



# Report of the Chief Electoral Officer of Canada

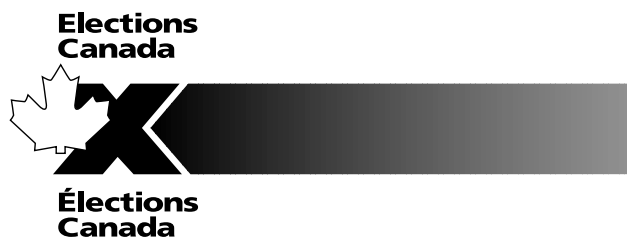
*Following the  
Sherbrooke  
By-Election*





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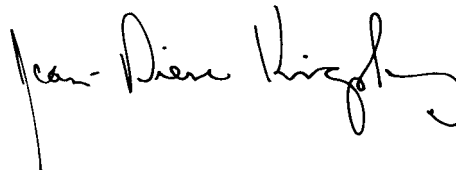
Dear Mr. Speaker:

I have the honour to submit this report, which covers the administration of my Office since the publication of the last report and, more specifically, the administration of the Sherbrooke by-election held on September 14, 1998. The report is submitted in accordance with subsection 195(1) of the *Canada Elections Act*, R.S., c. E-2, within sixty days after the return to the writ of by-election.

According to subsection 195(3) of the Act, this report shall forthwith be submitted by the Speaker to the House of Commons.

Preliminary information has been included on the results of the by-election, together with an account of the events. The official voting results will be published at the end of the year, in accordance with paragraph 193(b) of the Act.

Yours truly,



Jean-Pierre Kingsley

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# Foreword

This report to the Speaker of the House of Commons, following the by-election in the electoral district of Sherbrooke on September 14, 1998, provides details of the by-election and of Elections Canada's activities since the Port Moody–Coquitlam by-election in March 1998.

Although just six months elapsed between the two by-elections, there was a great deal of activity at Elections Canada, much of it looking toward the future of electoral administration in Canada. I refer in particular to the report of the Standing Committee on Procedure and House Affairs on electoral reform, as well as initiatives arising from the committee's review, such as the committee of political parties established to advise the Chief Electoral Officer. We have already held three meetings, and I look forward to many more productive sessions.

In addition, Elections Canada continues to improve its administration of electoral events, helped by the information we gather through surveys and post-mortems after all such events.

The National Register of Electors is now into the maintenance phase of its existence. This year was the first time tax filers were asked on their tax returns to agree to Revenue Canada supplying their names, addresses, and dates of birth to Elections Canada to update the Register. Four out of five tax filers gave their consent, significantly higher than the 70 percent success rate projected.

Elections Canada continues to explore opportunities to share the data in the Register with other jurisdictions to produce lists of electors. This important area holds much promise to extend the cost savings of the National Register of Electors to other jurisdictions, to the benefit of all Canadian taxpayers. I have been working with my provincial and territorial counterparts on this use of the Register and will be continuing these discussions when Elections Canada hosts next year's Conference of Canadian Election Officials.

As we move closer to 2000, Elections Canada continues to prepare its computer systems for this event. As described in this report, a plan has been developed and is being implemented.

Elections Canada has also been busy over the summer developing a new strategic plan to guide our organization into the next century. Over the past five years, we have made progress in all the key results areas identified in our first strategic plan: quality service, professionalism, parliamentary support, community awareness, innovation and improvement, and international services.

When the strategic plan was first published in 1994, we made a commitment to review it periodically to ensure that it remains relevant to the evolving needs of our stakeholders. The new strategic plan is the result of such a review and sets out a vision to take Elections Canada into the 21st century.

Jean-Pierre Kingsley





# Elections Canada: Activities since the last report

## Follow-up to the 1997 general election and the March 1998 by-election

### *Update on complaints of alleged offences under the Act*

At the time of writing, the Commissioner of Canada Elections had received 346 complaints alleging an offence under the *Canada Elections Act* related to the 36th general election (June 2, 1997). The files on 280 of these have been closed. The Commissioner consented to 17 prosecutions for voting when not qualified, fraudulent conduct at the poll, and defacing election signs. Three of these cases are before the courts. Where the evidence is sufficient, and an intervention would be in the public interest, prosecution must commence within 18 months of the date of the alleged offence.

