriate, in consultation with the reserves' band councils.

Messages were placed in community newspapers and on radio stations in English, French and Inuktitut, and on the Aboriginal Peoples Television Network in English and French.

The texts of the major elements of the campaign, the voter information guide, the newsletter, the print ad and the radio script, were available in 10 additional Aboriginal languages on the Elections Canada Web site: Gwich'in, Nisga'a, Plains Cree, Ojibway, Oji-Cree, Mohawk, James Bay Cree, Michif, Innu and Mi'kmaq.



Supporting the electoral boundaries commissions

Following publication of the 2001 census, federal electoral boundaries were readjusted (see “Responding to a changing legal environment”). During the redistribution period from March 2002 to August 2003, Elections Canada provided professional, technical, financial and administrative support to the 10 commissions. In preparation for the commissions’ work, Elections Canada hosted a three-day conference in Ottawa in March 2002 – the first time that all the commission members were brought together. To assist the commissions, Elections Canada also developed software that allowed commission members to immediately see the physical and demographic results of planned

boundary changes. A very powerful tool developed for the redistribution, also available on the Web site, was an animated map display showing the boundaries of electoral districts then currently in force and those put forward by the commissions at the proposal, interim and final report stages. This application used the 1996 boundaries as a base and showed the new boundaries as a spreading shadow. Following the proclamation of the representation order on August 25, 2003, Elections Canada published 11 volumes of maps, as well as separate provincial, territorial and national wall-size maps, showing the new electoral district boundaries.

Elections Canada created a module on its Web site to provide detailed background information on the process of redistribution. It included maps and descriptions of the proposed and eventual new boundaries, a link to the related legislation, a calendar of events occurring during the redistribution process and answers to frequently asked questions.

Electronic versions of the commissions’ proposals, interim and final reports were made available as soon as they were ready. This gave the public more time to consider the boundaries before commenting than they had had when the commissions’ work was available only in print. Also prominently displayed were the locations, dates and times of the commissions’ public hearings. The Web site received about half a million visits, proving to be an efficient and important instrument for disseminating information about the redistribution.

A CD-ROM containing the *Transposition of Votes* was also prepared following the representation order and distributed to all members of Parliament (in the House of Commons and the Senate) and to the political parties. The transposition process determines the number of votes that each registered political party at the last general election would have obtained according to the electoral districts proclaimed in the 2003 Representation Order. This information was used to decide which political parties

had the right to nominate election officers at the general election of 2004. As an interim measure, at the request of the political parties, Elections Canada prepared and provided a “transposition of population” to assist political parties in the realigning on their local organizations to fit the boundaries proclaimed in the 2003 Representation Order. Selected tables from the *Transposition of Votes* and the *Transposition of Population* were also made available on the Elections Canada Web site.

Liaison with Parliament and political parties

From 2000 to 2004, the Chief Electoral Officer gave evidence at hearings of committees of the House of Commons and the Senate, held several meetings with the advisory committee of political parties.

House of Commons Standing Committee on Procedure and House Affairs

Among many other duties, the mandate of the House of Commons Standing Committee on Procedure and House Affairs includes reviewing and reporting on all matters relating to the election of members to the House of Commons.

Between the 37th and 38th general elections, the Chief Electoral Officer appeared before the Committee 15 times to discuss a variety of topics:

- March 1, 2001 Supplementary Estimates 2001–2002
- March 15, 2001 Study of Bill C-9 (political affiliation on ballot)
- March 27, 2001 Chief Electoral Officer’s report on the 37th general election
- May 17, 2001 Main Estimates for 2001–2002
- October 30, 2001 Review of Referendum Regulation and readjustment of electoral boundaries
- December 6, 2001 Householder and readjustment of electoral boundaries
- February 5, 2002 Chief Electoral Officer’s report of recommendations from the 2000 general election, *Modernizing the Electoral Process*
- May 7, 2002 Main Estimates for 2002–03
- November 21, 2002 Readjustment and Departmental Performance Report for 2001–02
- April 8, 2003 Study of Bill C-24 (political financing)
- September 25, 2003 Study of Bill C-49 (2003 Representation Order)
- October 6, 2003 Improvements to the readjustment process (appearance before the Subcommittee on Electoral Boundaries Readjustment)
- March 9, 2004 Bill C-3 (registration of political parties)
- March 25, 2004 Main Estimates for 2004–05
- May 6, 2004 National Register of Electors

Standing Senate Committee on Legal and Constitutional Affairs

The Standing Senate Committee on Legal and Constitutional Affairs examines legislation and matters relating to legal and constitutional matters generally, including federal-provincial relations, administration of justice and law reform, among other issues.

The Chief Electoral Officer appeared before the Standing Senate Committee on Legal and Constitutional Affairs eight times between the 37th and 38th general elections:

- April 4, 2001 Chief Electoral Officer's report on the 37th general election
- May 30, 2001 Bill C-9 (political affiliation on ballot)
- November 8, 2001 Review of Referendum Regulation and readjustment of electoral boundaries
- June 13, 2002 Bill C-441 (names of certain electoral districts)
- June 17, 2003 Bill C-24 (political financing)
- February 25, 2004 Bill C-5 (2003 Representation Order)
- April 1, 2004 Bill C-20 (changing the names of certain electoral districts)
- April 29, 2004 Bill C-3 (registration of political parties)

Though their mandates cover many issues, the House of Commons Standing Committee on Procedure and House Affairs and the Standing Senate Committee on Legal and Constitutional Affairs are the two committees responsible for electoral matters for their respective Houses.

House of Commons Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources

The Chief Electoral Officer appeared before the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources on January 28, 2003, to discuss Bill C-7 (leadership selection, administration and accountability of Indian bands).

House of Commons Standing Committee on Official Languages

The Chief Electoral Officer appeared before the Standing Committee on Official Languages on February 5, 2003, to discuss electoral boundaries readjustment and the notion of community of interest.

Advisory Committee of Political Parties

Bringing together representatives of political parties and Elections Canada officials, the advisory committee of political parties was established in 1998 as a forum for sharing information, fostering good working relations, consulting on legislative changes, and resolving administrative matters that may have an impact on parties and candidates. The Chief Electoral Officer relies on the committee as a consultative tool. Membership has been extended to both registered and eligible parties.

The Committee met 11 times between the 37th and 38th general elections:

- February 9, 2001
- June 1, 2001
- October 4, 2001
- December 7, 2001
- June 14, 2002
- September 27, 2002
- December 12, 2002
- March 7, 2003
- June 6, 2003
- September 25, 2003
- December 15, 2003

The September 25, 2003, meeting was dedicated to providing Committee members with in-depth information on the implementation and application of Bill C-24.

Relations with the academic community

Elections Canada has established a network of more than 600 Canadian and international experts in the field of electoral studies, and hosts or supports forums for scholars, such as the 2003 Symposium on Electoral Participation in Canada, to present and share ideas. Scholars also contribute their expertise through Elections Canada's *Electoral Insight* magazine.

After the 37th general election in 2000, Elections Canada commissioned two studies on voter participation: *Explaining the Turnout Decline in Canadian Federal Elections: A New Survey of Non-voters* by professors Jon H. Pammett and Lawrence LeDuc, and *Why is Turnout Higher in Some Countries Than in Others?* by professors André Blais, Louis Massicotte and Agnieszka Dobrzynska. Elections Canada also participated in a number of conferences, including "Des partis et des femmes" (2002), the Sixth International Symposium of the International Political Science Association (2003), "Women and Westminster Compared" (2004), the Canadian Political Science Association annual meetings, various events of the Institute for Research on Public Policy, Metropolis 2002, and the Voter Apathy Forum, organized by the Canadian Unity Council and the University of British Columbia's Continuing Education program (Vancouver, 2003). Elections Canada also renewed its partnership with the 2004 Canadian Election Study.

International activities

As a world leader in holding fair and transparent electoral events, Canada is in a position to share electoral knowledge with emerging and established democracies, and to offer technical support to help plan and conduct fair elections in countries that request advice and assistance.

Since the 2000 general election, we have received individual and group delegations from 59 countries and territories. We also work with multinational institutions on special projects that standardize and promote fair elections internationally: the Assemblée parlementaire de la Francophonie, the International Foundation for Election Systems, the International Institute for Democracy and Electoral Assistance, the United Nations Electoral Assistance Division, the Inter-American Institute of Human Rights, the Commonwealth Secretariat, the Organization of American States, and the Council of Europe.

Responding to a changing legal environment

Elections Canada must continuously adapt to an evolving legal framework. During the period covered by this report, both the implementation of Bill C-24 on political financing and the redistribution of electoral districts have had a profound impact on our operations. Following are legislative amendments and court decisions that have affected the conduct of federal elections since the 37th general election.

More transparent political financing

In June 2003, Parliament passed Bill C-24, *An Act to amend the Canada Elections Act and the Income Tax Act (political financing)*. The amendments significantly tightened the rules for political contributions and the financial activities of parties and candidates. Among other provisions, the new legislation introduced limits on political contributions and a ban on contributions from unions and corporations to registered parties and their leadership contestants.

The amendments also extended these provisions to cover electoral district associations and nomination and leadership contestants. Disclosure and registration requirements for political entities were similarly extended, and financial reports for registered political parties and registered associations must now include statements of assets and liabilities, as well as all sources of revenue and contributions, including non-monetary contributions.

C-24 also established a publicly funded system of quarterly allowances for registered political parties, based on the number of votes they obtained in the previous general election.

Most of the provisions of C-24 came into force on January 1, 2004 – within six months of the 38th general election. The changes had far-reaching effects on products and services of Elections Canada, as well as on its information technology systems.

To communicate the new rules for political financing to political entities and the public, Elections Canada carried out a number of information initiatives for various audiences.

- From December 15 to 31, 2003, we conducted a print and Web-based public information campaign on the changes.
- We distributed an information kit on the reforms to the media.
- On the Elections Canada Web site, we posted the new forms related to Bill C-24, along with background information and instruction manuals on preparing financial returns, including handbooks, for all concerned: nomination contestants, leadership contestants, candidates, registered political parties and registered associations.
- We made our information for candidates more accessible. We created a series of training videos on the new political financing rules, for the use of those concerned. The videos are also available for viewing on the Elections Canada Web site.

- We made available on-line a document containing examples of financial operations to be recorded in the Candidate's Electoral Campaign Return, with instructions on how to fill out the reporting form.
- When they registered, associations of registered parties received from us an information kit on political financing.
- We developed software for producing the financial returns of all political entities, as well as of tax receipts for those who have the authority to issue them. The software is accompanied by user guides and a tutorial. The application was also posted on the Web site.
- We adopted a new approach to the distribution of our material to political entities: we now provide documents in multimedia format on CD-ROM and DVD rather than in hard copy. The change of format has yielded significant savings.
- Our support network for returning office staff was accessible through a toll-free line.
- We produced 21 information sheets that provide interpretations of the new provisions of the *Canada Elections Act*.
- We wrote a new guide for auditors, in collaboration with the Canadian Institute of Chartered Accountants.
- In collaboration with the Canadian Bankers Association and the Office of the Superintendent of Financial Institutions, we wrote a new guide for opening bank accounts.
- We produced a new accounting guide for registered associations.
- We modified our data management systems and created new ones to efficiently process the information we require, for publication on the Elections Canada Web site.



The Electoral Boundaries Readjustment Act

After every decennial census, the electoral boundaries are adjusted to reflect the principle of effective representation. The criteria and timetable for each redistribution are set out in the *Electoral Boundaries Readjustment Act*. The publication of the 2001 census data in March 2002 triggered the creation of 10 independent commissions – one for each province – to consider and report on any changes required to the boundaries of the electoral districts. (As the three northern territories each form one electoral district,

there is no need for their boundaries to be readjusted.) While representation by population is the primary consideration for redrawing electoral boundaries, the commissions also considered other factors, such as the historical pattern of an electoral district in the province, communities of interest or identity, and geographic size for districts in sparsely populated, rural or northern regions. The commissions' proposals, once published, were subject to public hearings from August to December 2002, revised in some instances, and forwarded as reports through the Chief Electoral Officer to the Speaker of the House of Commons, from December 2002 to March 2003.

Members of the House of Commons had an opportunity to raise objections to the commissions' reports before the Subcommittee on Electoral Boundaries Readjustment of the Standing Committee on Procedure and House Affairs. All parliamentary objections were considered and addressed by the commissions in their final reports. Once this had been done, the Chief Electoral Officer issued a draft representation order setting out the names, boundaries and numbers of electors for Canada's 308 new electoral districts.

The representation order of August 25, 2003, increased the total number of seats in the House of Commons from 301 to 308. Ontario received three more seats; Alberta and British Columbia received two seats each. In all other provinces, the number of seats remained the same.

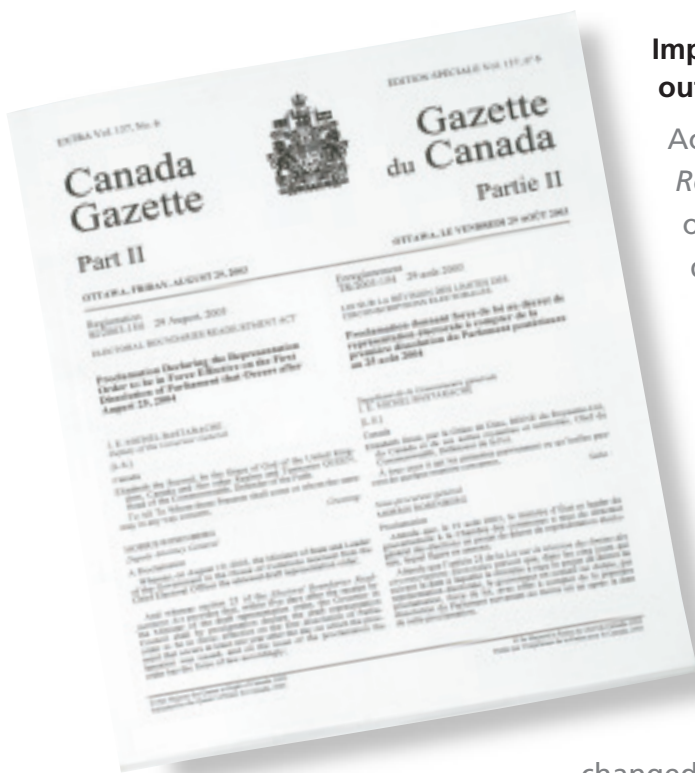
Implementing the new electoral boundaries set out in the 2003 Representation Order

According to the *Electoral Boundaries Readjustment Act*, the new representation order was to come into force at the first dissolution of Parliament occurring on or after August 25, 2004 – one year after its proclamation.

On March 11, 2004, royal assent was given for Bill C-5, which made the 2003 Representation Order effective on the first dissolution of Parliament after March 31, 2004.

The Governor in Council appointed returning officers for the 269 electoral districts that were either new or had changed boundaries. Among the 39 electoral districts where the boundaries had not

changed, 5 districts were vacant and appointments were made for those. The returning officers in charge of the 34 others remained the same, although seven resigned afterwards. Training for returning officers took place from September 2003 to May 2004, in sessions ranging from three to eight days.



On September 25, 2003, the Chief Electoral Officer appeared before the House of Commons Standing Committee on Procedure and House Affairs and provided an update at that time.

Court rejects new boundaries for New Brunswick electoral district

On May 11, 2004, the Federal Court did not agree with the way in which the Federal Electoral Boundaries Commission for New Brunswick had drawn the boundaries of the electoral district of Acadie–Bathurst. The Court suspended its decision for one year, leaving the 2003 Representation Order unchanged for the 38th general election. The decision was not appealed. [*Raïche v. Canada (Attorney General)* [2004] F.C. 679]

The Court gave its decision within three weeks of the calling of a general election.

Registered party status

In June 2003, the Supreme Court of Canada in *Figueroa v. Canada (Attorney General)* ruled that provisions in the Act requiring a registered party to nominate at least 50 candidates in a general election infringed the *Canadian Charter of Rights and Freedoms*. [*Figueroa v. Canada (Attorney General)* [2003] 1 S.C.R. 912]

Parliament responded with Bill C-3, *An Act to amend the Canada Elections Act and the Income Tax Act*, which came into force on May 15, 2004. As a result, a political party that runs at least one candidate in a general election or by-election and complies with the requirements of the Act may be registered. The amendments of Bill C-3 are temporary and subject to a provision that they will cease to have effect two years after they came into force.

At the time of the ruling, nine political parties were already registered and three more were eligible. In the 38th general election, all registered parties maintained their status and the three eligible parties were registered.

The names of 38 electoral districts were changed on September 1, 2004, following the coming into force of Bill C-20, *An Act to change the names of certain electoral districts*.

Voting rights for incarcerated electors

In 2002, the Supreme Court of Canada in *Sauvé v. Canada (Chief Electoral Officer)* held that the provision barring inmates serving a sentence of two years or more from voting was unconstitutional. Since this ruling, Canadians in provincial correctional institutions and federal penitentiaries may now vote by special ballot in federal general elections or by-elections regardless of the length of their sentences. [*Sauvé v. Canada (Chief Electoral Officer)* [2002] 3 S.C.R. 519]

Third-party and advertising restrictions

On May 18, 2004, the Supreme Court of Canada in *Harper v. Canada (Attorney General)* overturned the decision from the Court of Appeal of Alberta that invalidated a number of provisions in the *Canada Elections Act* regulating the intervention of third parties in the electoral process and the prohibition on election advertising on the day of the election. As a result, the provisions dealing with third parties and advertising on election day remain unchanged and in force. [*Harper v. Canada (Attorney General)* [2004] S.C.C. 33] In this case, Elections Canada did not have to make changes to the way it operated, but it had to be prepared to introduce changes on short notice in case the Supreme Court upheld the decision under appeal.

A chronological account of the third-party regime of the *Canada Elections Act* and the involvement of the Office of the Chief Electoral Officer can be found on the Elections Canada Web site in the section titled "Political Parties, Candidates and Others."

Transmission of election results before all polls close

On October 23, 2003, in *R. v. Bryan*, the British Columbia Supreme Court held that the provision prohibiting the public transmission of the result of the vote in an electoral district before all of the polling stations are closed in that district was unconstitutional and of no force and effect in British Columbia. Leave to appeal that decision to the British Columbia Court of Appeal was granted on March 11, 2004, but the appeal had not been heard by the time the writs were issued for the 38th general election. [*R. v. Bryan*, 233 D.L.R. (4th) 745]

On June 10, 2004, the 18th day before election day, the Chief Electoral Officer, in consultation with the Commissioner of Canada Elections, announced that, to achieve uniform application of the Act everywhere in the country, the decision of the British Columbia Supreme Court would be applied across Canada for the 38th general election, pending a decision from the British Columbia Court of Appeal. Therefore, no prohibition on the public transmission of vote results was in place during the 2004 general election.