Only one complaint of an alleged offence against the *Canada Elections Act* was brought following the Port Moody–Coquitlam by-election of March 30, 1998. This file has been closed.

With regard to the 36th general election, the deadline has expired for filing a written complaint alleging an offence. Even where no complaint has been received, however, the Commissioner can still proceed with prosecution on his own initiative, for example, upon verification of the expenses of candidates and registered political parties. The Elections Canada Web site contains data on convictions under the *Canada Elections Act* related to the 1993 general election.

### *Reviewing financial returns*

Elections Canada continues to follow up on issues concerning the financial returns of candidates and political parties participating in the 1997 general election.

### *Evaluating the general election*

Results of a new and comprehensive internal post-mortem process, instituted after the 1997 general election, are being analyzed to determine the feasibility, impact, and appropriateness of implementing recommendations emerging from the process. Recommendations requiring legislative changes, together with recommendations from other post-electoral evaluations, will be brought to the attention of parliamentarians.

## Legal issues

### *Amendments to legislation*

Two laws received royal assent on June 11, 1998. The first, Bill C-411, *An Act to amend the Canada Elections Act* (1998, c. 18), amends parts of sections 222 to 238 dealing with the financial returns of candidates. The amendments allow the Chief Electoral Officer to authorize the late filing of a candidate's election return, or to correct a filed return, and the receipt and payment of a claim after the time specified in the Act. This means candidates will not need to apply to a court for permission in these matters. An authorized excuse from a judge will be required only upon the Chief Electoral Officer's refusal. The amendments came into effect on June 16, 1998, following publication of a notice in the *Canada Gazette*, in accordance with subsection 331(1) of the Act.

The second piece of legislation, Bill C-39, *An Act to amend the Nunavut Act and the Constitution Act, 1867* (1998, c. 15), amends the *Electoral Boundaries Readjustment Act* and the *Constitution Act, 1867* to take into account the creation of the territory of Nunavut in 1999. The amendment entitles Yukon, Nunavut, and the Northwest Territories to one seat each in the House of Commons, thus pre-empting the need to establish an electoral boundaries commission in each of these territories. These amendments will come into force only at the creation of Nunavut.

Bill C-410, *An Act to change the name of certain electoral districts* (1998, c. 27), received royal assent on June 18, 1998. As a result, the names of 19 electoral districts, as described in the 1996 Representation Order, have been changed. This is in addition to the 22 electoral district name changes in Bill C-347, *An Act to change the names of certain electoral districts* (1996, c. 36), which received royal assent on December 18, 1996.

Under subsection 331(2) of the *Canada Elections Act*, these amendments were consolidated, and a notice was published in the *Canada Gazette* on August 17, 1998. The consolidation is now available in printed form as well as on Elections Canada's Web site.

### ***Court decision on opinion polls***

On May 29, 1998, the Supreme Court of Canada ruled, in *Thomson Newspapers Co. v. Canada (Attorney General)*, that section 322.1 of the *Canada Elections Act*, which prohibits the release of opinion poll results from midnight of the Friday before polling day until the close of polls, was unconstitutional. The Court was of the opinion that this section, introduced in 1993, restricted freedom of expression as guaranteed by section 2(b) of the *Canadian Charter of Rights and Freedoms* and that the restriction was not justifiable under section 1 of the Charter.

## **The National Register of Electors**

The National Register of Electors is now into the maintenance phase of its existence. Between general elections, the Register database must be kept as accurate and up-to-date as possible, so that it is ready at any time to generate reliable preliminary lists of electors for federal general elections, by-elections, and referendums. The current quality level of data is consistent with the projections developed during Elections Canada's research and feasibility study. Projected cost savings are being exceeded.

As a measure of its success, the Register team was awarded the APEX (Association of Professional Executives of the Public Service of Canada) Award for

Leadership in Service Innovation for 1998. The award, which was presented at a ceremony on May 27, 1998, recognizes the team's achievement in producing a significant improvement in service for Canadian electors by applying new developments in information technology to develop a "better, more cost-effective and convenient way to manage the electoral process."

### ***Maintaining the Register***

As part of maintaining an accurate and up-to-date Register, agreements have been reached with federal and provincial/territorial sources of data. At the federal level, the first year of the active consent initiative with Revenue Canada was very successful. Four out of five tax filers agreed to have their name, address, and date of birth forwarded to Elections Canada, significantly greater than the 70 percent forecast. Tax filers will be asked for their consent each year. A similar agreement has been reached with Citizenship and Immigration Canada to allow prospective citizens to indicate their authorization for Elections Canada to add their names to the Register once citizenship is granted.

Agreements have been negotiated with the Directeur général des élections du Québec and Elections British Columbia to use data from the permanent electors lists in those provinces. In addition, agreements have been signed with all provinces and territories for the provision of vital statistics data and, with the exception of Alberta (which is currently in negotiation), for driver's licence data.

The Register is also maintained through elector outreach activities. Among initiatives either planned or in progress are outreach to new citizens, to potential new electors who have just turned 18, and to electors for whom information appears to be incorrect or missing.

In addition, electors may request to opt out of the Register entirely, or to opt out of sharing data with other jurisdictions. Since June 1997, 725 electors have requested the former, 42 the latter.

### ***Sharing Register data***

Elections Canada continues to pursue opportunities to share data from the National Register of Electors

with other electoral jurisdictions in Canada. Sharing data in this way saves taxpayers money by eliminating costly enumerations. A special meeting was held in March 1998 with provincial and territorial chief electoral officers to explore sharing data, technology, and expertise.

For example, data from the Register has been used most recently to produce preliminary lists of electors for municipal elections in New Brunswick, which were held May 11, 1998. At last count, Elections Canada had supplied data from the National Register of Electors to almost 50 jurisdictions at the provincial, territorial, municipal, and school board levels. Further, Elections Canada is pursuing two-way data sharing agreements. For example, major initiatives are underway with Ontario and Newfoundland that could result in their using data from the National Register of Electors for upcoming provincial and municipal elections. In return, the provinces would provide Elections Canada with revised elector information following their event to help maintain the Register's accuracy. Such an agreement is already in place with the City of Winnipeg for their next municipal election. In this case, Elections Canada has provided Register data in exchange for revised lists.

Security of data in the National Register of Electors remains a paramount concern for Elections Canada. As part of this commitment, Elections Canada has put in place an internal working group to refine its policy on the collection, retention, and disclosure of personal information. This policy will cover the sharing of information in the National Register of Electors and set out the position of Elections Canada regarding this issue as well as the limits to such sharing. This working group is the result of discussions with the Chief Electoral Officers' Working Group on Sharing Initiatives held in March 1998.

## **Maintaining electoral readiness: Information technology**

Elections Canada is developing a system to replace ECAPLE (Elections Canada Automated Production of Lists of Electors), the current system for field revision of electors lists. The new system, REVISE, will be

year-2000 compliant and will allow on-line updating of all lists of electors during an electoral period.

Year 2000 compliance continues to be an Elections Canada priority for all its computer systems, so that it can respond to an electoral event at any time without disruption. Over the past several months, Elections Canada staff have been reviewing key areas, and work has begun on converting all affected systems to a state of year 2000-readiness. An assessment and strategy to remedy mission-critical applications was completed by March 1998, and additional work to investigate non-mission-critical applications is expected to be complete in the fall of 1998.

Elections Canada continues to make other advances in automating electoral administration. It is involved in creating a permanent Returning Office Technology Centre at its national headquarters in Ottawa. The purpose of the Centre is to ensure fast, accurate, and consistent deployment of Returning Office Automation tools and technology to all 301 returning offices during national events and to facilitate introduction of new technology in the offices of returning officers. Once operational, the Centre will assist Elections Canada with the logistical challenge of being ready to deploy technology infrastructure within 48 hours of an event being called.