Answer to question 2

In 1970 the *Canada Elections Act* was amended, lowering the voting age from 21 to 18. This was the largest expansion of the electorate since 1918, when women had been enfranchised. Approximately 2 million young people gained the right to vote. Their first chance to exercise the right came in the general election of 1972.

At the 2004 general election, Elections Canada conducted a study using a random sample of polling divisions selected from electoral districts in every province and territory. The findings show that the turnout rate was 38.7 percent for first-time electors in this election.

In total, some 1.4 million Canadian citizens aged 18 to 21½ are now eligible to vote. This represents slightly more than 6 percent of the entire electorate.

2

The 38th General Election in June 2004

"The right to vote stems from the intrinsic value, the fundamental equality of every individual."

*Jean-Pierre Kingsley
Chief Electoral Officer of Canada*

The run-up and launch

The Event Management Framework



Elections Canada's Executive Committee received daily reports on activities in the field.

Delivering an electoral event in a 36-day time frame imposes a demanding schedule. The master plan for a general election outlines over 800 activities to be accomplished. It takes tested procedures and the experience of expert staff to meet the many deadlines set out in the calendar. Nevertheless, during every general election, unexpected events occur. Elections Canada responds as soon as issues arise – in a way that addresses the needs of the electorate, the candidates, the parties and the democratic process.

For the 38th general election, Elections Canada established the Event Management Framework, a

new governance model that provides our Executive Committee with a comprehensive daily report of activities in the field and a means of dealing with issues as quickly as they are reported and before they can escalate.

The Executive Committee also benefited from briefings from internal task forces created to support its work. Drawn from specialized experts across the organization, these teams were responsible for detecting risks and problems, researching the causes and identifying solutions – and analyzing every detail for feasibility, impact and risk. Emerging news stories and media trends were also responded to and analyzed.

Refined reporting

For the 2004 general election, improvements were made to the Event Management System, which draws information from several computer applications in Ottawa as well as from information provided by returning officers and various field applications. The resulting presentations to the Executive Committee included action items, spreadsheets, charts, graphs, reports on completed tasks, exceptions, issues and other types of management information.

We also improved performance measurement tools used to assess the work done in the field, and improved field reporting applications, including exception reporting capabilities. Exception reporting helped to focus the Executive Committee meetings on critical aspects of the election and helped to focus attention on strategic and tactical aspects, including trend analysis and the interdependence of critical events.

To keep everyone informed, returning officers were provided daily statistical feedback on their progress with the revision process, their volume of requests to the Elections Canada Support Network, and the volume of toll-free calls made to their offices.

Field liaison officers

As a major element added to the management framework for the 38th general election, Elections Canada retained the services of field liaison officers.

Working in the field with the returning officers, field liaison officers were able to provide insight into the conduct of the election at the local level. The field liaison officers gave a qualitative assessment of the progress of the election, complementing the statistical feedback received through the Event Management System.

During the election, field liaison officers had four responsibilities within their respective regions:

- providing the returning officers with functional leadership
- enhancing the quality and timeliness of the performance of key duties within each electoral district
- identifying problems at the electoral district level and helping the returning officers resolve them
- acting as media representatives when required

Field liaison officers were, in turn, supported by specialists who responded to over 4,100 queries from the liaison officers during the election.

Field liaison officer reports were presented each day to the Executive Committee. Over the 36-day election period, field liaison officers identified a total of 164 risks and problems; all were resolved promptly.

The issue of the writs

The 38th general election began on May 23, 2004, when the Chief Electoral Officer of Canada instructed each returning officer in Canada's 308 federal electoral districts to conduct the election of a member of the House of Commons. Election day was set by the Governor in Council for Monday, June 28, 2004.

The preliminary lists of electors are drawn from the names in the National Register of Electors, a permanent database of Canadians eligible to vote. On the day the election began, 22,238,485 Canadians were registered on the preliminary lists, which reflected the 308 electoral



On May 31, 2004, Jean-Pierre Kingsley, Chief Electoral Officer of Canada, signed the writs instructing the returning officers of Canada's 308 electoral districts to conduct an election for the House of Commons.

districts under the 2003 Representation Order. Of the registered electors, an estimated 19 million (four out of five) were listed at their current addresses.

First steps locally

At the call of the election, returning officers began hiring staff and taking steps to open their offices and accomplish each task in the 36-day election calendar. Each returning officer would need to retain an average of 629 election officers and staff by the end of the election, filling an average of 50 different types of positions.



By June 4, 2004, some 550 tonnes of election supplies were shipped to the offices of returning officers throughout the country.

Eventually, each office would receive an average of nearly two tonnes of supplies. By June 4, 2004, some 550 tonnes of election supplies – ballot boxes, forms, signs and equipment, as well as 3,000 computers (stored in regional locations) – were on the way or had been delivered to the offices of the 308 returning officers.

In pre-event exercises, returning officers identified potential locations for their offices and polling stations. Within 48 hours, most electoral districts had opened offices that were accessible to the public and had issued a formal Notice of Election, notifying the public of important election information. Immediately following the opening

of each office, its address and contact information were posted at www.elections.ca.

The returning office uses many automated systems: for updating the lists of electors, event management, event results, payment, supplies, electronic forms and manuals. Some of these systems must interface with upwards of 40 electronic systems in Ottawa. For this reason, the automation coordinator for each of the 308 electoral districts, whose responsibilities include overseeing technical support for all automated systems in the returning office, was provided with training in Ottawa in January or February 2004.

Elections Canada distributed approximately 4,824,000 sheets of special paper to print ballots and 75,000 ballot boxes. (In 2000, we distributed 3,631,000 sheets of paper and 64,000 ballot boxes.) By the end of the election, approximately 170,000 people filling approximately 194,000 positions were working in the electoral districts. As in the 37th general election, returning officers each had a training officer to help train deputy returning officers, poll clerks, central poll supervisors, registration officers and information officers.

Activating systems

Almost every administrative aspect of the election is automated. Lists of electors, payments to workers and suppliers, reports and telecommunications are some of the ways that technology streamlines the delivery of electoral events, for electors and for staff in Ottawa and in the field. In October 2001, we updated much of our communications infrastructure and provided a home computer to each returning officer so that he or she could complete various pre-writ assignments and easily communicate with Elections Canada in Ottawa.

Once the writs were issued, more than 6,800 local telephone lines were ordered and installed for the 308 returning offices and 96 additional offices; despite some delays in installation, all were operational within 10 days. Nevertheless, this was later than anticipated, and we need to evaluate the procedures for this activity. Approximately 1,125 toll-free lines were also activated so that the public could contact both the returning offices and a national call centre. For the first time, in 2004, technology was available to monitor calls going to returning officers' offices and to alert them via e-mail if the volume exceeded staffing levels.

The computer hardware for managing the election was delivered to each of the 308 returning offices and installed within five days – a process greatly assisted by the use of Canada Post Corporation staging centres across the country. Automation coordinators then installed software on the computers to help manage the returning offices and to transfer data to and from Elections Canada in Ottawa. Data for these systems were then downloaded to databases in each returning office. A problem with the installation disk slowed this process in many electoral districts, but it was resolved within the planned time frame for installation.

Returning office staff spent the next few days confirming and preparing leases for their polling sites and preparing camera-ready templates of the voter information cards to send to printers. Addresses of polling stations were transmitted for publishing on the Web.

During and after the election, computer applications were used to collect and process information to pay election workers, suppliers and landlords, and to generate forms and other documentation. Data were transferred to Ottawa, where worker payments were processed by an outside payroll service provider and Public Works and Government Services Canada.

Expanded staff in Ottawa

In Ottawa, the number of Elections Canada employees doubled to approximately 600 almost overnight. In preparation, we conducted competitions from which eligibility lists were created before the call of the event and we solicited the help of our provincial counterparts to recruit experienced electoral staff for the Elections Canada Support Network.

Preparations in the electoral districts

Returning officers' duties

The duties of a returning officer are varied and call for the use of a wide range of modern management techniques: financial planning; material, human and financial resources management; contract negotiation; public relations; and office automation, to name a few. Returning officers must be both skilled and efficient to complete their tasks within the short periods of time allowed by the election calendar. A total of eight resigned after their training sessions in Ottawa.

Typically, a returning officer would supervise about 55 people in the returning office and about 574 people in the electoral district, and would manage a budget of approximately \$350,000.

Each returning officer is required to attend an eight-day basic training session on the fundamentals of administering a federal election in his or her electoral district. When there is a by-election in an electoral district, the returning officer, assistant returning officer and the automation coordinator are required to participate at a training session in order to be brought up to date on the latest changes. Before a general election, returning officers, assistant returning officers and automation coordinators attend a mandatory three-day pre-event training session to ensure they are at the highest level of readiness.

Training in preparation for by-elections

The staff in the electoral districts involved in the by-elections needed to be kept up to date on the latest changes to systems and procedures. To introduce field staff to pilot projects, we held three-day briefings at Elections Canada for 12 returning officers and other staff members (usually the assistant returning officers and automation coordinators) in those ridings where seats in the House of Commons were vacant and by-elections were expected. After each by-election, we held one-day post-mortem sessions with the returning officer and assistant returning officer, and, depending on the subjects to be discussed, the automation coordinator, revision supervisor and special ballot coordinator.

Pre-event training for returning officers, assistant returning officers and automation coordinators

Returning officers (newly appointed or reappointed), their assistant returning officers and their automation coordinators – almost 872 people in all – attended comprehensive, three-day pre-event training sessions in January–February 2004. The training was based on adult learning principles, with the objective of ensuring the highest level of preparation for the event. Interactive training helped maximize retention.

For an environment conducive to learning, we made an effort to create homogeneous groups, respecting the individual characteristics of urban, rural and remote ridings. We also tried to keep the representatives of electoral districts from the same province together, both experienced staff and those new to their positions, along with their field liaison officers.

The pre-event training required a massive effort on the part of Elections Canada. Approximately 50 trainers came from nine different divisions of the organization. The three-day training session consisted of 29 modules in both English and French. People were scheduled six days a week, from Monday through Saturday, over a period of five weeks, with six classes running simultaneously. Collectively, the 872 persons received a total of 20,000 hours of training on our new systems and on recent developments in electoral law and administration.

On March 25, 2004, the Chief Electoral Officer appeared before the House of Commons Standing Committee on Procedure and House Affairs. He noted that Elections Canada had never before presented such professional training sessions.



Returning officers, assistant returning officers and automation coordinators attended training sessions in Ottawa in January–February 2004.

Pre-event training – evaluation by participants

Following the pre-event training sessions, we reviewed thoroughly the evaluation summaries received from participants. For the training of returning officers and assistant returning officers, the success of our training program exceeded the participants' and our expectations. The overall score on the post-course evaluation was 85.5 percent, very high given the number of modules and the number of trainers over a six-week period.

The training program for automation coordinators comprised 32 modules in both English and French. The overall score on the post-course evaluation was 90 percent, once again exceeding expectations. This score was very high, considering the number of systems and procedures that were taught over a three-day period (hands-on training requires ample time for individuals to effectively experience the computer application).

Instructors were highly rated for their preparation and strong subject-matter expertise. The overall quality of instruction was rated high, at 92 percent. In addition, participants found that instructors were attentive to participant needs.

Returning offices and polling sites

The task of finding a suitable location for an office is not straightforward. Some of the challenges facing the returning officer are the requirements of accessibility for electors (including persons with disabilities) and the capacity of the building to accommodate the telecommunications and computer hook-ups, plus local availability, the very short rental periods and the reluctance of landlords to subscribe to standard form leases.

The *Canada Elections Act* requires returning officers to ensure level access in their offices, as well as outside and inside all polling places used during an election. To assist returning officers in evaluating the accessibility of polling sites, Elections Canada has developed material explaining what is necessary to make sites meet current standards.

Finding multiple locations to be used as polling sites is also challenging. Before the issue of the writs, the returning officers scout for suitable locations. Depending on population density, multiple polling stations may be grouped in a single location. Where feasible, polls were centrally located in a school, community centre or other easily accessible public building. Renting of such locations remains challenging, as arrangements must respect the interests of the school boards, community centre operators and other owners. Their co-operation contributed to the success of the election.

Returning officers set up 63,859 polls in 18,807 different polling sites (locations):

- 14,925 ordinary poll locations (59,514 polls)
- 2,702 advance poll locations (3,235 polls)
- 3,172 mobile poll locations (1,110 polls)

(Some locations were used for both advance voting and election day voting.)

Each ordinary poll served an average of 352 electors.

Table 1 • Facility type breakdown by percentage, 37th and 38th general elections (2000 and 2004)

| Ordinary polls | | | Advance polls | | |
|----------------------------|---------------|---------------|----------------------------|---------------|---------------|
| Facility type | 2000 | 2004 | Facility type | 2000 | 2004 |
| Apartment building | 2.7% | 2.4% | Apartment building | 2.2% | 2.0% |
| Band office | 0.3% | 0.2% | Band office | 0.1% | 0.1% |
| Church hall | 11.9% | 13.1% | Church hall | 17.2% | 17.1% |
| Commercial site | 2.8% | 2.1% | Commercial site | 4.9% | 5.7% |
| Community centre | 25.6% | 25.7% | Community centre | 30.8% | 33.8% |
| Educational facility | 41.3% | 40.1% | Educational facility | 16.3% | 15.4% |
| Federal building | 0.1% | 0.1% | Federal building | 0.2% | 0.2% |
| Fire hall | 1.5% | 1.2% | Fire hall | 2.6% | 1.5% |
| Hospital | 0.4% | 0.2% | Hospital | 0.5% | 0.3% |
| Municipal or township hall | 3.3% | 3.4% | Municipal or township hall | 7.0% | 8.0% |
| Other | 2.2% | 3.3% | Other | 4.2% | 4.8% |
| Post office | 0.0% | 0.0% | Post office | 0.0% | 0.0% |
| Private home | 0.0% | 0.1% | Private home | 1.6% | 0.1% |
| Recreation centre | 2.1% | 3.5% | Recreation centre | 3.1% | 4.5% |
| Royal Canadian Legion | 1.9% | 1.5% | Royal Canadian Legion | 2.7% | 2.1% |
| Seniors residence | 3.9% | 3.2% | Seniors residence | 6.6% | 4.3% |
| Total | 100.0% | 100.0% | Total | 100.0% | 100.0% |

The most common locations for polling stations were community centres and educational facilities. As shown in Table 1, polling stations were also established in places as varied as hospitals, fire stations and Aboriginal band offices.

Mobile polls

In addition to finding and renting appropriate locations for the advance and regular polls, returning officers must make arrangements for mobile polls, which serve electors who are seniors or persons with a physical disability, and who reside in an institution. The poll moves from one institution to another so that the electors in each location can vote conveniently at hours that are made known well in advance of election day.

Throughout the country, 1,110 mobile polls serving 3,172 facilities were established in 274 electoral districts, to serve a population of 170,925 registered electors (see Table 2); in all, 92,091 electors voted at mobile polls.



Mobile polls brought the election to seniors and other people living in institutions who might have had difficulty going out to vote.

Table 2 • Number of mobile polling stations and electors served – 38th general election, 2004

| Province or territory | Number of mobile polling stations | Number of electors served |
|---------------------------|-----------------------------------|---------------------------|
| Newfoundland and Labrador | 24 | 2,790 |
| Prince Edward Island | 8 | 987 |
| Nova Scotia | 27 | 4,477 |
| New Brunswick | 51 | 7,078 |
| Quebec | 275 | 39,058 |
| Ontario | 313 | 56,518 |
| Manitoba | 54 | 7,823 |
| Saskatchewan | 51 | 7,641 |
| Alberta | 149 | 23,958 |
| British Columbia | 157 | 20,517 |
| Yukon | 1 | 78 |
| Northwest Territories | 0 | 0 |
| Nunavut | 0 | 0 |
| Total | 1,110 | 170,925 |



With level access at virtually all polling stations, electors with limited mobility could exercise their right to vote.

Level access

Under exceptional circumstances, the Chief Electoral Officer may approve the location of a polling station in premises without level access. Of the 18,807 polling sites used in the 38th general election, only 45 (0.2 percent) did not provide level access, compared with 89 (0.5 percent) in the 37th general election. All voter information cards indicated whether the elector's polling site was accessible. Transfer certificates were available up to June 25; they allowed electors with disabilities to use other polling stations with level access if their own polling stations did not provide such access. Transfer certificates were also used by poll workers.

We have modified buildings and offices used everywhere in Canada. By arranging to have ramps built, returning officers in 68 electoral districts modified 154 facilities to provide level access. The facilities served 25 advance polls and 813 ordinary polls.

Data on accessibility are collected in SITES, a software application that has maintained Elections Canada's national inventory of electoral facilities since 1991. The inventory helps to identify accessibility problem areas so that corrective measures can be taken in advance. For the first time, prior to this election, the application was made available to returning officers so that they could maintain their database from home during their pre-event assignment.

To avoid duplication across jurisdictions and to better serve the Canadian electorate, information on polling sites is shared with provincial and municipal election organizations.

Election officers and local staff

The returning officer is responsible for the appointment, training and supervision of election officers and election staff. Some election officers (deputy returning officers, poll clerks and revising agents) are selected in each electoral district from recommendations made by the registered parties whose candidates came first or second in the previous election in the electoral district, or by the candidates representing the registered political parties whose candidates came first or second. The remaining staff and election officers are selected by the returning officer. For revising agents, names must be submitted three days after the returning officer makes the request. For deputy returning officers, poll clerks and registration officers, names must be submitted by the 17th day before election day (June 11 for the 38th general election).

For the 38th general election, new electoral boundaries were in effect following the redistribution of 2003. In order to determine which political parties and candidates had the right to recommend election officers in this context, it was necessary that the votes obtained in the 37th general election be transposed to the new boundaries. The *transposition of votes* is an exercise that determines the number of votes that each registered political party at the 37th general election would have obtained in the electoral districts proclaimed in the 2003 Representation Order. The resulting information was recorded on CD-ROM and distributed on January 20, 2004, to all members of Parliament and to political parties. A summary was also posted on the Elections Canada Web site.

Notwithstanding the recommendations from candidates and parties, returning officers continue to have difficulties in hiring enough qualified election officers. Parties and candidates are not always able to provide enough recommendations to fill the positions available. This may be due partly to the fact that the parties and candidates have an increased need during an election event to draw on their network of human resources for their own campaign needs. The problem is sometimes compounded when people who have been trained for these positions do not appear for work on election day.

Contingency plans

Returning officers often face staff shortages. To give effect to the candidates' and parties' right to recommend election officers, the *Canada Elections Act* provides that the returning officer must wait until the 17th day before election day before going to other sources to fill staff positions. A new job application form posted on the Elections Canada Web site on May 27 helped returning officers fill part of the shortfall of staff within the time constraints.

Contingency plans were developed by returning officers, in co-operation with the field liaison officers, to ensure that all polling stations would open at the time prescribed by the *Canada Elections Act*. The plan called for training of stand-by workers to eliminate the risks associated with last-minute resignations by election day officials. Nationally, an extra 6,510 officers were available for election day; 2,209 extra election officers were available for each day of advance voting.