## **Relations with Parliament and political parties**

### ***Electoral reform: Report of the Standing Committee on Procedure and House Affairs***

The Standing Committee on Procedure and House Affairs released its report on the *Canada Elections Act* on June 18, 1998. The report summarizes the Committee's review of the Canadian electoral system, which was undertaken following the Chief Electoral Officer's report on the 36th general election and his appearance before the Committee on November 20, 1997. The Committee's report considers recommendations by the Chief Electoral Officer arising from the 35th and 36th general

elections, as well as those made by members of Parliament, registered political parties, and the Royal Commission on Electoral Reform and Party Financing.

In undertaking its review of the Canadian electoral system and of the *Canada Elections Act*, the Committee invited parliamentarians and registered political parties to submit briefs, and it held meetings with members of Parliament and representatives of political parties. Elections Canada staff provided expert assistance to the Committee during this phase of their review.

The Committee examined in detail various issues related to the Canadian electoral system, among them registration of electors, voting, candidates, political parties, election administration, advertising, and election financing. Its objective throughout was to ensure full participation, transparency, and fairness. The Committee provided its views to the Government on each of the issues under examination.

The Committee explicitly excluded from its review issues before the courts as well as those that would entail constitutional amendments or that would represent fundamental changes in the Canadian political system.

Under Standing Order 109, the Committee has requested that the Government table a comprehensive response to its report. Elections Canada will continue to provide advice and support to the Committee in this connection.

### ***Advisory committee of political parties***

Elections Canada has established an advisory committee to bring together representatives of registered political parties and Elections Canada officials. This step was recommended to the Standing Committee on Procedure and House Affairs during hearings related to the Committee's report on the *Canada Elections Act*. The Chief Electoral Officer agreed with the recommendation and put in place logistical arrangements for meetings to be held every two months.

This advisory committee to the Chief Electoral Officer is a forum for sharing information, fostering

good working relationships, and resolving administrative issues that do not require legislative change but that may have an impact on parties and candidates. It will also help identify the needs of the registered political parties relating to new systems and procedures.

The committee is chaired by the Chief Electoral Officer, with representatives from Elections Canada available as technical experts as required. To date, three meetings have been held, and it is intended that meetings will continue to be held every two months during the committee's first year.

### **Technology in voting**

A study of *Technology and the Voting Process*, commissioned by Elections Canada, was submitted in May 1998 and distributed to members of the Standing Committee on Procedure and House Affairs. The study was intended to review the impact of information technology on the voting process. Specifically, the study assessed the feasibility of increasing the accessibility of the voting process during federal electoral events through the use of the telephone, Internet, or voting kiosks. One of the key findings underscored the need to ensure that any new methods of casting ballots complement, not replace, current voting methods (at polling stations or by mail).

The study outlined possible next steps, including pilot projects and further research. The Standing Committee supported further study by Elections Canada but wished to be involved in the planning and design of these projects.

### **Public outreach**

Elections Canada continues to update and improve its Web site to provide Canadians with information about the electoral process. Most recently, Elections Canada added a segment dedicated to the National Register of Electors. It provides further information on the benefits of the Register and explains how the Register is maintained.

The Federal Electoral Legislation and Federal Referendum Legislation were also made available on the site. In addition, a new search engine allows users to do a keyword search of the site.

Data from candidates' election expenses returns for the 36th general election are also available on-line now. This first electronic compilation is intended mainly for research. A future version, which will let users retrieve information more easily, will be published on the Web site in December 1998. This document is expected to prove invaluable as a research tool.

Voter education remains a priority for Elections Canada. In May, the Chief Electoral Officer released Elections Canada's new interactive CD-ROM, *Exploring Canada's Electoral System*. The CD-ROM was produced to enable young Canadians to learn more, in a new and entertaining way, about voting in Canada and is being made available for use in classrooms across the country. *Exploring Canada's Electoral System* received an Award of Merit from the Association for Media and Technology in Education in Canada (AMTEC) in June 1998.

Elections Canada's new corporate brochure, *Canada's Electoral System*, released in July 1998, gives readers a glimpse of Canada's parliamentary system of government, highlights milestones in its electoral history, and examines the behind-the-scenes administrative machinery that supports and ensures access to the voting process.

Both initiatives received special mention in the awarding of a Certificate in "Best Printed Materials" category for Elections Canada's display booth at the conference of the International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT), held in Florida in July 1998.

## **International activities**

Elections Canada maintains contact with electoral organizations around the world to exchange information and learn from each others' experiences. As well, Elections Canada works with the Department of Foreign Affairs and International Trade and the Canadian International Development Agency to provide technical and professional assistance to other countries.

As part of its five-year bilateral technical co-operation agreement with Mexico's Instituto Federal Electoral (IFE), Elections Canada participated

in a Trilateral Conference (Canada, Mexico, and the United States) on External Voting, held in Mexico City on September 2-3, 1998. The purpose of the conference was to study in detail the approaches and experiences of Canada and the United States in organizing and regulating external voting programs for their citizens and to examine the experiences of other countries in organizing and regulating similar programs for their citizens residing in Canada and the United States. The conference was also intended to support the work of a group of Mexican experts who are currently preparing a proposal for legislation on this issue.

Elections Canada also sent three electoral experts to Cambodia on a five-month technical assistance mission for legislative elections held there on July 31, 1998. A voter education and electoral management expert, an electoral logistics expert, and an electoral legal expert were on-site to provide assistance and professional advice to facilitate understanding and the management of a fair, free, transparent, and credible electoral process.

Closer to home that same month, Elections Canada hosted the IVth Conference of the Inter-American Union of Electoral Organizations (UNIORE). This two-day conference involved senior officials representing electoral agencies from North, Central, and South America. Its purpose was to discuss current issues of common interest among electoral authorities and to reflect on the very real challenges facing electoral institutions. The theme of the conference was "Intercontinental Consultation: The Search for Constructive and Innovative Options", and discussions focused on the financing of political parties and candidates and on preventing and resolving electoral conflict.

As well, as part of its role in providing information on Canada's electoral system, Elections Canada has welcomed representatives of the following nations to its offices since March 1998: Benin, Burkina Faso, Gabon, and Russia (the Yeltsin Democracy Fellowship Program).

Elections Canada is also participating in the production of the first-ever electronic encyclopedia of elections. The Administration and Cost of Elections

(ACE) Project is an initiative of the International Institute for Democracy and Electoral Assistance (IDEA), the International Foundation for Election Systems (IFES), and the United Nations Department of Economic and Social Affairs (UNDESA).

The *ACE Encyclopedia* is a milestone contribution to the strengthening of the democratic process. It will give election administrators, legislators, bilateral and multilateral assistance agencies, and academics around the world analytical and comparative texts and good-practice examples for use in organizing, supporting, or studying free and fair elections.

The *ACE Encyclopedia* will be available to the public free of charge on the Internet in late 1998.

## Threat and risk assessment

Elections Canada is currently undergoing an Information Technology Threat and Risk Assessment Review to permit senior management to make informed decisions on security issues that could affect Elections Canada's ability to carry out its mandate. The review will also help ensure that areas of preventable unacceptable risks are avoided and will allow upcoming Business Resumption Planning activities to focus on creating recovery plans for risks that cannot be prevented and can only be mitigated through recovery processes.

## Setting a path for the future: The second strategic plan

Work is well underway in developing a second strategic plan for Elections Canada. This plan will build on Elections Canada's first strategic plan, created in October 1994, and will cover the period from 1999 to 2003. Executive managers and staff held several workshops over the summer to review the accomplishments of the past four years and to determine the vision for the future and where the organization's key efforts should be concentrated.

The review examined the key trends affecting Elections Canada – whether external, such as changing demographics, an evolving legislative environment, and the rapid development of technology, or internal, such as the increasing complexity of demands placed on staff and returning officers, the adoption of new business processes, and changing management practices.