Notwithstanding the staffing challenges, 170,000 election workers were mobilized to serve electors in the returning offices during the election period and at polling stations (see Table 3).

Of the 308 returning officers, 91.9 percent submitted a contingency plan for the advance polls, and 90.9 percent submitted a contingency plan for election day.



Election workers attach labels to voter information cards. Across Canada, 170,000 workers were mobilized to serve electors in returning offices and at polling stations.

Table 3 • Number of election positions in electoral districts – 38th general election, 2004

| Election positions* | Number |
|--|----------------|
| Returning officer | 308 |
| Assistant returning officer | 308 |
| Additional assistant returning officer | 103 |
| Automation coordinator | 324 |
| Assistant automation coordinator | 328 |
| Community relations officer | 336 |
| Central poll supervisor – Stand-by | 260 |
| Central poll supervisor – Advance voting | 561 |
| Central poll supervisor – Ordinary poll | 8,410 |
| Deputy returning officer – Advance voting | 3,321 |
| Deputy returning officer – Correctional institution | 242 |
| Deputy returning officer – Mobile poll | 1,136 |
| Deputy returning officer – Ordinary poll | 59,697 |
| Deputy returning officer – Special ballot | 621 |
| Deputy returning officer on stand-by – Advance voting | 239 |
| Financial officer | 351 |
| Information officer – Advance voting | 1,287 |
| Information officer – Ordinary poll | 9,821 |
| Interpreter – Aboriginal Elder and Youth Program | 359 |
| Language interpreter – Advance voting | 6 |
| Language interpreter – Ordinary poll | 44 |
| Inventory control clerk | 641 |
| Office clerk | 6,225 |
| Office coordinator | 582 |
| Office messenger | 566 |
| Poll clerk – Advance voting | 3,692 |
| Poll clerk – Correctional institution | 199 |
| Poll clerk – Mobile poll | 1,126 |
| Poll clerk – Ordinary poll | 59,723 |
| Poll clerk – Special ballot | 566 |
| Receptionist | 1,020 |
| Recruitment officer | 538 |
| Registration officer – Ordinary poll | 11,753 |
| Registration officer – Stand-by | 143 |
| Registration officer – Advance voting | 1,977 |
| Revising agent | 12,965 |
| Revision centre clerk | 652 |
| Revision supervisor | 445 |
| Special ballot coordinator | 1,701 |
| Special messenger | 407 |
| Support staff for additional assistant returning officer | 20 |
| Training officer | 538 |
| Witness for validation of results | 195 |
| Total | 193,736 |

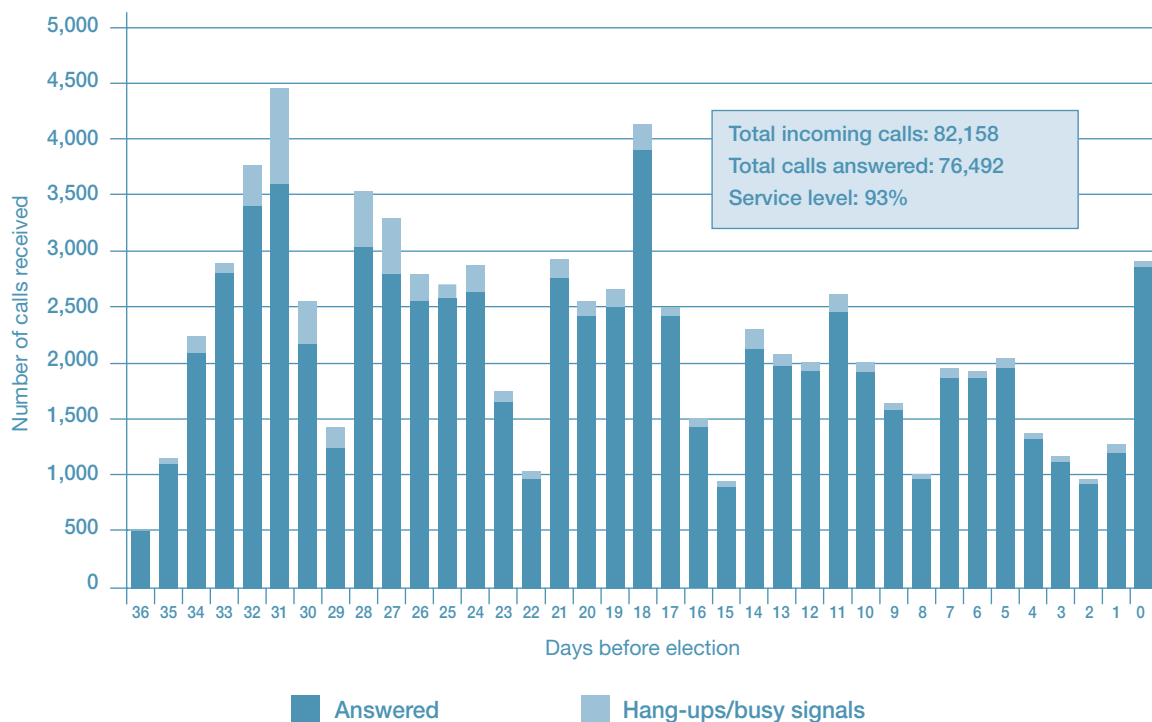
* With the exception of the positions of returning officer and assistant returning officer, all figures reflect the total number of election workers who filled a specific position during the election period. In some cases, more than one individual may have been hired to perform a certain task – for example, because of staff changes and job sharing. In total, approximately 170,000 workers were hired to fill the 193,736 positions.

The Elections Canada Support Network

To assist returning officers and their staff, the Elections Canada Support Network was set up in Ottawa, with five help desks: Electoral Coordination, Revision Systems (including Information Technology), Special Voting Rules, Finance, and Support Services. Returning officers and their staff could contact the support network by telephone, e-mail or fax, or by forwarding a request through a computerized call-tracking system. Three levels of expertise (approximately 120 advisors) were available for consultation for 18 hours a day from Monday to Friday, 16 hours on Saturdays, and 9.5 hours on Sundays. A total of 82,158 queries were made during the election, of which 76,492 were answered immediately, yielding a response rate of 93 percent (that is, 8 percent above the general service standard of 85 percent). The remaining 7 percent of calls received a busy signal or else the caller disconnected while waiting to speak to an agent. The support network answered an average of 2,067 queries a day, an increase of 543 calls per day over the previous general election average. The greatest number of queries was received on May 28 (the 31st day before election day): 4,437 calls, with a response rate of 60 percent in the first 18 seconds.

After the election, office staff and election officers could call a toll-free number for answers to questions about payments and earning records. From initiation of the service through late September 2004, some 30,000 calls were received from election workers.

Figure 1 • Calls to Elections Canada Support Network from returning offices – 38th general election, 2004



Community relations officers

Within Canadian society, certain groups have participated in federal elections at lower rates than other electors. They include Aboriginal Canadians, ethnocultural communities, youth, homeless electors and electors with special needs. In the 38th general election, Elections Canada did more than ever before to help them exercise their rights and take part in the democratic process. Where needed, returning officers were authorized to appoint community relations officers to help to identify and address the needs of their communities, and to encourage participation in the electoral process. For the 38th general election, returning officers appointed 329 community relations officers.

Returning officers were authorized to appoint community relations officers as follows:

- Aboriginal community relations officers: any electoral district with a Métis settlement, at least one Aboriginal reserve, an Inuit hamlet or a friendship centre, or in which Aboriginal people made up at least 5 percent of the population
- ethnocultural community relations officers: any electoral district in which at least 10 percent of the population had origins in China, India or the Philippines
- youth community relations officers: any electoral district in which at least 10 percent of the population was between 18 and 24 years old
- community relations officers for homeless electors: on request

The Community Relations Officer Program built on the successes of the Liaison Officer Program of the 37th general election and the Elders Program established during the 35th general election, in 1993.

The effort was to do more than simply present basic information about the electoral process and how to vote. Messages were designed to attract specific groups, and we used a wide range of formats and languages to make sure that the messages reached the intended audiences.

Table 4 • Community Relations Officer Program – 38th general election, 2004

| Type of officer | Number of officers hired | Number of eligible electoral districts | Number of electoral districts that hired officers | Percent of eligible electoral districts that hired officers |
|-----------------|--------------------------|--|---|---|
| Aboriginal | 164 | 137 | 124 | 90.5 |
| Ethnocultural | 59 | 50 | 48 | 96 |
| Youth | 100 | 95 | 92 | 96.8 |
| Homeless | 6 | 5 | 5 | 100 |

Aboriginal communities

A priority for Elections Canada is making the federal electoral process more welcoming and accessible to Aboriginal electors.

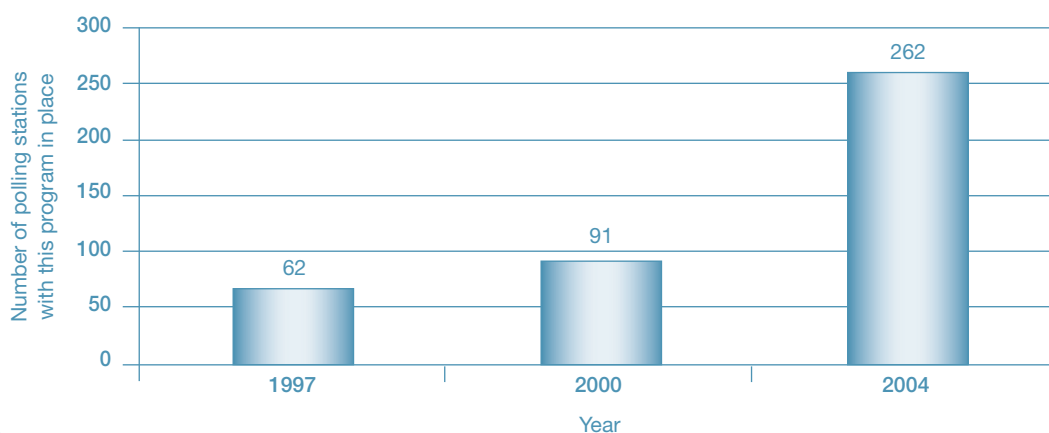
The community relations officer's duties included helping with targeted revision, arranging polling stations within the Aboriginal community, ensuring that Aboriginal poll officials were recruited and trained for these polling stations, and informing the returning officer about issues of concern to the local Aboriginal community.

Returning officers were encouraged to seek the approvals of band councils, where necessary, to place polls in Aboriginal communities and friendship centres. In the 38th general election, returning officers used nine friendship centres for a total of 39 ordinary and advance polls. More than 600 polls were established on First Nations reserves and in Inuit and Métis communities, and 1,008 deputy returning officers and 1,068 poll clerks were Aboriginal persons.

Elections Canada recognizes the special roles of Elders and youth in Aboriginal communities. Since the 35th general election, Elections Canada's Elders Program has offered information and interpretation services for electors at polling stations on First Nations reserves, and has provided general assistance to voters who may not be familiar with the federal electoral process. The program was subsequently expanded to include youth, and renamed the Aboriginal Elder and Youth Program.

Returning officers (or Aboriginal community relations officers appointed by them) were responsible for the program in polling stations that served mainly Aboriginal electors. More Aboriginal communities participated in the program in 2004 than in previous elections. There were 173 Elders and 182 youth present at 262 polling stations in 48 electoral districts.

Figure 2 • Participation in Aboriginal Elder and Youth Program – 38th general election, 2004





Encouraging youth participation was a key priority for Elections Canada in the 2004 election.



Special registration drives were held in neighbourhoods with high concentrations of students.

Homeless electors

To be eligible to vote in an electoral district, electors must be ordinarily resident in that district.

For someone who has no permanent residence, the *Canada Elections Act* provides that the elector's quarters at registration time – a shelter, hostel or other place that provides food, lodging or social services – may be considered the ordinary residence of that person.

A total of six community relations officers were appointed to work with homeless persons in five electoral districts.

About a week before election day, the assistant returning officer (or, if one was appointed, the community relations officer for homeless electors) requested the

Youth

The second-largest group of community relations officers worked with young electors. They identified neighbourhoods with high concentrations of students for special registration drives, assisted returning officers in locating polls to be easily accessible to youth, and provided information about registration and voting to the community and to youth leaders.

In February 2004, we wrote to some 1.1 million young Canadians who had turned 18 since the 37th general election, to remind them of their right to vote and ensure that they were registered to vote in upcoming federal elections. This group included 300,000 young electors who were not in the Register; they received a registration kit. Of these, some 50,000 young people consented to be added to the Register. During the election, Elections Canada also wrote to the remaining 250,000 youth who had not responded to previous registration initiatives, encouraging them to register to vote by contacting their local returning office.

administrators of shelters to inform homeless persons using their facilities that, if they wished to vote on election day, they could enter their names on a list. A poster distributed to shelters carried the same information, as well as the location of the appropriate polling places.

The day before election day, returning office staff picked up the lists that were to be used as proof of address for electors staying at the shelters. Any homeless elector whose name did not appear on a shelter list could still vote by submitting, as proof of address, a letter signed by the person in charge of the shelter stating that the elector was using the services of that facility.

Other initiatives

Voting by special ballot is an option available to all Canadians. Often it is used by people who find it difficult or inconvenient to vote in person at a polling station.

At the polling station, an elector could be accompanied behind the voting screen by a friend or relative if the elector needed help in marking his or her ballot. The elector could also ask the deputy returning officer for assistance.

A voting template was available to assist visually impaired persons. A toll-free phone number was available for people who were deaf or hard of hearing.

Communications

Elections Canada communicates with Canadians about the electoral process, directly and through media channels. Three objectives defined the communications approach for the 38th general election:

- provide a high level of service to electors seeking information on when, where and how to vote or how to get on the list of electors
- reach out to all electors, and especially groups of Canadians identified as most likely to experience difficulties in exercising their democratic right to vote
- address problems encountered in the previous general election, such as the capacity of the Elections Canada enquiries centre to handle the volume of calls throughout the election period and the volume of users accessing our Web site for election night results

Our communications strategy had five elements:

- 1) The **Voter Information Service**, used for the first time in this election, provided information by Web and by phone to the public, 24 hours a day, throughout the 36-day election period.
- 2) The **Web site** offered a wealth of information to the public, journalists, candidates, political parties, third parties and other political entities.
- 3) The **advertising campaign** delivered messages in print, television, radio and on the Web – to the general public and to youth, Aboriginal electors and Cana ethnocultural communities.

- 4) We conducted **outreach** to targeted groups through joint initiatives and partnerships with community organizations.
- 5) **Media relations** handled thousands of questions from print and broadcast journalists.

The Voter Information Service

The 34th general election, in 1988, was the first in which Elections Canada offered a phone-in enquiry service. In the 47-day period of that election, we received 42,000 telephone calls. By the time of the 38th general election, this number had soared to 734,954 calls in just 37 days (election period and election day).

To deal with the increasing volume of calls for the 38th general election, Elections Canada, in partnership with Bell Canada, developed the Voter Information Service (VIS). This provided new self-service features and consisted of three elements:

- an automated Web-based and speech-enabled Voice Response System
- a partially outsourced call centre, with staff for callers who needed to speak to an agent
- a self-service facility on the Web site

The Voter Information Service was supported by the VIS database, which drew address and geographic information from the National Register of Electors.

In this election, for the first time, the VIS could tell an elector phoning in or on the Web where he or she was to vote; the elector needed only to give his or her postal code or address. The VIS could also provide the information on the elector's voter information card – especially the location of his or her polling station for election day or advance voting (based on the elector's residential address). This saved time for electors and for the enquiries centres.

The Voice Response System

Through a national toll-free number (1 800 463-6868), electors first reached the automated Voice Response System (VRS), which could answer 11 different questions. The close to 735,000 calls that it answered represented a 39 percent increase over the 37th general election. The VRS operated 24 hours a day throughout the election period, and its self-serve option answered more than 140,000 questions from electors.

Calls to the system spiked on June 10 (the 18th day before election day), when 92,278 calls were received. This was the result of the national advertising campaign and the mailing of voter information cards to electors. On election day, the VRS received 57,924 calls.

Enquiries centre

At any time, a caller connected to the VRS could ask to speak to a call centre agent. In fact, 45 percent of callers did so.

To handle the expected call volume, we had made agreements with partner call centres in Ottawa and Toronto (Elections Ontario, the Municipal Property Assessment Corporation, and the federal government's Canada Inquiries Centre in Ottawa). Up to

270 agents were available to take calls from 7:00 a.m. to 1:00 a.m. Eastern Time throughout the election. The extended hours enabled us to provide service to electors across the country.

The VRS could also transfer a call toll-free to the elector's returning office, and did so in 190,739 cases. Alternatively, an elector could choose to call directly to his or her returning officer. In all, returning offices answered 1,146,283 calls over 33 days.

For call centre agents, as well as returning officers, three-way conversations were possible with an outsourced translating service that supported more than 100 languages, including Aboriginal languages.

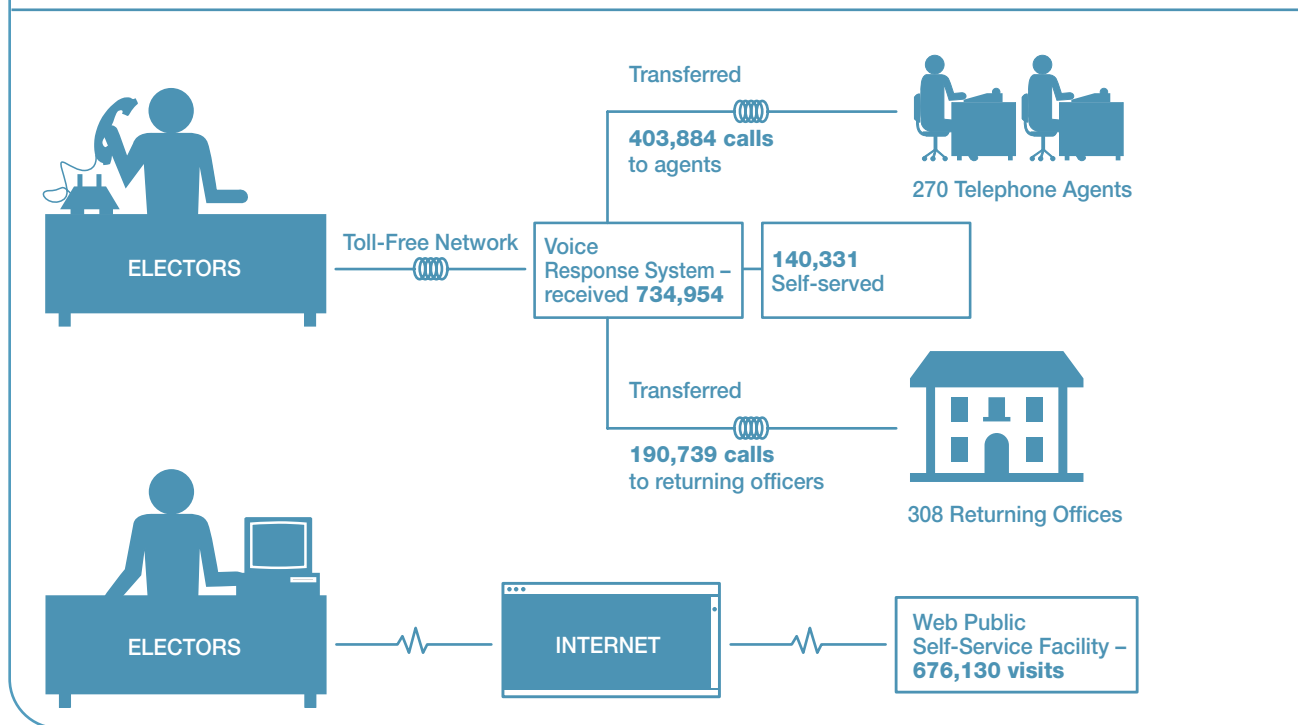


Up to 270 enquiries agents were available to take calls from the public during the election period.

Web-based Voter Information Service

Electors could also get answers from the Web site's Voter Information Service application. Available at all times, the facility received 676,130 visits during the 37 days of the event.

Figure 3 • Voter Information Service – 38th general election, 2004



The Elections Canada Web site

The redesigned Web site provided more information than ever before.



New features

For the 38th general election, new features appeared on the Web site:

- a new module on the home page
 - an area where Canadians could find out about temporary election employment
 - information sections for electors, candidates, parties, registered associations, nomination contestants, leadership contestants and third parties
 - financial products and content dealing with the requirements of Bill C-24, which amended the political financing provisions of the *Canada Elections Act*
- information about the conversion to 308 electoral districts

The site continued to evolve during the election period to present the information that electors and political entities needed to know at each stage of the event.

Elections Canada will continue to give priority to improving our Web site and enhancing the site's ability to provide efficient self-service options.

Almost all Elections Canada's advertising, news releases, voter information and official reports were available at www.elections.ca. Electors could draw from more than 7,000 pages of content, and use advanced search capabilities to reach a suite of databases and applications – all supported by a Web infrastructure consisting of 16 servers located in two separate Internet data centres. Print, Web, radio and television advertising also continually reminded electors that more information was available on the site. After 10:00 p.m. Eastern Time on election night, preliminary results posted in real time allowed reporters and electors across the country to track the vote with ease.

Traffic volumes

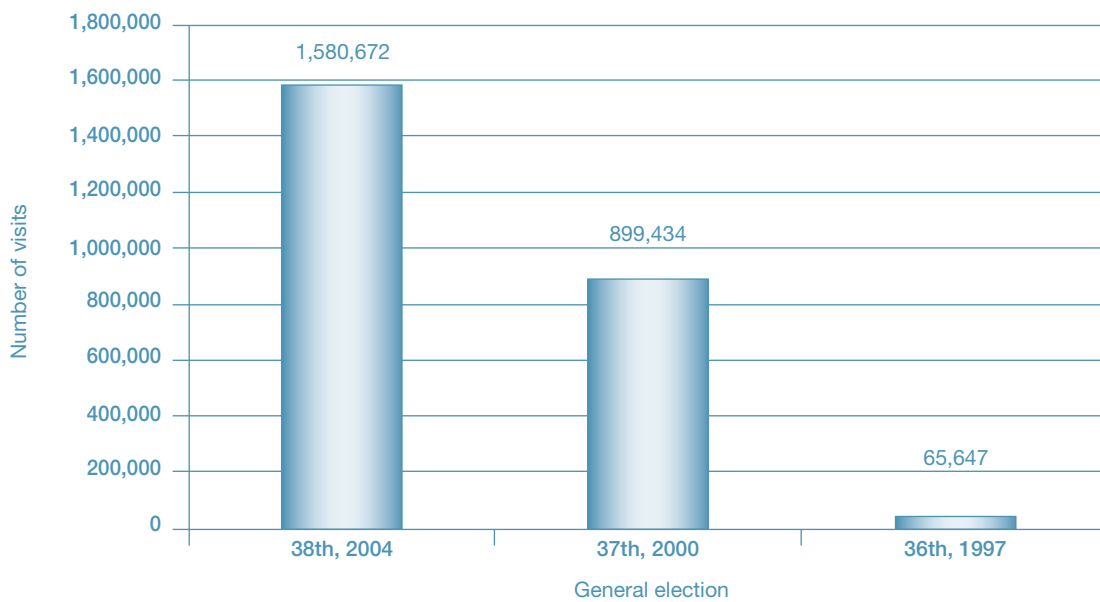
During the 37-day period of the 38th general election, the Web site had 1,580,672 visits, compared with 899,434 visits in the 37th general election – an increase of 75.74 percent. Of the Web site visitors during the 38th general election, 676,130 chose to use the Voter Information Service on the Web. The site ran smoothly throughout the election, successfully handling an expected spike of 367,717 visitors on election day. A considerable number of people also visited the following sections:

- "38th General Election": 325,672 visits
- "Frequently Asked Questions": 284,019 visits

- “Political Parties, Candidates and Others”: 245,888 visits
- “General Information”: 232,445 visits

In total, the Web site had 131,174,586 “hits” (page views) in the 37-day period – an average of more than 3.5 million hits per day. These figures show that the site filled a genuine need for information.

Figure 4 • Visits to the Elections Canada Web site



Election Night Results

The new Election Night Results application was made available to the public at 10:00 p.m. Eastern Time and immediately started disseminating preliminary results in uninterrupted real time. Anyone with an Internet connection could view results by electoral district, major centre, province, territory, nationally or by party leader. Each results screen also provided users with an electoral district profile, voter turnout and popular vote, in the official language of the user’s choice.



Posting election results did not end on June 28.

Validated results started arriving the next day and were posted on the Web site as they were received, for the following week. Where applicable, results tables were modified in response to evolving information such as the status of judicial recounts.

A map showing unofficial results was posted on the Elections Canada Web site the day after election day. This map was updated to reflect official results on September 2, 2004, and a paper copy was sent to all members of Parliament, senators, political parties and other stakeholders.

Advertising

Elections Canada's multimedia national advertising campaign was designed to catch the attention of as many Canadians as possible, to motivate electors to participate, and to let them know about voting in the general election. The campaign featured ideas developed since the previous general election, including:

- television and radio ads designed to appeal to younger voters
- pre-testing of creative concepts and key messages
- an integrated approach linking television, radio, newspaper and Web messages
- the addition of a "launch" phase in the mainstream campaign and the use of television ads to place greater emphasis on voting at the advance polls and on election day
- banner ads on high-traffic Web sites
- a campaign designed to reach Aboriginal electors and ethnocultural communities
- screening of an ad during the final week of the campaign in movie theatres

Starting in 2002, Cossette Communication Group conducted research for Elections Canada with electors in several age groups (19 and under, 20–25, and 26 and older), returning officers, provincial election officials and academics, among others. We also conducted national focus group testing of several creative approaches.

The common theme, introduced for this general election, was: "Why not speak up when everyone is listening?" Targeting different age groups with variations on this theme, the ads emphasized personal responsibility and the value of speaking out when given the opportunity.

During the 36-day campaign, print advertisements appeared four times in 107 daily newspapers and twice in 876 community papers. Advertisements were placed three times in about 95 minority-language papers and 33 ethnocultural papers.

Television ads were broadcast on 143 stations in 47 different markets. Radio advertising encompassed 430 stations in 168 markets across the country. Web banner ads appeared throughout the election period on 24 major youth-oriented and news-related sites. All advertising stressed how easy it was to get more information on the Web site or by calling the toll-free phone number.

Each phase of the advertising campaign was timed to coincide with a specific stage of the election calendar.

- As soon as the election was called, we informed electors of the date of the election and the changes to many electoral districts (the Chief Electoral Officer also called attention to these changes in his news conference on May 25).

- After mailing the voter information cards, we sent a reminder to each household urging people to watch for this important information, to keep their cards, and to contact us if they did not receive a card or if there were errors on the card.
- Before the advance polls opened on June 18, 2004, we let voters know how they could vote in advance, vote by mail using the special ballot, or vote in person at a returning office.
- Toward the end of the election period, advertisement highlighted the fact that people could still register to vote on election day, and encouraged them to vote on June 28, 2004.



For this general election, we increased use of a new advertising medium: banner ads on high-traffic Web sites. The banners were short, animated pop-up ads that stretched across a small portion of a Web page, inviting users to click to reach the Elections Canada Web site. These ads appeared in portals heavily used by younger voters, such as Sympatico, Yahoo! and MSN, in addition to other news-oriented sites frequented by Canadians abroad.

We also placed ads in 25 student newspapers promoting the option of voting by mail (the "I'm Mailing My Vote!" initiative).

Outreach

Aboriginal people

Elections Canada worked with friendship centres to keep Aboriginal people informed about the election and to receive guidance about areas for targeted revision. Messages developed with the assistance of an Aboriginal advertising firm were placed in community newspapers and on radio stations and the Aboriginal Peoples Television Network. The Web site also posted materials in 10 other frequently used Aboriginal languages: Gwich'in, Nisga'a, Plains Cree, Ojibway, Oji-Cree, Mohawk, James Bay Cree, Michif, Innu and Mi'kmaq.

Communities were consulted to develop messages and themes specifically for them. With the help of the National Aboriginal Women's Association, more than 1,700 information kits were sent to First Nations and Aboriginal associations and organizations in English, French and Inuktitut, and 240,000 voter information guides were distributed to Aboriginal communities.



Young electors

For this election, we stepped up our efforts to reach young Canadians. For example, we developed a poster for display on campuses, working together with four post-secondary student associations – the Canadian Federation of Students, the Fédération étudiante universitaire du Québec, the New Brunswick Student Alliance, and the Canadian Alliance of Student Associations. Close to 3,200 posters were sent to these associations for distribution to their 119 member associations.

Young Canadians could enter a Canada Road Trip contest, sponsored by Elections Canada, offering three prizes of a trip for two anywhere in Canada. The contest Web site attracted 135,898 visitors; 16,665 of them signed up to receive e-mail updates on the election. Contest entrants totalled 29,438.

The redesigned “Young Voters” section of the Web site offered information on the electoral process and on how young Canadians could get involved. It was visited 103,581 times during the election, with a peak of 17,114 visits on election day.

Ethnocultural communities

For members of ethnocultural communities, our message was that voting is a right and an opportunity to shape the future.

Our campaign for ethnocultural communities focused on the two most important phases of the election period: receipt of the voter information card and registration, and voting on election day.

With the theme of “My future, my vote,” our campaign adapted our regular television ads with voice-overs in 12 languages; our radio ads were broadcast in 23 languages, and our print ads appeared in 24 languages.

A revised voter information guide was distributed in 26 languages, in print versions and at www.elections.ca. During the election period, ethnocultural associations ordered more than 76,000 copies of the guide, and community relations officers and returning officers requested more than 100,000 additional copies.

Ethnocultural community relations officers helped to deliver this message. In some cases, they set up information booths at community events. Each officer provided community members with a source they could turn to for more information about the electoral process.



Table 5 • Ethnocultural languages in which the voter information guide appeared – 38th general election, 2004

| | | | |
|-----------------------|-----------|------------|--------------------|
| Arabic | Greek | Portuguese | Tagalog (Filipino) |
| Bengali | Gujarati | Punjabi | Tamil |
| Chinese (Traditional) | Hindi | Romanian | Ukrainian |
| Chinese (Simplified) | Hungarian | Russian | Urdu |
| Croatian | Italian | Serbian | Vietnamese |
| Farsi (Persian) | Korean | Somali | |
| German | Polish | Spanish | |

Electors with special needs

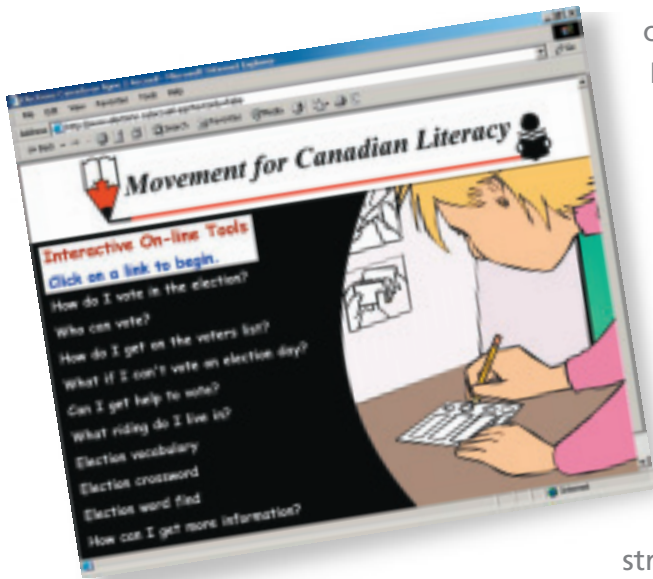
The International Foundation for Election Systems – a worldwide non-profit organization that supports the building of democratic societies – has hailed Canada for its work in making elections accessible to persons with disabilities. For electors with special needs who cannot access the usual information channels – for example, persons with a visual or hearing impairment, or limited mobility – Elections Canada has developed a wide range of services, as well as information in alternative formats explaining the many ways of voting and the assistance available in exercising their right to vote.

In addition to placing ads in publications for people with special needs, distributing information kits to 35 national associations, and sending order forms to approximately 2,000 local associations, we worked with several organizations to produce and deliver revised and customized information in accessible formats on such subjects as level access to polling stations, visual aids, voting aids, and the option of having a designated person give assistance if requested. Products made available for the election included:

- extensive electoral information in Braille and plain language, and on video, audio-cassette and diskette
- in collaboration with the Canadian National Institute for the Blind (CNIB), a short information document on the election in Braille, in large print and on audio-cassette, delivered to approximately 80,000 CNIB members
- in co-operation with the Canadian Association of the Deaf and the Centre québécois de la déficience auditive, a sign-language information video for distribution, on request, to members of these two organizations and to the public
- information (news releases, voter information guide, etc.) broadcast on VoicePrint



- jointly with the Movement for Canadian Literacy, an animated Web presentation intended for literacy educators to use in the classroom (a French version was adapted by the Fédération canadienne pour l’alphabétisation en français)



Media relations

To provide quick and efficient support to media across Canada, we assembled a team of media relations specialists.

Eight media relations advisors in Ottawa served the national media and local media in the National Capital Region and Nunavut. Eight regional media advisors were located strategically across the country. This approach ensured

that all media – national and regional, print, radio, television and Internet – had access to reliable and efficient media relations services throughout the election. The team included former journalists with hands-on experience in covering elections and skilled communicators who had provided this kind of support to the media during previous national and provincial elections.

The Ottawa and regional media advisors were available evenings and weekends and worked with the 24 field liaison officers to answer reporters’ questions during key hours of media operation in every province and territory. A media phone line was established, available toll-free from anywhere in Canada. Reporters’ calls to this number were automatically directed to the appropriate regional advisor, through a system of area code recognition. During the election, the media relations team responded to more than 3,000 requests from media across Canada and abroad.

For reporters covering the election and for others interested in the electoral process, we published a pocket-sized *Media Guide*, which was also posted on the Web. This quick-reference handbook describes Elections Canada and the electoral process, with facts, figures and contacts. Informal comments from journalists indicated that they found the *Media Guide* a helpful source of election basics and consulted it often, both in hard copy and on the Web.

A total of 45 news releases and media advisories were issued during the election period and the subsequent judicial recounts. In addition to distribution on the news wire and to the Canadian Parliamentary Press Gallery, all news releases were posted on the Web site. Journalists could sign up to receive e-mail alerts about new information on the site.

News conferences with the Chief Electoral Officer

At the start of the election period, on May 25, the Chief Electoral Officer held a news conference attended by national media and simultaneously webcast on the Elections Canada Web site. He highlighted a number of topics, including Canada's new electoral districts, the quality of the lists of electors and the importance of the revision period, the different steps in the electoral process for electors, the variety of ways to vote, and the groups specially targeted in outreach and advertising campaigns (young Canadians, Aboriginal persons and ethnocultural communities).

The Chief Electoral Officer reinforced these messages in a second news conference – also webcast – on June 25. After both news conferences, the Chief Electoral Officer granted several one-on-one interviews to ensure that his messages reached a broad range of Canadians.



At a news conference on June 25, 2004, the Chief Electoral Officer outlined the voting process for election day.

Electors, candidates and ballots

There are some major requirements that must be in place in order for millions of Canadians to exercise their franchise in a federal election and choose their representatives. These include a list of eligible electors, candidates, and a mechanism enabling Canadians to express this preference. In Canada, that mechanism is the secret ballot.

Preparing the lists of electors

After becoming operational, a key task for each returning office was preparing the lists of electors. To be able to vote, each elector must have his or her name on the appropriate list or, if it is not there, must arrange for it to be added by registering.

Four different lists of electors are produced for each electoral district in any general election or by-election: the preliminary, the revised, the official and the final lists of electors.

The *preliminary* lists for each electoral district are produced from the National Register of Electors at Elections Canada in Ottawa and sent to the returning officers immediately following the issue of the writs.

A returning officer provides an electronic and a printed copy of the preliminary lists to candidates in the electoral district when their nominations are confirmed. Candidates also receive maps and related geographical documents. The Chief Electoral Officer adapted the *Canada Elections Act* to allow the political parties to receive the preliminary lists of electors under the 2003 Representation Order during the first week of the election. Previously they only had access to lists under the 1996 Representation Order.

Each returning officer produces *revised* lists of electors for his or her electoral district 11 days before election day, and provides a copy to confirmed candidates. The revised lists include additions and address changes, and removals and corrections made during revision. The revised lists are used during voting at the advance polls. They also indicate which electors have requested a special ballot.

At least three days before election day, returning officers distribute the *official* lists to candidates. Each deputy returning officer receives a printed copy of the official list for his or her polling station.

The official lists reflect additions, address changes, and corrections made to and removals from the revised lists, including names of electors who voted at the advance polls and those who registered to vote by special ballot.

After election day, each returning officer prepares an electronic list that includes electors who registered or corrected their information on election day. This information is sent to Elections Canada in Ottawa, where electronic copies of the *final* lists of electors are prepared for distribution to registered political parties and members of Parliament. On request, printed copies of the final lists are also available to the political parties and to members of Parliament. The final lists were provided to members of Parliament and political parties on October 15, 2004.

Revision

Revision is the process of adding new names to, correcting information on, and removing names from a list of electors during the election period. The formal revision period in 2004 lasted four weeks: May 26 to 6:00 p.m. on June 22.

Elections Canada has devised procedures to make revision convenient for electors. If an elector has moved within an electoral district, for instance, or a previous occupant must be removed from the list, both changes can be made over the phone, pending appropriate verification of identification. If an elector who is already on the list of electors has moved outside his or her electoral district, under the *Canada Elections Act* a signature is required; new identification documentation is not. In other words, if the elector is already listed in the National Register of Electors, there is no need to provide further identification subsequent to a move.