The new strategic plan sets goals for three key results areas: service, performance improvement and innovation, and organizational development. As well, for the first time, the strategic plan articulates a vision statement for Elections Canada. Distribution of the finalized plan should take place in December 1998.

# The Sherbrooke by-election

On May 1, 1998, the Honourable Jean Charest, leader of the Progressive Conservative Party of Canada and Member of Parliament for Sherbrooke, resigned his seat in the House of Commons. On August 9, 1998, the Governor in Council announced that the by-election to replace Mr. Charest would be held on September 14, 1998.

Upon this announcement, the Chief Electoral Officer issued a writ to the returning officer for Sherbrooke, directing him to hold a by-election. Table 1 provides an overview of the important milestones between the calling of a by-election and the return to the writ.

**Table 1**  
**Key dates for the September 1998 by-election in Sherbrooke**

Date	Election calendar day	Event
May 1		Member of Parliament for Sherbrooke, the Honourable Jean Charest, resigns
August 9	Day 36	Issue of writ; preparations made to open the office of the returning officer
August 9 to 15	Days 36 to 30 (midnight)	Advertising blackout period for political parties
August 11	Day 34	Proclamation published – candidates can file nominations
August 12	Day 33	Preliminary list of electors produced; revision of list of electors begins
August 21	Day 24	Targeted revision begins
August 19 to 21	Days 26 to 24	Mailing of notices of Confirmation of Registration to all registered electors
August 24	Day 21 (2 p.m.)	Close of nomination of candidates
September 3	Day 11	Revised list of electors distributed
September 4, 5 and 7	Days 10, 9 and 7	Advance polls
September 8	Day 6 (6 p.m.)	Revision and special ballot registration ends
September 11	Day 3	Official list of electors distributed
September 13 and 14	Days 1 and 0	Advertising blackout period for political parties
September 14	Day 0	Election day
September 15	Day -1	Official addition
September 22	Day -8	Return to the writ

## Communicating with electors

An important part of Elections Canada's task in the Sherbrooke by-election, as in all electoral events, was to generate awareness – among the general public, political parties, candidates, and the media – of the by-election and of the key dates in the election period.

The principal means of communicating with the general public was a householder, or pamphlet, sent to all residences in the electoral district within days of the issue of the writ. This short publication provided basic information, including the name and phone number for the office of the returning officer, information about the National Register of Electors, and details on how to have names added, or corrected, on the list of electors. It also gave information on deadlines for the return of special ballots, key dates for advance polls, procedures for registering and voting on election day, and the residency requirements for voting in a by-election. It also stressed the importance of keeping the notice of Confirmation of Registration until election day.

The notice, which arrived several days after the householder, provided details of where and when electors could vote, including the many alternatives that Elections Canada provides for electors unable or unwilling to go to their local polling station on election day. According to research undertaken by Elections Canada in Sherbrooke, this is the one piece of information found most useful by electors; 79 percent of electors in Sherbrooke remembered receiving it, and three-quarters of those remembered the information it contained.

The notices of Confirmation of Registration for the Sherbrooke by-election were produced directly in a camera-ready format by the returning officer, working from the SITES database – an automated database of addresses of all polling sites for advance and regular polls maintained by Elections Canada. This pilot project eliminated the need for the printer to enter and typeset the information, reducing both the possibility of errors and the amount of time needed to produce the cards.

All material was produced in both official languages. Census data revealed no ethnocultural or Aboriginal communities whose numbers would warrant translating basic information into other languages. However, key information was made available in alternative formats, including Braille, large print, and audio cassette, for those who required it.

Print advertisements were run in daily and community newspapers on two occasions. The first ad ran at the beginning of the revision period to explain how to have a name added to or corrected on the list of electors. The second ran a week before election day to remind electors that their polling station location was printed on their notice of Confirmation of Registration, and that they could register to vote at the poll. The advertisements were developed based on the campaign used in the last general election.