Each returning office has a database of the lists of electors for all electoral districts. During the 38th general election, returning officers were able to update elector addresses across electoral districts and transfer elector registration information between electoral districts. When elector records are added to a new electoral district but match existing records in another place, the system removes them from their previous

electoral district, preventing the creation of duplicate records. During the election period, an estimated 409,040 elector records were transferred between electoral districts, and an estimated 629,237 electors moved within their electoral district.

To further improve the accuracy of the revised lists of electors, some 335,000 records reflecting the most recent updates to the Register were provided to returning officers after the start of the election, using new features available in the REVISE application. While the data could be provided only in hard copy and typed in manually in the 37th general election, the REVISE application now enabled us to provide electronic updates for the returning officer's immediate review. This ensured more comprehensive list coverage, and minimized elector-initiated revisions and registrations at the polls. For the most part, these electronic updates were received in time to be reflected in the voter information cards.

Targeted revision

To prepare for targeted revision, returning officers reviewed address lists ahead of the election, and Elections Canada set up a central registry of high-mobility addresses and identified areas with low registration rates.

During the second week of the election period, returning officers carried out revisions targeting areas such as new subdivisions, apartment buildings and student residences, and institutions such as nursing homes and chronic care hospitals.

Revising agents visited the targeted areas and registered electors in person. If they found no one at home after two visits, they left a mail-in registration package for residents. This contained a form for electors to fill out and return along with photocopies of identification documents. Revising agents visited approximately 1,295,000 addresses and completed registration forms for some 266,000 households; in addition, they left 289,000 mail-in registration packages.

While Elections Canada retains the responsibility to try to reach all electors requiring revision, the effectiveness of door-to-door canvassing is declining. As was increasingly reported when national door-to-door enumerations were carried out, people are not at home as regularly as they once were, and they are more reluctant to open their doors to strangers. Also problematic is the requirement of documentation for each person registered. The use of targeted revision needs to be assessed in light of these challenges, so that efforts can be focused on the areas and demographic groups that most require this service.



In high-mobility areas, revising agents went door to door to register electors in person.

The voter information card

Ten days after the issue of the writs, returning officers began to mail out personalized voter information cards (VICs) to every person whose name appeared on the preliminary lists of electors. Each VIC showed the name and address of the registered elector, as well as the location, dates and hours for voting in advance and on election day. Polling stations with level access were marked with a wheelchair symbol. The card also showed the address and telephone number of the returning office, and the address of the Elections Canada Web site. To mail the cards, Elections Canada supplied the address labels. Returning officers added the local voting information and arranged the printing and mailing. Returning officers also distributed VICs to persons they added to the lists throughout the revision period.

Despite our efforts to validate all mailing addresses in the Register, some cards were returned as undeliverable. Returning officers then re-mailed as many cards as possible. Fewer than 100,000 (0.5 percent) of all voter information cards were left undelivered.

One week after the VICs were mailed, a reminder card was delivered to every residence in the country, giving basic information on the election and inviting electors to call the toll-free line if they had not received a VIC.

Elections Canada sometimes faces a challenge ensuring that electors appear on the correct list, particularly in rural areas, where our residential address information may be limited or cannot be readily confirmed. Considerable efforts were made by returning officers to locate these non-geocoded electors in their pre-event tasks. However, at the outset of the election

some 66,000 electors having incomplete rural or unknown civic addresses could still not be pinpointed with certainty in a specific polling division and, as a result, did not appear on the preliminary lists. As we did have a mailing address, including postal code, we sent these electors letters requesting that they provide their returning officers with complete residential address information. This undertaking, combined with elector-initiated calls, resulted in the confirmation or addition of some 47,000 electors. Voter information cards could then be sent to these electors.

In some cases, electors receive their correct voter information card but are directed to vote many kilometres from home. While the mailing address is correct, their residential address may have put them in the wrong poll; or, in some cases, a poor voting location may have been selected for the right poll. The voting information on the card therefore informs electors that they may need to have their registration revised. In most cases the problem can be solved by a phone call to the local returning office.



**Table 6 • Voter registration statistics –
38th general election, 2004**

| Province or territory | Electors on the preliminary lists | Electors added ¹ | Inter-ED address changes ² | Moves within ED ³ | Other corrections ⁴ | Removed from lists ⁵ | SVR group 1 update ⁶ | Electors on the final lists |
|---------------------------|-----------------------------------|-----------------------------|---------------------------------------|------------------------------|--------------------------------|---------------------------------|---------------------------------|-----------------------------|
| Newfoundland and Labrador | 402,831 | 11,553 | 3,462 | 14,646 | 9,677 | 13,095 | 281 | 405,032 |
| Prince Edward Island | 108,237 | 5,021 | 1,771 | 6,528 | 3,133 | 6,071 | 73 | 109,031 |
| Nova Scotia | 697,730 | 27,605 | 12,461 | 33,112 | 14,036 | 31,713 | 849 | 706,932 |
| New Brunswick | 593,892 | 20,418 | 6,742 | 22,494 | 9,681 | 24,068 | 456 | 597,440 |
| Quebec | 5,822,832 | 92,151 | 95,677 | 134,567 | 102,288 | 214,971 | 4,420 | 5,800,109 |
| Ontario | 8,182,202 | 335,038 | 139,709 | 194,688 | 145,890 | 367,750 | 5,729 | 8,294,928 |
| Manitoba | 844,196 | 29,294 | 17,023 | 27,343 | 21,682 | 50,415 | 963 | 841,061 |
| Saskatchewan | 727,396 | 25,195 | 11,807 | 29,020 | 17,586 | 41,326 | 850 | 723,922 |
| Alberta | 2,105,852 | 137,570 | 52,815 | 77,743 | 56,325 | 126,480 | 1,827 | 2,171,584 |
| British Columbia | 2,689,511 | 143,428 | 66,159 | 86,468 | 48,539 | 151,162 | 2,641 | 2,750,577 |
| Yukon | 19,245 | 1,451 | 674 | 1,277 | 542 | 1,058 | 33 | 20,345 |
| Northwest Territories | 28,364 | 1,729 | 649 | 1,078 | 3,171 | 2,245 | 122 | 28,619 |
| Nunavut | 16,197 | 1,934 | 91 | 273 | 260 | 1,256 | 75 | 17,041 |
| National total | 22,238,485 | 832,387 | 409,040 | 629,237 | 432,810 | 1,031,610 | 18,319 | 22,466,621 |

ED = electoral district
SVR = Special Voting Rules

¹ Electors who did not appear on any lists of electors at the beginning of the election, and were added during the event.

² Electors who appeared on the lists of electors of one electoral district at the beginning of the election, but who changed their address due to a move to another electoral district during the event.

³ Electors who appeared on the lists of electors of one electoral district at the beginning of the election, and changed their address due to a move within the same electoral district during the event. These figures also include administrative changes the returning officer made on elector records during the event.

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

⁵ Electors who appeared on a list of electors, but have been removed due to one of the following: the elector is deceased, the elector requested to be removed, the elector is no longer resident at that address, the elector is unqualified to be on the list (for example, less than 18 years old or a non-citizen), or the elector has a duplicate record on the same list. Figures also reflect elector records removed as a result of elector moves to another electoral district during the event, and duplicates removed during the preparation of the final lists of electors.

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



Candidates

There were 1,685 confirmed candidates in the 38th general election, fewer than the 1,808 who ran in 2000. Four parties nominated candidates in every electoral district. In 2000, only one party had done so. Twelve registered political parties ran candidates, compared with 11 in 2000.

Nominations

To smooth the nomination process, we wrote to all political parties to encourage prospective candidates to:

- file as early as possible, to allow time to correct the nomination papers if necessary
- enter the names and addresses of electors supporting the nomination clearly and completely
- provide more than the minimum required number of signatures, in case the returning officer had difficulty confirming the qualifications of some of the nominating electors

Within the 48 hours after nominations closed on June 7, 2004, returning officers confirmed or rejected the last of the candidates in their electoral districts. They then faxed their nomination papers to Elections Canada in Ottawa, which prepared a list of all confirmed candidates by electoral district.

Rejections and withdrawals

Returning officers rejected the candidacies of two prospective candidates:

- In Halifax West (Nova Scotia), a set of nomination papers was incomplete: information about the witness, as well as his initials, were missing; and, although 100 signatures were collected, information for some was incomplete and could not be considered.
- In Fleetwood–Port Kells (British Columbia), some signatures for a prospective candidate were those of electors from outside the electoral district; the nomination was filed too late to allow for corrections.

One candidate chose to withdraw from the race, in Edmonton Centre (Alberta), after completion of the confirmation process, but before 5:00 p.m. on the day set for the close of nominations.

Injunction to stop the election in the electoral district of Yukon

On June 23, 2004, the Yukon Supreme Court refused to issue an interlocutory injunction to stop the election in the electoral district of Yukon. The petitioner had previously tried to run as a candidate in that district by filing his nomination paper without naming an auditor – despite a requirement of the *Canada Elections Act*, which sets out that the prospective candidate must file with the returning officer, together with the nomination paper, a statement signed by an auditor consenting to act in that capacity. When his nomination paper was refused because no auditor had been appointed within the permitted time frame, the petitioner sought an interlocutory injunction on the basis that

this requirement of the *Canada Elections Act* was unconstitutional. In its decision to refuse the interlocutory injunction, the Court did not address the question of the constitutionality of subsection 83(2) of the *Canada Elections Act*. [*Mahony v. Chief Electoral Officer of Canada et al.*, [2004] Y.K.S.C. 42]

Nominations and political parties

Nominations opened as soon as each returning officer issued a Notice of Election, on or before May 27, 2004. The last day for filing nomination papers was June 7, 2004.

Since Bill C-3 came into force on May 15, 2004, any political party that endorses at least one candidate in a general election and complies with the legal requirements of the *Canada Elections Act* maintains registration or becomes registered. Registration entails both legal obligations and benefits. When the election was called, nine political parties were registered and three were eligible to become registered under the Act.

For the first time, Elections Canada set up a dedicated help desk to respond to candidates' and parties' questions.

Candidates and parties could seek assistance on various aspects of the electoral process by contacting Elections Canada during the entire electoral calendar. As of September 24, 2004, Election Financing answered 5,526 of the 5,886 incoming calls, for a response rate of 94 percent. The Operations Directorate responded to 1,185 calls out of 1,317, for a response rate of 90 percent.

The Registration Unit answered 199 of the 205 incoming calls, for a response rate of 97 percent. These calls dealt mainly with the ongoing registration of electoral district associations of registered parties.

Enquiries of a more complex nature were referred to Legal Services.

**Table 7 • Status of political parties –
38th general election, 2004**

| Parties retaining their status as registered parties | Parties acquiring registered party status |
|--|---|
| Bloc Québécois | Christian Heritage Party |
| Canadian Action Party | Libertarian Party of Canada |
| Communist Party of Canada | Progressive Canadian Party |
| Conservative Party of Canada | |
| Green Party of Canada | |
| Liberal Party of Canada | |
| Marijuana Party | |
| Marxist-Leninist Party of Canada | |
| New Democratic Party | |

Number of parties registered on June 28, 2004: 12

Profile of the candidates

Altogether, there were 1,685 confirmed candidates:

- 1,620 (96.1 percent) ran under the banner of a political party; 54 ran as independents, and 11 had no affiliation
- 243 (14.4 percent) were previously sitting members of the House of Commons who were running for re-election; 53 of these were women and 190 were men
- 1,294 of the total number of candidates were men; 391 (23.2 percent) were women (up from 20.6 percent in the 37th general election)

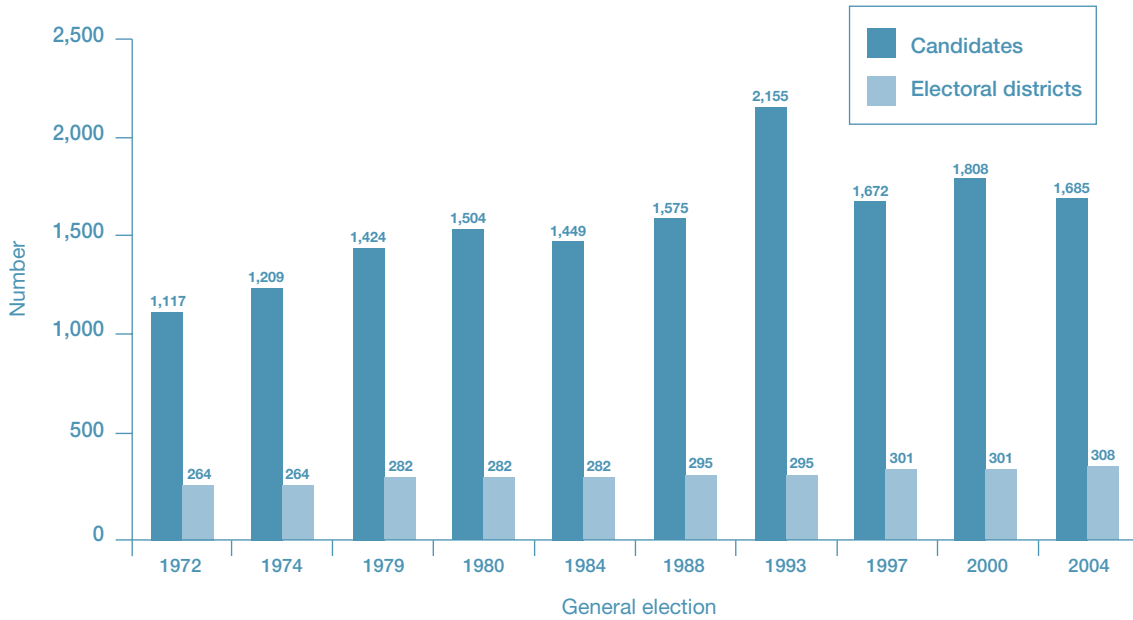
Table 8 • Distribution of confirmed candidates, by political affiliation and gender – 38th general election, 2004

| Political affiliation | Gender | N.L. | P.E.I. | N.S. | N.B. | Que. | Ont. | Man. | Sask. | Alta. | B.C. | Yukon | N.W.T. | Nunavut | Grand total |
|--------------------------|--------|----------|----------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|----------|----------|----------|-------------|
| Bloc Québécois | F | - | - | - | - | 18 | - | - | - | - | - | - | - | - | 18 |
| | M | - | - | - | - | 57 | - | - | - | - | - | - | - | - | 57 |
| Total | | - | - | - | - | 75 | - | - | - | - | - | - | - | - | 75 |
| Canadian Action | F | - | - | - | - | - | 5 | - | - | 1 | 6 | - | - | - | 12 |
| | M | - | - | - | 1 | 1 | 11 | 1 | - | 4 | 15 | - | - | - | 33 |
| Total | | - | - | - | 1 | 1 | 16 | 1 | - | 5 | 21 | - | - | - | 45 |
| Christian Heritage Party | F | - | - | - | - | - | 9 | 3 | 2 | - | 1 | - | - | - | 15 |
| | M | - | 1 | 1 | - | 1 | 23 | 6 | 3 | 4 | 7 | 1 | - | - | 47 |
| Total | | - | 1 | 1 | - | 1 | 32 | 9 | 5 | 4 | 8 | 1 | - | - | 62 |
| Communist | F | - | - | - | - | 2 | 3 | 3 | - | 1 | 2 | - | - | - | 11 |
| | M | - | - | - | - | 5 | 7 | 5 | - | 1 | 6 | - | - | - | 24 |
| Total | | - | - | - | - | 7 | 10 | 8 | - | 2 | 8 | - | - | - | 35 |
| Conservative | F | 2 | 1 | - | 1 | 10 | 14 | 1 | 2 | 2 | 3 | - | - | - | 36 |
| | M | 5 | 3 | 11 | 9 | 65 | 92 | 13 | 12 | 26 | 33 | 1 | 1 | 1 | 272 |
| Total | | 7 | 4 | 11 | 10 | 75 | 106 | 14 | 14 | 28 | 36 | 1 | 1 | 1 | 308 |
| Green Party | F | 1 | 2 | 3 | 4 | 20 | 26 | 3 | 2 | 5 | 12 | - | - | - | 78 |
| | M | 6 | 2 | 8 | 6 | 55 | 80 | 11 | 12 | 23 | 24 | 1 | 1 | 1 | 230 |
| Total | | 7 | 4 | 11 | 10 | 75 | 106 | 14 | 14 | 28 | 36 | 1 | 1 | 1 | 308 |

**Table 8 • Distribution of confirmed candidates,
by political affiliation and gender –
38th general election, 2004 (continued)**

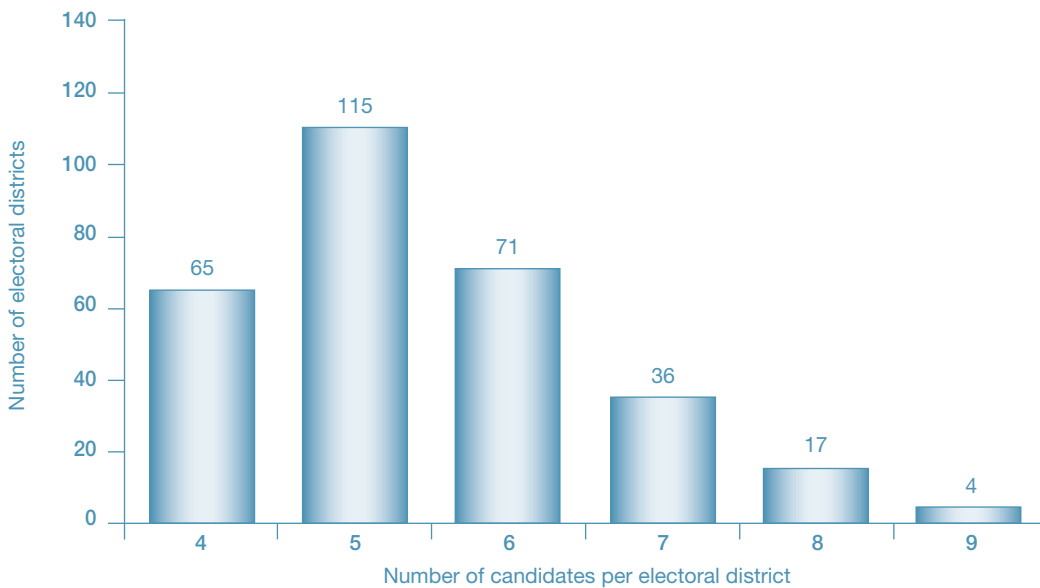
| Political affiliation | Gender | N.L. | P.E.I. | N.S. | N.B. | Que. | Ont. | Man. | Sask. | Alta. | B.C. | Yukon | N.W.T. | Nunavut | Grand total |
|-----------------------|--------|-----------|-----------|-----------|-----------|------------|------------|-----------|-----------|------------|------------|----------|----------|----------|--------------|
| Liberal | F | 1 | - | 3 | 1 | 21 | 27 | 2 | 2 | 7 | 9 | - | 1 | 1 | 75 |
| | M | 6 | 4 | 8 | 9 | 54 | 79 | 12 | 12 | 21 | 27 | 1 | - | - | 233 |
| Total | | 7 | 4 | 11 | 10 | 75 | 106 | 14 | 14 | 28 | 36 | 1 | 1 | 1 | 308 |
| Libertarian | F | - | - | - | - | - | 1 | - | - | - | 1 | - | - | - | 2 |
| | M | - | - | - | - | 1 | 1 | - | - | - | 4 | - | - | - | 6 |
| Total | | - | - | - | - | 1 | 2 | - | - | - | 5 | - | - | - | 8 |
| Marijuana Party | F | - | - | 1 | - | 3 | 2 | 1 | - | - | 2 | - | - | - | 9 |
| | M | - | - | - | 1 | 28 | 16 | 5 | - | 5 | 6 | 1 | - | - | 62 |
| Total | | - | - | 1 | 1 | 31 | 18 | 6 | - | 5 | 8 | 1 | - | - | 71 |
| Marxist-Leninist | F | - | - | - | - | 8 | 12 | - | - | 2 | 6 | - | - | - | 28 |
| | M | - | - | 1 | - | 15 | 22 | - | - | 2 | 8 | - | - | - | 48 |
| Total | | - | - | 1 | - | 23 | 34 | - | - | 4 | 14 | - | - | - | 76 |
| N.D.P. | F | 3 | 2 | 5 | 2 | 20 | 34 | 5 | 2 | 11 | 11 | 1 | - | - | 96 |
| | M | 4 | 2 | 6 | 8 | 55 | 72 | 9 | 12 | 17 | 25 | - | 1 | 1 | 212 |
| Total | | 7 | 4 | 11 | 10 | 75 | 106 | 14 | 14 | 28 | 36 | 1 | 1 | 1 | 308 |
| PC Party | F | - | - | 1 | - | - | 1 | - | - | - | - | - | - | - | 2 |
| | M | - | - | 2 | - | - | 11 | - | - | 1 | - | - | - | - | 14 |
| Total | | - | - | 3 | - | - | 12 | - | - | 1 | - | - | - | - | 16 |
| Independent | F | - | - | - | - | 1 | 2 | - | - | - | 3 | - | - | 1 | 7 |
| | M | 2 | - | 2 | 2 | 5 | 23 | 1 | 5 | 2 | 5 | - | - | - | 47 |
| Total | | 2 | - | 2 | 2 | 6 | 25 | 1 | 5 | 2 | 8 | - | - | 1 | 54 |
| No affiliation | F | - | - | - | - | - | - | - | - | - | 2 | - | - | - | 2 |
| | M | - | - | - | - | - | 2 | - | 2 | - | 5 | - | - | - | 9 |
| Total | | - | - | - | - | - | 2 | - | 2 | - | 7 | - | - | - | 11 |
| Subtotal | F | 7 | 5 | 13 | 8 | 103 | 136 | 18 | 10 | 29 | 58 | 1 | 1 | 2 | 391 |
| | M | 23 | 12 | 39 | 36 | 342 | 439 | 63 | 58 | 106 | 165 | 5 | 3 | 3 | 1,294 |
| Grand total | | 30 | 17 | 52 | 44 | 445 | 575 | 81 | 68 | 135 | 223 | 6 | 4 | 5 | 1,685 |

Figure 5 • Number of electoral districts and number of candidates in general elections since 1972



As Figure 5 shows, this was the third-highest number of candidates to run in a general election since the 29th general election, in 1972.

Figure 6 • Distribution of candidates by electoral districts – 38th general election, 2004



Profile of the parties

All 12 of the registered political parties endorsed a confirmed candidate in at least eight electoral districts. The four parties that nominated candidates in every electoral district were the Conservative Party of Canada, the Green Party of Canada, the Liberal Party of Canada and the New Democratic Party.

Table 9 • Number of confirmed candidates by registered political party – 38th general election, 2004

| Registered political party | Number of confirmed candidates |
|----------------------------------|--------------------------------|
| Conservative Party of Canada | 308 |
| Green Party of Canada | 308 |
| Liberal Party of Canada | 308 |
| New Democratic Party | 308 |
| Marxist-Leninist Party of Canada | 76 |
| Bloc Québécois | 75 |
| Marijuana Party | 71 |
| Christian Heritage Party | 62 |
| Canadian Action Party | 45 |
| Communist Party of Canada | 35 |
| Progressive Canadian Party | 16 |
| Libertarian Party of Canada | 8 |

Preparing parties and candidates

As required by the *Canada Elections Act*, returning officers gave election documentation and maps to the candidates or their official agents. Where possible, returning officers met with the candidates or their representatives by June 11 to explain the various voting methods, the rules to follow on election day, how candidates could contribute to the quality of the lists of electors, the election officer positions for which the candidates or political parties could recommend applicants and the location of polling places. Of the 308 returning officers, 97 percent met with the candidates or their representatives.

Adaptation respects security concerns for candidates

If more than one candidate is nominated in an electoral district, the *Canada Elections Act* states that, within five days after the deadline for confirming candidates, the returning officer must post in the returning office a notice of grant of a poll.

This notice provides, among other information, the address of each candidate and official agent, and is ultimately for posting in polling places. Due to concerns for the security of public individuals, section 64 of the Act was adapted to remove the street addresses of candidates and their official agents. See Table 14 for adaptations pursuant to section 17 of the Act.

In the past, Elections Canada held seminars across the country to brief candidates on election expenses, reporting requirements and other election-related financial matters. For the previous general election, Elections Canada conducted 24 information sessions in 20 cities across Canada during a four-day period involving 12 trainers. To reach more candidates and their team more efficiently, Elections Canada produced a video presentation for the 2004 general election, distributed it through the Web site, and sent it to all candidates and their teams on CD-ROM.

What if there aren't enough ballots?

The *Canada Elections Act* details the procedure for preparing ballots and stipulates that all voters must use ballots prepared in this way. However, for the 38th general election only, Elections Canada foresaw that some polling stations might run out of ballots and be unable to replenish them before the close of the polls. Rather than deprive any elector of the right to vote by reason of insufficient ballots, the Chief Electoral Officer, under section 17 of the Act, adapted section 151 of the Act to permit the use of photocopied ballot forms where necessary. This option was used in only one electoral district, Kenora (Ontario), where two very remote polling stations had a higher turnout than anticipated.

Ballots

As part of their pre-event assignments, returning officers made arrangements with local printing companies to print the election ballots. Security measures in the printing of ballots, as well as in the disposal of surplus ballot paper, ensured that all ballots cast were genuine.

Elections Canada sent an appropriate quantity of special ballot paper to every printer selected by the returning officers. After completing the job, each printer signed an affidavit describing the ballots, noting the number delivered to the returning officer and certifying that all requested ballots were printed. This affidavit records the amount of ballot paper received, spoiled, used and unused, as well as the properly printed ballot papers. All leftover paper, including pieces trimmed during the printing process, was returned to the returning officer, who sent it to Ottawa after election day.

Political financing



The *Canada Elections Act* sets limits on the election expenses of candidates and registered political parties. Election expenses must be incurred directly to promote or oppose a registered political party or to elect a particular candidate. They must be for goods and services used during an election, regardless of when those goods and services were acquired or paid for. Expenses include money paid, liabilities incurred, and the commercial value of goods and services donated or acquired at less than commercial value.

Expenses limits

The maximum amount that is allowed for election expenses of a registered party for an election is based on the number of names on the preliminary lists of electors or the number of names on the revised lists of electors (whichever is greater) for the electoral districts in which the registered party has endorsed a candidate. For each electoral district, the limit on election expenses for candidates is determined on the basis of the number of names on the lists of electors or the revised lists of electors, whichever is greater. All candidates in the same electoral district are subject to the same limit. However, the limit varies from one district to another, and it is adjusted for electoral districts with fewer than the average number of electors and for geographically large electoral districts.

On May 28, 2004, the Chief Electoral Officer announced that each registered party would be limited to a maximum of \$17,528,373.88 in election expenses if it had a confirmed candidate in each of the 308 electoral districts. The limit for candidates varied among electoral districts, although the average limit was \$78,450.52; details of the limits for each electoral district were published at www.elections.ca.

Contributions

An official agent of a candidate who received a contribution, monetary or non-monetary, in excess of \$25 had to issue a contribution receipt. After a candidate's nomination was confirmed, and continuing for the rest of the election period, his or her official agent could issue receipts valid for income tax purposes for monetary contributions received. The official agent is entirely responsible for proper use of the receipts valid for income tax purposes under the *Income Tax Act*. Elections Canada provided software to candidates' official agents with which to produce contribution receipts and official tax receipts.

Reimbursements

All candidates are entitled to a refund of their \$1,000 nomination deposit if they comply with the reporting requirements of the *Canada Elections Act* by submitting the candidate's return within four months after election day and returning all unused receipts for income tax purposes within one month after election day.

A candidate who is elected or receives at least 10 percent of the valid votes cast in his or her electoral district is entitled to a reimbursement of 60 percent of paid election expenses and the candidate's personal expenses paid, to a maximum of 60 percent of the expenses limit in that electoral district.

In addition, the Act provides for a subsidy to cover the candidates' audit fees. This is equal to 3 percent of the election expenses of the candidate, with a maximum of \$1,500 and a minimum of \$250.

Registered political parties that obtain at least 2 percent of the total valid votes cast in the election, or 5 percent of the valid votes cast in the electoral districts where they endorse candidates, have the right to a reimbursement of 50 percent of their actual election expenses. For the 38th general election only, transitional provisions of Bill C-24 made this amount 60 percent.

Answer to question 3

Originally, no lists were kept of people eligible to vote. Instead, prospective voters identified themselves and swore oaths on presentation at the polls – a system that could easily be abused. In 1853, the Province of Canada adopted a measure calling for the preparation of electoral lists from property assessment rolls, but the idea was abandoned after two years when little progress had been achieved. The requirement to prepare electoral lists was reinstated in 1859 after widespread election fraud. The first election to use the lists was held in 1861.

Recent changes in society and technology have made standing lists the most practical option. In 1996, the National Register of Electors was introduced; Elections Canada has established partnerships with all levels of government to help keep the information up to date. When the 38th general election was called on May 23, 2004, 95 percent of electors were on the preliminary lists of electors.

Table 10 • Number of candidates eligible for reimbursement, preliminary figures – 38th general election, 2004

| Province or territory | Candidates eligible for reimbursement |
|-------------------------------------|---------------------------------------|
| Newfoundland and Labrador | 20 |
| Prince Edward Island | 12 |
| Nova Scotia | 33 |
| New Brunswick | 31 |
| Quebec | 177 |
| Ontario | 302 |
| Manitoba | 40 |
| Saskatchewan | 44 |
| Alberta | 64 |
| British Columbia | 111 |
| Yukon | 3 |
| Northwest Territories | 3 |
| Nunavut | 4 |
| Total | 844 |
| National total of candidates | 1,685 |
| Percent eligible | 50.1 |

Regulation of political entities and training

Registered parties, nomination contestants, candidates, registered associations and leadership contestants can now complete their returns using new software called the Electronic Financial Return. Elections Canada produced videos to inform candidates, nomination contestants and registered associations of the requirements of the Act. The Web site contained downloadable software, along with a user's guide and a tutorial. Also, handbooks and forms were made available on the Web for all political entities. In addition, information sheets posted on the Web site provided information on the financial provisions of the Act.

Candidates' returns

Candidates, through their official agents, must submit audited returns to the Chief Electoral Officer within four months after election day, in this case, by October 28, 2004. Candidates' returns must show all electoral campaign expenses incurred, the amounts and sources of all contributions and transfers, and the names and addresses of those who contributed more than \$200.

Following the deadline for submitting these returns, the Chief Electoral Officer will publish a summary of each return on the Web. Returning officers are provided by the Chief Electoral Officer with copies of the candidates' returns, which are made available to the public for six months, so that anyone may consult them or obtain extracts. After that period, the returns may be examined at Elections Canada in Ottawa. The Web site also provides a searchable database of contributions and expenses reported by candidates. This database details the contributions received and election expenses incurred by candidates in all elections since 1997. Information for the 38th general election will be added to this database.

Registered parties' returns

Following each general election, every registered political party must submit an audited return of its election expenses to the Chief Electoral Officer. This is due within six months after election day – in the case of the 38th general election, by December 28, 2004.

Registered parties must also submit an annual fiscal period return, disclosing any by-election expenses, the expenditures of the party during the fiscal period, the amount and source of all contributions and transfers, and the names and addresses of those who contributed more than \$200. This return must be submitted to the Chief Electoral Officer within six months after the end of the fiscal period to which the return relates. Along with the audited return of expenses, the registered party must submit a statement of its assets and liabilities, and a statement of its revenues and expenses.



The Chief Electoral Officer publishes the annual financial returns of registered political parties on the Web. The site currently shows their expenses from the last two general elections, and their contributions and expenses by fiscal period from 1993 to 2003.

In addition, commencing in 2005, political parties that were paid a quarterly allowance will have to submit a registered party financial transactions quarterly return, disclosing for each quarter the amount of contribution received during the quarter, the name and address of each contributor that contributed in excess of \$200, a statement of the commercial value of goods or services provided and of funds transferred from its registered associations, candidates, leadership contestants or nomination contestants and a statement of contributions received but returned in whole or in part to the contributors or otherwise dealt with in accordance with the Act.

Nomination contests

With the coming into force of Bill C-24, on January 1, 2004, the nomination contests of the registered parties are now regulated. When a contest is held to select a candidate for a registered party, the registered electoral district association or the registered party must submit a report to the Chief Electoral Officer within 30 days after the selection date. By September 24, 2004, Elections Canada had received 836 such reports.

The financial agent for a nomination contestant who has accepted contributions totalling \$1,000 or more, or who has incurred total expenses of \$1,000 or more for the campaign, must submit a return for the candidate's nomination campaign to the Chief Electoral Officer. This return is due within four months following the selection date. However, if the selection date of the nomination contest falls during an election period for that electoral district, or within the 30 days preceding one, the return may be submitted by the same deadline that applies to the report on the candidate's election campaign. By September 24, 2004, Elections Canada had received 341 reports for nomination campaigns.

Election advertising

Several provisions in the *Canada Elections Act* affect advertising by political parties, candidates and third parties during a general election. The aim of these provisions is to promote the level playing field established by the financial provisions of the Act. Canadians have the right to know who is intervening in the political debate and who is doing so through financial support.

Third-party advertising

The Act regulates election advertising by third parties: groups or persons other than candidates, registered political parties or their electoral district associations. After

spending \$500 on advertising that promoted or opposed a party or candidate during the election campaign, third parties had to register with the Chief Electoral Officer. The Act allows third parties to spend up to \$150,000 overall, but not more than \$3,000 per electoral district to promote or oppose a candidate in that electoral district, with adjustments for inflation. After adjustment, the spending limits for this general election were \$168,900 overall and \$3,378 per electoral district.

After an election, third parties must produce a financial report on their election advertising expenses and the sources of the funds financing the advertising.

Sixty-three third parties registered with Elections Canada: 28 groups with authorizing resolutions passed by their governing bodies, 27 without resolutions and 8 individuals. Their financial reports are due by October 28, 2004.

Advertising blackouts

A blackout on election advertising on election day was observed for the 38th general election. The blackout applied to most media, but not to pamphlets, billboards or signs, and not to Internet election advertisements that were published before election day and that did not change on that day.

Political party broadcasting

The *Canada Elections Act* provides for the appointment of a Broadcasting Arbitrator who allocates broadcasting time to parties under the Act, issues guidelines concerning the obligations of broadcasters during a general election, and arbitrates disputes between political parties and broadcasters concerning the application of the Act. Peter S. Grant, a lawyer specializing in broadcasting matters, has been the Broadcasting Arbitrator since 1992.

Allocation of time available for purchase

During a general election, every broadcaster in Canada is required by the *Canada Elections Act* to make at least 390 minutes of paid prime-time broadcasting available to registered and eligible parties. The total time allocated during the election rose to 402 minutes when the Libertarian Party of Canada and the Progressive Canadian Party became eligible for registration after April 16, 2004.

Since 1992, the Broadcasting Arbitrator has modified the statutory allocation to provide that one third of the allocated time be divided equally among all registered parties, while two thirds of the allocated time be provided according to the statutory formula. The allocation established by the April 16, 2004, decision of the Broadcasting Arbitrator was in effect for the 38th general election.

The decisions of the Broadcasting Arbitrator on allocating paid time under the Act, as well as guidelines addressing political broadcast issues, are posted on the Elections Canada Web site.

**Table 11 • Allocation of paid time –
38th general election, 2004**

| Political party | Minimum number of minutes:seconds |
|----------------------------------|-----------------------------------|
| Liberal Party of Canada | 122:30 |
| Conservative Party of Canada | 88:30 |
| Bloc Québécois | 41:00 |
| New Democratic Party | 39:00 |
| Green Party of Canada | 20:30 |
| Marijuana Party | 18:30 |
| Marxist-Leninist Party of Canada | 18:30 |
| Canadian Action Party | 18:00 |
| Communist Party of Canada | 17:30 |
| Christian Heritage Party | 6:00 |
| Libertarian Party of Canada | 6:00 |
| Progressive Canadian Party | 6:00 |
| Total | 402:00 |

Answer to question 4

Before Confederation, Nova Scotia was the only colony that officially denied “Indians” the right to vote. In practice, however, throughout Canada Aboriginal persons were disqualified from voting because under federal law virtually none of them held property as individuals. Soon after Confederation, Ontario decreed that, in places where no electoral lists existed, First Nations people could vote if they gave up their treaty rights and status, including the right to “reside among the Indians.” In Manitoba, Indians who received a benefit from the Crown were not entitled to vote. In British Columbia, neither First Nations people nor residents of Chinese descent could vote.

Long before their first contacts with Europeans, First Nations people had established their own systems for choosing their leaders and governing themselves, and had little interest in participating in an unfamiliar system – especially if it meant giving up their individual and group identity.

In 1885, proposals to extend the franchise to Aboriginal people met with considerable hostility. For decades afterwards there was little change in the situation, although in 1924 the right to vote was granted to Aboriginal veterans of World War I (including those living on reserves).

During World War II, large numbers of First Nations people served with distinction in the military, and this was among the reasons leading many Canadians to conclude that the time had come for all Aboriginal people to have the full rights of citizenship. In 1948, the franchise was extended to Inuit, but Indian people still had to give up their treaty rights and status to vote. The last restrictions were dropped in 1960 with the unconditional extension of voting rights to all Registered Indians.

The task remained of making the electoral process understandable and accessible to Aboriginal Canadians. Elections Canada has worked in close partnership with Aboriginal communities and organizations, and has made information available in many Aboriginal languages, encouraging these Canadians to exercise their right to vote.