Elections Canada also worked closely with local media to ensure that residents had necessary information, supplying a media information kit containing the launch news release, the householder, an electoral district profile, and a calendar of key dates. In addition, the kit contained background information on a variety of topics, ranging from the electoral process and the role of Elections Canada, to the Special Voting Rules, the National Register of Electors, and elections expenses and contributions.

Over the course of the 36-day campaign, Elections Canada issued 10 news releases highlighting key deadlines, election day reminders, and clarification of what the media could and could not report on the weekend preceding election day.

The Sherbrooke by-election posed a particular challenge because of the presence of five colleges and universities in the electoral district. To be eligible to vote, electors had to have their place of ordinary residence in the electoral district by the 33rd day before election day, or August 12, 1998. Most students were not eligible to vote in the by-election, as they generally had not arrived on campus at that early date. Nonetheless, Elections Canada distributed some 2 300 brochures explaining voting procedures to students living in residences and set up an information booth at the Université de Sherbrooke



to ensure students were aware of residence requirements for voting. No problems ensued concerning this matter.

A special by-election segment was also established on Elections Canada’s Web site. The list of official candidates, the electoral district map, the address and telephone number of the office of the returning officer, and the Election Handbook for Candidates, Their Official Agents and Auditors were included in this segment, along with general information on the voting process and voting by mail-in ballot. On election night, results were posted on this Web page as they became available.

As well, Elections Canada Enquiries Unit staff were available to answer questions and distribute information to electors. The unit received 310 phone requests over the course of the campaign.

## Revising the list of electors

Once again, data from the National Register of Electors were used to produce the preliminary list of electors for the Sherbrooke electoral district. This was the Register’s second use in a by-election. Before the list was generated, the portion of the Register applicable to the district was updated to reflect the removal of deceased electors and those who requested to opt out of the Register.

Residents of Sherbrooke who were eligible to vote but whose names were not on the preliminary list of electors, or those whose name and/or address were incorrect, were advised to contact the office of the returning officer to obtain a registration form or correct the error.

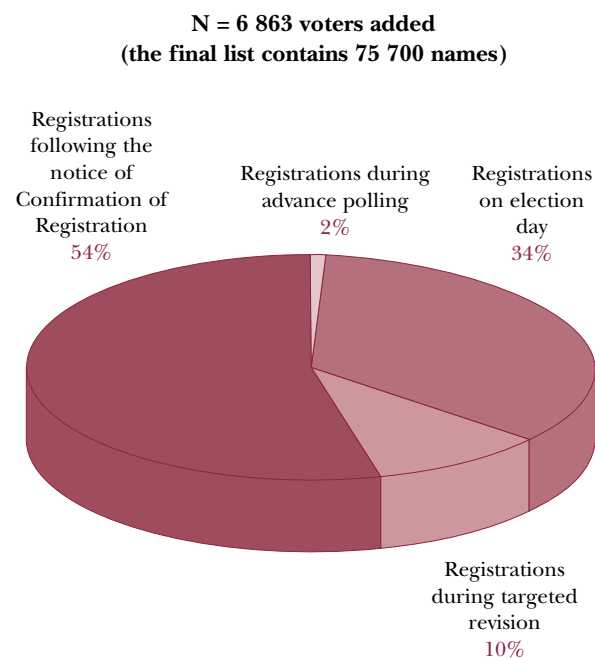
As in the Port Moody–Coquitlam by-election, those wishing to have their names added to the list of electors could do so by supplying their name, address, gender, signature, previous address, and date of birth. Further identification was required only if this information could not be corroborated with information already in the National Register of Electors. This process was aided by the use of the Elector Search Utility (ESU), a confidential, secure, and bilingual system that permits electoral officials to

search for pertinent registration information. First used in the Port Moody–Coquitlam by-election, the ESU was updated for the Sherbrooke by-election.