Allocation of free broadcasting time

Under the *Canada Elections Act*, in a general election, all “network operators” that provided free broadcasting time in the previous general election must provide as much free broadcasting time to registered and eligible parties as they did during the previous election. The time must be provided to the parties in proportion to the allocation of paid broadcasting time. The free time that the networks were required to allocate to the parties in the 2004 federal general election is shown in Table 12.

Due to a corporate reorganization, CTV ceased to be a “network” in the sense defined under the *Broadcasting Act*, and was no longer required to provide free broadcasting time in the 2004 general election. This resulted in the loss of one half of the English language free-time television broadcasting to parties in the 2004 general election.

**Table 12 • Allocation of free time –
38th general election, 2004***

| Political party | Network | | |
|----------------------------------|------------------|--------------------------------------|---------------------------|
| | CBC-TV SRC-TV | CBC Radio One SRC Première chaîne | TVA TQS Radio-Média |
| Liberal Party of Canada | 65 | 36 | 18 |
| Conservative Party of Canada | 47 | 26 | 14 |
| Bloc Québécois | 22 | 12 | 6 |
| New Democratic Party | 21 | 12 | 6 |
| Green Party of Canada | 11 | 6 | 3 |
| Canadian Action Party | 10 | 6 | 3 |
| Marijuana Party | 10 | 6 | 3 |
| Marxist-Leninist Party of Canada | 10 | 6 | 3 |
| Communist Party of Canada | 9 | 5 | 3 |
| Christian Heritage Party | 3 | 2 | 1 |
| Libertarian Party of Canada | 3 | 2 | 1 |
| Progressive Canadian Party | 3 | 2 | 1 |
| Total number of minutes | 214 | 120 | 62 |

* Due to rounding, figures may not add up to totals shown.

Arbitrating disputes between parties and broadcasters

Throughout the election, the Broadcasting Arbitrator responded to numerous enquiries from broadcasters and parties seeking guidance on the interpretation of the *Canada Elections Act* and the application of the guidelines. All complaints and disputes were resolved without the need to issue a binding arbitration order.

Voting

Special ballots and the Special Voting Rules

The Special Voting Rules give electors an alternative to voting at the polls on election day or at the advance polls. Electors, other than those who were incarcerated or in the Canadian Forces, could vote at any time during the election by special ballot. To do this, an elector had to:

- make sure his or her application to register for a special ballot was received by a returning office or Elections Canada before 6:00 p.m. on June 22, 2004 (section 232, *Canada Elections Act*)
- find out who the candidates were in his or her electoral district
- make sure that his or her completed ballot reached Elections Canada in Ottawa by 6:00 p.m. on election day, June 28, 2004 (or the returning officer, by the close of the polls in the electoral district, in the case of an elector voting by special ballot in his or her own electoral district)

To assist these electors, we issued news releases on the first and second days of the election period, with information about the special ballot. Ten days before election day, we sent another reminder to the media about the impending deadline for registering to vote by special ballot.

As part of our outreach efforts to Canadians temporarily residing outside Canada, we introduced an e-mail service providing information about registering and voting by special ballot. The text was supplied to 102 multinational corporations, 7 non-governmental organizations, the Canadian International Development Agency (110 employees), the Canadian Institutes of Health Research (250 funded students) and the Natural Sciences and Engineering Research Council of Canada (600 funded students). These companies and organizations could copy the message to Canadian citizens known to them who were based outside of the country.

In addition, the “I’m Mailing My Vote!” flyer (which explains voting by special ballot) was included with 135,000 federal government cheques sent to Canadians living abroad. Through co-operative arrangements with 23 airport authorities, the “I’m Mailing My Vote!” poster and flyers were displayed in high-traffic areas in airports across the country, with the aim of informing Canadians travelling inside or outside Canada about the option of voting by mail.

Before and during the election, application forms and guides were available across the country, through Canadian High Commissions, embassies and consular offices around the world, and on the Elections Canada Web site. Electors could request the applications in person from a returning officer, or by telephone, fax, e-mail, courier or regular mail, or could download the form and guide in English or French from the Web. During the election, 29,971 special ballot application forms were downloaded.



Airports across Canada displayed information on voting by mail.

Local and national voting

Across Canada, 191,469 electors requested ballots under the Special Voting Rules in their own electoral districts. Of those, 189,654 returned their ballots before the prescribed deadline.

Elections Canada undertook a youth-oriented initiative in co-operation with Canada Post Corporation. This involved identifying 158 post offices near university campuses, and arranging for assistance to be available to electors who wished to complete application forms for special ballots. Applications were sent daily, by courier, to the Special Voting Rules Administrator in Ottawa. After approving the application for registration, we sent a special ballot voting kit to the elector's mailing address indicated on the application form. The number of young electors who used this service fell short of expectations; one reason may be that the election fell at a time when the student population had dispersed for the summer. We will assess the cost-effectiveness of conducting this initiative in the future.

Elections Canada issued special ballots to 31,005 national electors (people away from their own ridings), and 21,236 returned them by the deadline. Additional resources were deployed to contact electors who did not provide proof of identity or required information with their application for registration and special ballot. This resulted in a substantial decline in the number of ballots received after the deadline, to 495. In comparison, of the 33,679 national electors who had requested special ballots in the 37th general election, 2,422 returned their ballots after the deadline.

International voting

On January 8, 2004, we sent a letter and a notice to more than 14,000 electors temporarily residing outside Canada whose names were already in the international register of electors, requesting that they verify the information on file for them. This was

Voting in isolated places

The flexibility of the special ballot allows Elections Canada to accommodate electors in some of the most remote and isolated places in Canada.

- In British Columbia, a special ballot coordinator flew to 23 lighthouses to help electors working there to register and vote.
- In Alberta, special ballot coordinators flew to several fire lookout stations accessible only by helicopter to register and allow electors to vote on location.
- In Labrador, two election officers flew into the Voisey's Bay Project for two days so that more than 150 construction workers could vote where they were by special ballot. This was also done for two diamond mines in the Northwest Territories and a gold mine in Nunavut.
- We co-operated with shipping companies in the Great Lakes to enable more than 346 crew members, who were in transit during the campaign, to register and vote by special ballot. After the application form and the lists of candidates were sent to ships electronically, crew members completed the applications and faxed them to Ottawa with the proper identification documents. Once the applications for a particular ship were processed, we packaged special ballot voting kits and sent them to the ship. Crew members then completed and returned the ballots.

done to ensure that electors would receive a special ballot voting kit promptly and at the correct mailing address when the election was called. As a result of this initiative, only 391 of the 11,719 ballots issued were received after the deadline, compared with 1,598 of the 19,230 ballots issued at the 37th general election.

Since 1993, as a partner of Elections Canada, Foreign Affairs Canada has provided, through diplomatic missions and consular offices, information about the right to vote and the electoral process. It has distributed registration forms and guides, responded to enquiries about registration and voting procedures, made the names of confirmed candidates available to electors, and received completed registration forms and special ballots for forwarding to Ottawa.

A Canadian abroad can ask a diplomatic mission to send the completed registration form to Elections Canada by fax, use the mission as the delivery address to receive a special ballot voting kit, and get notice from the mission when it arrives. On June 10, Foreign Affairs Canada sent the list of confirmed candidates for all electoral districts to each mission. Electors could call or visit the missions to find out who the candidates were.



Out-of-country electors were entitled to return their completed ballots to any Canadian High Commission, embassy, consular office or Canadian Forces base in time for them to reach Elections Canada in Ottawa no later than 6:00 p.m. Eastern Time on June 28, 2004. Diplomatic missions sent the ballots to Ottawa as they received them by the next diplomatic classified bag; missions not using this service were given diplomatic courier runs for forwarding ballots. Consular offices headed by honorary consular officers forwarded the ballots by commercial courier to their supervising missions, which forwarded them to Ottawa.

For the past three federal elections, the Passport Office has also assisted Elections Canada by making registration forms and guides, information flyers and posters available in 28 passport offices across Canada.

Daily throughout the election period, ballots cast by voters temporarily residing abroad arrived in Ottawa by diplomatic bag or courier.

Canadian Forces voting

Members of the Canadian Forces can vote in a general election by special ballot wherever they are stationed. When they enlist, members of the Forces complete a form indicating their address of residence. Their vote is counted in the federal electoral district where that address is located.

There were 62,436 registered electors in the Canadian Forces during the 38th general election, serving in 1,046 units in Canada and abroad. They cast 22,344 ballots.



Voting in acute care hospitals

Patients in acute care facilities, inside or outside their electoral districts, were able to vote using the special ballot.

Elections Canada contacted all acute care hospitals, explaining the procedures for voting and asking for co-operation in helping patients to vote. Returning officers also arranged with local hospital administrators for special ballot voting. The returning officers designated one hospital special ballot coordinator for every 200 acute care beds.



Like these troops serving in Afghanistan, electors in the Canadian Forces voted by special ballot where they were stationed.

The hospital special ballot coordinators visited hospitals to register every eligible patient who wished to vote. These included local electors (electors in facilities in their own electoral districts) as well as national electors (electors hospitalized outside their own electoral districts).

A total of 5,808 hospitalized national electors registered to vote.

By law, this service cannot be provided after the sixth day before election day.

Voting in correctional institutions

The Supreme Court of Canada's decision in *Sauvé v. Canada (Chief Electoral Officer)* on October 31, 2002, made all incarcerated electors, regardless of the length of their sentences, eligible to vote under the Special Voting Rules. The Chief Electoral Officer

adapted sections 246 and 247 of the *Canada Elections Act* to extend the voting process to federal institutions.

Members of the Canadian Association of Elizabeth Fry Societies, the John Howard Society of Canada and other persons who are generally well perceived by the inmate population are invited to act as election officers inside penitentiaries. Liaison officers in provincial and federal correctional institutions posted notices about the election and registered the electors.

An incarcerated elector's electoral district is ordinarily determined by the address of residence or the place where the elector had personal ties before incarceration – not by the location of the institution where the elector is incarcerated.

A polling station was set up in each institution, and inmates voted on June 18, 2004. Voters handed their completed ballots to the deputy returning officer, who forwarded them to Ottawa for counting.

Of the 36,378 incarcerated persons in Canada who were eligible to vote, 9,635 registered and 9,250 cast ballots. In federal institutions, 13,198 inmates were eligible to vote and 5,189 registered. In provincial institutions, 23,180 inmates were eligible to vote and 4,446 registered.

Using Special Voting Rules to preserve the right to vote

Subsection 17(1) of the *Canada Elections Act* empowers the Chief Electoral Officer to adapt the provisions of the Act to address an emergency, an unusual or unforeseen circumstance, or an error. In several instances during the 38th general election, some electors' right to vote was in jeopardy. The Chief Electoral Officer therefore adapted provisions of the Special Voting Rules to preserve their right to vote. For details, see Table 14.

Overall results

More electors voted using the Special Voting Rules in the 38th general election than in the 37th. Table 13 shows the number of special ballots cast by local, national and international voters in the 37th and 38th general elections.

Answer to question 5

By a convention of English common law, women were excluded from the right to vote. Despite this, in the late 18th and early 19th centuries, women voted in many parts of Canada. In 1820, for example, a citizen of Trois-Rivières wrote, "Here women vote just as men do, without discrimination." Gradually, however, all of the original colonies passed legislation denying the vote to women, and these statutory provisions were entrenched in the *British North America Act* in 1867.

Within a decade after Confederation, the women's suffrage movement had taken root in the new Dominion of Canada. Its first successes were at the provincial level, with Manitoba leading the way: women there gained the right to vote in January 1916.

The first Canadian women sanctioned by law to vote in a federal election were the "Bluebirds" – some 2,000 military nurses serving in the war effort, who cast ballots in the 1917 general election. In 1918, Parliament passed the *Act to confer the Electoral Franchise upon Women*, giving Canadian women the same voting rights as men in federal elections. Women exercised their rights in the 1921 general election – the first open to all Canadian men and women of at least 21 years of age.

Table 13 • Special Voting Rules – comparison between the 37th and 38th general elections

| | Election | Electors on the lists | Valid ballots | Rejected ballots | Total ballots cast | Voter turnout | Ballots received late |
|---|-------------|-----------------------|----------------|------------------|--------------------|---------------|-----------------------|
| GROUP 1 | | | | | | | |
| Canadian Forces | 37th | 57,082 | 18,733 | 297 | 19,030 | 33.34% | 50 |
| | 38th | 62,436 | 21,912 | 432 | 22,344 | 35.79% | 79 |
| Incarcerated* | 37th | 23,116* | 4,881 | 307 | 5,188 | 22.44% | 0 |
| | 38th | 36,378* | 8,824 | 426 | 9,250 | 25.43% | 0 |
| International | 37th | 19,230 | 7,446 | 254 | 7,700 | 40.04% | 1,598 |
| | 38th | 11,719 | 7,482 | 254 | 7,736 | 66.01% | 391 |
| Total | 37th | 99,428 | 31,060 | 858 | 31,918 | 32.10% | 1,648 |
| Total | 38th | 110,533 | 38,218 | 1,112 | 39,330 | 35.58% | 470 |
| GROUP 2 | | | | | | | |
| Local (includes local electors in acute care hospitals) | 37th | 149,223 | 135,789 | 2,276 | 138,065 | 92.52% | N/A** |
| | 38th | 191,469 | 187,257 | 2,397 | 189,654 | 99.14% | N/A** |
| National (includes national electors in acute care hospitals) | 37th | 33,679 | 24,928 | 1,035 | 25,963 | 77.09% | 2,422 |
| | 38th | 31,005 | 20,536 | 700 | 21,236 | 68.49% | 495 |
| Total | 37th | 182,902 | 160,717 | 3,311 | 164,028 | 89.68% | 2,422 |
| Total | 38th | 222,474 | 207,793 | 3,097 | 210,890 | 94.79% | 495 |
| Grand total | 37th | 282,330 | 191,777 | 4,169 | 195,946 | 69.40% | 4,070 |
| Grand total | 38th | 333,007 | 246,011 | 4,209 | 250,393 | 75.14% | 965 |

* These figures represent the approximate number of individuals in correctional institutions at the time of the election in 2000 and 2004.
 The total number of electors who registered to vote by special ballot in 2000 was 5,521 and 9,635 in 2004.
 **The number of local ballots received late is not available.

Adaptations during the 38th general election

There were 14 adaptations made during the 38th general election.

Table 14 • Adaptations to the *Canada Elections Act* – 38th general election, 2004

| Section of the <i>Canada Elections Act</i> | Purpose of adaptation |
|--|---|
| ss. 246 and 247 | To enable federal prisoners to vote |
| s. 93 | To provide the 308-district list of electors to registered parties |
| s. 277 | To cancel special ballots where electors were directed to vote in a returning office in the wrong electoral district |
| s. 190 | To enable Canadian Forces members in remote or inaccessible locations to vote |
| ss. 64(2)(a) and (b) | To remove the street address of a candidate and of an official agent from the list of grant of poll, for reasons of security |
| ss. 107(2), 159, 160 and 176 | To allow the issuance of transfer certificates to voters who were advised to vote at the wrong polling station |
| s. 274.1 | To enable voters to cast a second vote where party affiliations were confused (first special ballots to not be counted) |
| s. 169 | To enable electors who were registered in the wrong polling division to register in the correct polling division for advance polling |
| s. 151 | To allow the photocopying of ballots on polling day due to insufficient ballots |
| s. 252 | To set aside outer envelope where incarcerated electors have not complied with place of ordinary residence requirement |
| Division 4 of Part 11 | To allow hospital voters who voted by the Special Voting Rules and were included in the wrong electoral district to recast their ballots |
| s. 122 | To establish a polling station in an adjacent polling division of an electoral district due to threat of forest fire |
| s. 133 | To address the issue of a central polling place for polling divisions in New Westminster–Coquitlam having been established, in error, outside that electoral district |
| s. 235, Division 4 of Part 11 | To allow an elector to vote in the returning office on polling day, where a special ballot kit never reached the elector in question |

Advance voting

Advance voting is another option for Canadians who are unable to get to their polling stations on election day. Across Canada, 2,702 polling sites were open on June 18, 19 and 21, 2004.

Any elector whose name was not on the revised lists could register with the deputy returning officer to vote at the advance polling station. A total of 1,248,469 valid votes were cast at the advance polls. In 2000, 775,157 valid votes were cast at advance polls.

Voting on election day

At 8:30 a.m. Newfoundland Time on June 28, the first election day polls opened in Newfoundland and Labrador – while it was still 4:00 a.m. in British Columbia. In each of Canada's six time zones, the polls were open for 12 hours.

Voting hours staggered by time zone across the country were first instituted for the 1997 general election, so that the polls would close, and the results be known, at approximately the same time nationally.

On election day, the names of 22,295,670 electors were on the official lists. The lists also indicated which electors had already received a special ballot or voted at the advance polls. Confirmed candidates each received a copy of the official lists for their electoral districts. Any elector not on the list for his or her address could register at his or her polling station with valid identification showing name, address and signature.

The official lists were used on election day in 14,925 poll locations (representing 59,514 polling stations) and 3,172 mobile poll locations (representing 1,110 polling stations) across the country. On average, every electoral district had 197 polling stations, each serving a polling division with an average of 352 electors.

By the time the polls closed across the country, some 764,000 additional voters had registered, bringing the total number on the final lists to 22,466,621.

Late opening of some polling stations

Of the 59,514 stationary polling stations and 1,110 mobile polling stations open on election day, Elections Canada was informed that 56 polling stations in 13 electoral districts did not open on time. Many of these opened within an hour of the appointed time, but 35 polling stations opened up to four hours late. In one electoral district, a polling location was shut down for 20 minutes, affecting 13 polling stations. In each case, the Chief Electoral Officer immediately asked the returning officers concerned to report on the factors that contributed to the delays. In 12 electoral districts, the returning officers provided reports on the events.

- Five returning officers reported incidents involving election officers who did not arrive or were late for duty: four electoral districts in Quebec (Jonquière–Alma, Louis-Saint-Laurent, Marc-Aurèle-Fortin and Pontiac) and one in British Columbia (Nanaimo–Cowichan).
- In the electoral district of Charlesbourg (Quebec), a deputy returning officer suffered a sudden illness and had to be replaced by a stand-by deputy returning officer.

- In Verchères–Les Patriotes (Quebec), a ballot box was delivered to the wrong polling site and time was needed to make the transfer.
- In Vancouver East (British Columbia), a mobile poll opened late because the returning officer had difficulty in printing proper official lists; the situation was quickly rectified.
- In Nunavut, spring weather conditions rendered the delivery of election material to one polling station impossible, affecting 20 potential electors. However, no electors had registered at this polling division before election day, and so the polling station remained closed.
- In the electoral district of Papineau (Quebec), election workers refused to work in a windowless location. The returning officer succeeded in relocating the polling site to another part of the building. The seven polls affected opened 40 minutes late.
- In the electoral district of Scarborough–Agincourt (Ontario), nine polling sites (housing a total of 35 polling stations) opened late.
- In the electoral district of Cariboo–Prince George (British Columbia), a fire alarm sounded at a polling site with 13 polls. The location was evacuated for 20 minutes after the opening of the polls.



A total of 13,683,570 Canadians voted in the 38th general election.

Handling election day registration

Striving for the best possible lists of electors, our goal is for all electors who show up to vote on election day to already appear on the official list of electors. However, deputy returning officers must be ready to serve electors who want to vote but are not on the list. At the close of the revision period, we had projected that some 800,000 voters would need to register on election day. Extra registration officers were in place in electoral districts identified as likely to have high volumes of registrations; overall, we were prepared for 1.3 million registrations at the polls.

By the time the polls closed on election day, some 764,000 registrations had been processed at the polls. This means that 6.3 percent of ordinary and mobile poll voters had to register before casting a ballot. This represents a significant improvement over the corresponding figures for the 2000 general election, when returning officers processed 1,049,000 registrations on election day, which means that 8.8 percent of voters had to register before casting a ballot.

Counting the ballots

At Elections Canada in Ottawa, staff on election day conducted the last counts of the special ballots that had arrived during the day. Meanwhile, at the close of the polls in each electoral district, ballots cast during the day were being counted at the polls in the presence of witnesses. The results were called in to the returning officer.

On receiving the results, the office of the returning officer entered them into the Event Results System (ERS), a software package that captures poll-by-poll results. A report was also automatically transmitted to the Web site and to the media.

The ERS was used to enter the unofficial results on election night and the official results when the returning officer validated them after election day. A module of the ERS was used to tabulate and distribute to each returning officer the results of the special ballots received from national, international, Canadian Forces and incarcerated electors, which had been counted in Ottawa.

The deputy returning officer must reject a ballot in any of the following cases:

- it has not been supplied for the election
- it is not marked
- it is marked with a name other than the name of a candidate
- it is marked for more than one candidate
- there is any writing or mark on it by which the elector could be identified

Nationally, 118,868 ballots were rejected, or barely over 0.9 percent of the 13,683,570 cast – compared with 139,412 (slightly over 1 percent) in the 37th general election.

Preliminary results on election day

Preliminary election results were posted on the Web site starting from 10:00 p.m. Eastern Time on June 28, 2004. This was when the last polling stations closed in British Columbia and Yukon, at 7:00 p.m. Pacific Time. The Web site showed live results, with a choice of five views:

- results for individual electoral districts (by province or territory, electoral district name or postal code)
- results grouped by major urban centres
- results by province or territory
- national results by party
- results for nine party leaders

Up to four sets of results could be displayed at one time. Each view tracked the number of valid votes and percentage of votes by party, the number of polls reporting and the total number of polls, and the number of registered electors (excluding those who registered on election day) and the preliminary voter turnout.

After election day

For most observers, the media reports of election night results marked the end of the 38th general election. However, returning officers would need to remain available for the validation of results, the return of the writs, the recounts, any contested elections, post-election dealings with candidates and their official agents, reporting on the administration of the event in their electoral districts (including completing a Report of Proceedings), returning material to Elections Canada in Ottawa, and closing their offices.

Validation of the results

Because of the possibility of errors in transcription and addition, the results compiled and reported on election night are considered preliminary only, and must be verified during the validation process. Results confirmed during this validation process are the official results used to declare a candidate elected, unless a judicial recount is requested.

The returning officers and assistant returning officers conducted the validation of the results after election day. As the validated results sent by each returning officer were received in Ottawa, they were posted on the Web and the validation date was indicated. These results included the number of valid ballots, rejected ballots and total ballots cast, as well as the number of valid votes by candidate.

The validation cannot take place until all ballot boxes have been returned from the polling stations; if one ballot box is missing, the validation of the results is adjourned until all boxes are received. The delay cannot exceed a maximum of two weeks beyond the original seven days permitted by law. Candidates were advised of any postponements, since they or their representatives may witness the validation. If there is no such representation, the returning officer must designate two qualified electors to witness the proceedings. A total of 15 adjournments occurred. Some validated results were posted on the Web site as early as June 29, 2004. The last ones were posted on July 10, 2004.

**Table 15 • Adjournments of validation of the results –
38th general election, 2004**

| Province or territory | Electoral district |
|---------------------------|--|
| Newfoundland and Labrador | Bonavista–Exploits |
| Nova Scotia | Cape Breton–Canso |
| Quebec | Alfred–Pellan, Manicouagan |
| Ontario | Algoma–Manitoulin–Kapusking, Haldimand–Norfolk, Kenora |
| Saskatchewan | Palliser |
| Alberta | Yellowhead |
| British Columbia | Nanaimo–Cowichan, Newton–North Delta, Prince George–Peace River, Vancouver Island North |
| Northwest Territories | Western Arctic |
| Nunavut | Nunavut |

In the electoral district of Nunavut, the statement of the vote and the ballots for Arctic Bay (poll 4) could not be located for the validation. Validation was done from the telephone tally sheet, which is filled out for each poll on election night as the results are telephoned to the office of the returning officer. The missing statement and ballots were eventually found on July 22, 2004, in material the returning officer sent to Elections Canada in Ottawa to complete the validation. The missing statement confirmed the results reported on election night.

Recounts

Within four days of the validation of the results, if the number of votes separating the first- and the second-place candidates is less than 1/1000 of the total votes cast in an electoral district, the *Canada Elections Act* stipulates that the returning officer must apply for a judicial recount. In other circumstances, any elector may make an application to a judge for a recount within the time prescribed.

Judicial recounts of the ballots were conducted in six electoral districts after election day. In one case, the recount was automatic. In five electoral districts, where the margin between the first two candidates exceeded 1/1000 of the votes cast after the validation of the results, the candidate who came in second requested a recount. In all cases where a recount was conducted, the leading candidate following the validation of results was confirmed as elected.

In the electoral district of Jeanne-Le Ber (Quebec), after validation of the results, a recount was automatically called for. The Liberal Party of Canada candidate, Liza Frulla, had a majority of 35 votes (less than 1/1000 of the 46,304 valid votes cast) over the Bloc Québécois candidate, Thierry St-Cyr. The recount was completed on July 6, 2004, and increased the majority won by Liza Frulla to 72 votes.

In Edmonton–Beaumont (Alberta), the Liberal Party of Canada candidate, David Kilgour, had a majority of 131 votes over the Conservative Party of Canada candidate, Tim Uppal. Following a judicial recount completed on July 7, 2004, the difference between the two candidates was 134 votes.

In Cambridge (Ontario), the Conservative Party of Canada candidate, Gary Goodyear, had a majority of 228 votes over the Liberal Party of Canada candidate, Janko Peric. Following the judicial recount completed on July 7, 2004, the difference between the two candidates was 224 votes.

In Western Arctic (Northwest Territories), the Liberal Party of Canada candidate, Ethel Blondin-Andrew, had a majority of 52 votes over the New Democratic Party candidate, Dennis Bevington. The judicial recount began on July 19, 2004, and continued on July 20, 2004, but was terminated at the request of the applicant before it could be completed. Following the partial recount, the difference between the two candidates was 53 votes.

In New Westminster–Coquitlam (British Columbia), the Conservative Party of Canada candidate, Paul Forseth, had a majority of 114 votes over the New Democratic Party candidate, Steve McClurg. The judicial recount, held on July 12, 2004, was terminated at the request of the applicant. Following the partial recount, the difference between the two candidates was 113 votes.

On July 5, a recount was requested in Regina–Lumsden–Lake Centre (Saskatchewan), where the Conservative Party of Canada candidate, Tom Lukiwski, had a majority of 122 votes over the Liberal Party of Canada candidate, Gary Anderson. The recount was terminated on July 9 at the request of the applicant.

Return of the writs

In each electoral district, the candidate who obtains the most votes is not officially elected until the returning officer for the district declares that person the winner of the election. Six clear days after the validation of the results (that is, on the seventh day, unless a recount was held), the returning officer completes the form printed on the back of the writ, known as the “return of the writ” – the official declaration of the election of the candidate who obtained the largest number of votes. In the case of a recount, before declaring a candidate elected, the returning officer has to wait for a certificate from the judge, setting out the number of votes cast for each candidate.

The returning officer then sends a copy of the return of the writ to each candidate, and returns the writ itself – and all other election documents – to the Chief Electoral Officer. In the order that he receives each writ, the Chief Electoral Officer records them and then publishes the names of the elected candidates in the *Canada Gazette*. The last writ was received by the Chief Electoral Officer on July 20, 2004.

At the 38th general election, of the 308 elected candidates, 101 were new members, 201 were sitting members at the 37th Parliament, and 6 were former members. Of the members elected, 65 were women and 243 were men. Table 16 shows the final number of seats won by each party after election day, compared with standings in the House of Commons at the dissolution of Parliament on May 23, 2004.

Table 16 • Number of seats in the House of Commons, by political affiliation

| Political affiliation | At the dissolution of Parliament, May 23, 2004 | After election day, June 28, 2004 |
|---|---|--------------------------------------|
| Liberal Party of Canada | 168 | 135 |
| Conservative Party of Canada ¹ | 73 | 99 |
| Bloc Québécois | 33 | 54 |
| New Democratic Party | 14 | 19 |
| Canadian Action Party | – | 0 |
| Christian Heritage Party | – | 0 |
| Communist Party of Canada | – | 0 |
| Green Party of Canada | – | 0 |
| Libertarian Party of Canada | – | 0 |
| Marijuana Party | – | 0 |
| Marxist-Leninist Party of Canada | – | 0 |
| Progressive Canadian Party | – | 0 |
| Independent/No affiliation | 9 | 1 |
| Vacant | 4 | – |
| Total | 301 | 308² |

¹ After the 2003 by-elections, the Canadian Reform Conservative Alliance and the Progressive Conservative Party of Canada merged to form the Conservative Party of Canada. The Chief Electoral Officer registered the Conservative Party of Canada on December 7, 2003.

² The Representation Order of 2003 came into force at the first dissolution of Parliament that occurred after March 31, 2004.

Contested elections

An elector or a candidate in a particular electoral district may apply to a court specified in the *Canada Elections Act* to contest an election in that district. Applications may be brought within a specified time and only on the grounds that the elected candidate was not eligible to be a candidate, or that irregularities, fraud, or corrupt or illegal practices affected the result of the election. Applications may not be brought on the grounds for which a judicial recount may be requested.

Applications were brought to contest elections in two electoral districts in Saskatchewan. On July 23, 2004, Dick Proctor, the candidate who came in second place in the electoral district of Palliser, brought an application to contest the election before the Saskatchewan Court of Queen's Bench alleging irregularities affecting the results of the election in that district. On July 30, 2004, Gary Anderson, the candidate who came in second place in the neighbouring electoral district of Regina–Lumsden–Lake Centre also brought an application to contest the election in his district on the same grounds as those alleged by Dick Proctor.

The Court was supplied with copies of the relevant electoral documents without delay, and Mr. Justice Barclay thanked Elections Canada for their speed in making these documents available. After nearly a month of reviewing electoral documents, the applicants were unable to find any evidence to support their claims. Both applications were withdrawn on September 7, 2004, leaving unchanged the results of the elections in Palliser and Regina–Lumsden–Lake Centre.

Final lists of electors

On June 28, 2004, a total of 22,295,670 elector names appeared on the official lists used at the polls. As a result of information gathered on election day, new registrants were added and duplicates were removed in order to create the final lists of electors; the final lists contain 22,466,621 elector names.

The number of votes cast was 13,683,570, including advance polls, SVR voters, and ordinary polling day as well as rejected ballots. This results in a final turnout rate of 60.9 percent.

A comparison of the elections in 2000 and 2004 shows a 5.3 percent increase in votes cast, the first increase in the number of votes cast in more than 10 years. However, apparent turnout has again declined, due mainly to an 8.7 percent growth in the Register between 2000 and the start of the 2004 election, as compared to a 4 percent growth in the overall electoral population during the same period. Efforts to register as many eligible electors as possible have resulted in the addition of people traditionally hard to engage: youth and previously unregistered electors.

An in-house analysis of youth registration and turnout is being conducted to assess the impact of the several youth initiatives developed over the past two years. Using the lists of electors in a random sample of polling divisions selected from electoral districts in every province and territory, it is possible to estimate the rate of turnout by age group. The results of this study show that the turnout rate for first-time electors [18 to 21½ years old] was 38.7 percent for the 2004 election. While this appears to be a significant increase over the rate of youth turnout at the 2000 election, which was reported to be 25 percent for those



aged 18–24, it should be noted that in light of the different methodologies employed, direct comparisons between the two studies cannot be made.

Enforcement

By early October 2004, 398 complaints related to the 38th general election had been brought to the attention of the Commissioner of Canada Elections. Among these, 312 cases have been resolved and 86 remain open, with investigations underway. The complaints most frequently reported to the Commissioner relate to:

- failure to indicate the authority for election advertising
- electors voting more than once
- conducting election advertising on election day
- failure of third parties to register with respect to election advertising
- prevention or impairment of election advertising

At the same time, the new financial provisions of the Act brought about by Bill C-24 accounted for an additional 113 complaints. Most of these dealt with the failure to provide the nomination contest report within the prescribed time limits. Of these cases, 107 have been resolved and 6 remain open.

More offences may be reported. A prosecution for an offence must be instituted within 18 months after the day on which the Commissioner became aware of the facts giving rise to the prosecution, and not later than seven years after the day on which the offence was committed.

In connection with the 38th general election, the Commissioner has entered into three compliance agreements to the date of this report. He is reviewing all instances of non-compliance and may enter into additional compliance agreements with contracting parties.

As the cases progress, updated statistics on complaints, investigations and prosecutions appear in the Chief Electoral Officer's periodic reports and publications, as well as on the Elections Canada Web site.

Reimbursements and election expenses

Within three weeks of election day, Elections Canada issued the initial reimbursement cheques for election expenses to the 844 candidates who were elected or who received 10 percent or more of the valid votes cast in their electoral districts; these constituted about 50 percent of all candidates. The average reimbursement was \$11,762.59. Final reimbursements are expected to be made after receipt of the candidates' electoral campaign returns (due no later than October 28, 2004, unless the Chief Electoral Officer grants an extension for valid legislative reasons) and after the Chief Electoral Officer is satisfied that the reporting requirements of the Act have been met.

Payments to election workers

Approximately 160,000 payments were made to advance poll and election day workers; delivery was efficient, with 88 percent of the payments processed within 10 days after election day, and 99 percent within two weeks. This is a significant improvement over the 37th general election.

Payments were issued every two weeks to the returning office workers across the country. Some 72 percent opted for direct deposit to their bank accounts, speeding up the payment process.

Analysis and Planning

3

"I run the only poll that matters."

Jean-Pierre Kingsley

Chief Electoral Officer of Canada

*In response to a question dealing with public opinion polls
at his press conference on June 25, 2004*

Elections Canada is committed to the continuing process of electoral reform that has helped earn Canada its reputation around the world as a model of electoral democracy.

A large amount of preparatory work is done before—sometimes years before—an election call. In addition to maintaining a constant state of readiness for all kinds of electoral events, we respond to legislative change and initiate new means to make the electoral process more accessible and transparent.

Some of the initiatives we are undertaking are required by statute. Others are in response to emerging issues and trends related to the electoral process.

Follow-up – and preparation

Unseen by the general public, the amount of follow-up work after election day is impressive. The end of one election cycle must overlap the readiness planning and implementation for the next event. The tasks that follow a general election include restocking material; paying suppliers; auditing candidate, political party and third party reports; investigating and possibly prosecuting offences under the *Canada Elections Act*; dealing with staff turnover, both in the field and in Ottawa; training new returning officers; and embarking on post-mortem analyses with a view to improving existing programs and developing new ones.

Follow-up surveys

Elections Canada has taken part in research and evaluation surveys to measure public opinion on various election-related issues, to assist in evaluating and refining its programs and services to the electorate, and to develop the Chief Electoral Officer's recommendations to Parliament.

The results of these reports will provide valuable information on the successes and achievements of these new programs, as well as identifying areas for improvements, and may be useful in helping interested non-governmental organizations refine their educational tools for the next general election.

General survey of electors

Following a competitive tendering process, EKOS Research Associates was selected to conduct a survey to evaluate public opinions, attitudes and knowledge of Elections Canada's services and various aspects of the electoral process, including individuals' experience of the election.

The survey was carried out between June 29 and July 12, 2004, with a representative sample of 2,822 electors across Canada. In keeping with our research objectives, a representative over-sample of 660 Aboriginal respondents was surveyed. This was made up of both on- and off-reserve residents, with an emphasis on urban dwellers.

Analyses of the survey results to be conducted later in the fall of 2004 will focus on voter participation, and particularly on youth and Aboriginal participation.

2004 Canadian Election Study

Elections Canada contributed to the 2004 Canadian Election Study (CES), an essential academic study of Canadian elections. We have partnered with the CES since the 1997 general election. The CES conducts three successive surveys of a single group of respondents:

- 1) campaign period survey: 30-minute telephone interviews with an initial sample of 4,325 Canadian electors, conducted throughout the campaign period (May 23 to June 28, 2004)
- 2) post-election survey: 30-minute telephone interviews conducted in the weeks following election day with as many of the original respondents as possible
- 3) mail-back questionnaire: a printed questionnaire sent to all those who responded to the post-election survey

Final results are expected during the fall of 2004 and will be added to the analyses of the general survey of electors.

Answer to question 6

All Canadians who are at least 18 years of age on election day have the right to vote in a general election, with one exception: the Chief Electoral Officer of Canada.

But this was not always the case. Throughout our history, Canadians have been denied the franchise for a variety of reasons, whether racial, religious or administrative.

In 1982, the adoption of the *Canadian Charter of Rights and Freedoms* provided new grounds for challenging the last restrictions to universal franchise. The right to vote became a constitutional right for all Canadian citizens, subject only to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

In 1988, citing the Charter's guarantee of the right to vote, a court ruling struck down sections of the *Canada Elections Act* that prevented judges from voting. The decision overturned a ban that had been in place since 1874. It allowed about 500 federally appointed judges to cast ballots in the 1988 election, and the Act was amended in 1993.

Legislative and administrative changes since the 1980s have led to greater access to voting for persons with disabilities, but it was not until 1993 that Parliament allowed persons with a mental disability to vote.

Prisoners had not been allowed to vote since 1898, but a decision of the Federal Court of Appeal allowed prisoners to vote in the 1992 federal referendum. In 1993, Parliament upheld disenfranchisement only for prisoners serving sentences of two years or more (those in federal institutions). In 2002, the Supreme Court of Canada decided that this last restriction was a breach of the Charter. All prisoners who otherwise met the criteria were eligible to vote for the first time in a general election in June 2004.



The official voting results
for the 38th general election
held on June 28, 2004, are available
on the Elections Canada Web site at
www.elections.ca.