With the advent of the National Register of Electors, Elections Canada has modified its procedures for revising the list of electors, intensifying revision activities in specific areas of an electoral district as needed. This activity is referred to as targeted revision. For the Sherbrooke by-election, Elections Canada undertook a targeted revision to add the names of electors from new housing developments and high-mobility areas to the preliminary list of electors. Agents distributed 168 kits to new housing developments and another 1 505 kits to areas of high mobility, such as high-rise apartment buildings. As well, revising agents went to institutions such as long-term care facilities to revise the list to include those residents eligible to vote and not already on the preliminary list of electors. As a result of these three initiatives, 677 electors were added to the list.

Figure 1 shows the percentage of electors registered by each method of registration.

**Figure 1**  
**Methods of registration,**  
**September 1998 by-election in Sherbrooke**



The period for revision of the preliminary list of electors lasted from August 12, three days after the writ was issued, until September 8, six days before election day. Changes to the list of electors during this 28-day period and the number of electors on the final list of electors, including those who registered at their polling stations on election day, are recorded in Table 2.

## Voting in the by-election

A total of 37 027 electors cast their ballot in the Sherbrooke by-election. The majority voted on election day, September 14, 1998, at one of the 210 polling stations located throughout the electoral district. Polling stations were open from 9:30 a.m. to 9:30 p.m. Eastern Daylight Time.

**Table 2**  
**List of electors revision transactions<sup>1</sup>**

Lists of electors	Number of electors	Revision schedule	Corrections	Additions	Deletions	Net result
Preliminary list <sup>2</sup>	74 793	Day 33 to day 11	149	3 581	4 702	- 1 121
Revised list <sup>3</sup>	73 672	Day 10 to day 6	21	932	624	+ 308
Official list <sup>4</sup>	73 980	Election day	247	2 350	630	+ 1 720
Total transactions	—	Day 33 to day 6 election day	417	6 863	5 956	+ 907
Final list	75 700 <sup>5</sup>					

<sup>1</sup>Excluding lists of electors voting by special ballot outside Canada, in detention centres or as members of the Canadian Forces.

<sup>2</sup>The preliminary list is prepared at the beginning of the electoral period with data extracted from the National Register of Electors.

<sup>3</sup>The revised list is produced so that voting can be held at advance polling stations.

<sup>4</sup>The official list is produced so that voting can be held at regular polling stations on election day.

<sup>5</sup>This figure corresponds to the final list, prepared as soon as possible after the election.

**Table 3**  
**Polling sites**

### Location of polling sites

Building types	Number of sites	Percentage
Community centre	2	5%
Educational	5	12%
Retirement home	19	46%
Church hall	9	22%
Hospital	2	5%
Recreation centre	2	5%
Commercial site	2	5%
<b>Total</b>	<b>41</b>	<b>100%</b>

### Types of polling stations

Ordinary	Mobile	Advance	Total
204	6	9	<b>219</b>

### Polling station accessibility

Total number of polling stations	Accessible polling stations	Percentage
219	219	100%

For those unable to vote on election day, advance polls were held on September 4, 5 and 7. Table 3 provides details about polling places.

As is always the case during elections or by-elections, residents of the electoral district unable to vote at the advance or ordinary polls, as well as residents who were travelling or residing outside Canada temporarily, could vote by special mail-in ballot under the Special Voting Rules. Canadians abroad were notified of their opportunity to cast a ballot in the by-election by the Department of Foreign Affairs and International Trade through its diplomatic missions and consular posts. Soldiers posted to Canadian Forces bases, whether inside or outside Canada, were informed of their right to vote by the Department of National Defence (please see Table 4).

As well, persons in institutions, including hospitals and correctional facilities, were permitted to vote in the by-election under the Special Voting Rules. Registration and voting in acute care hospitals was held on September 7 and 8. To facilitate special voting in correctional facilities, information kits were supplied to the John Howard and Elizabeth Fry societies.

Voter turn-out was 48.7 percent, compared to 36.0 percent for the Port Moody–Coquitlam by-election and 73.5 percent for the Sherbrooke electoral district in the June 1997 general election. Preliminary statistics on the number of ballots cast by all means are presented in Table 5.

**Table 4**  
**Registrations under the Special Voting Rules**

Categories of electors asking to vote under the Special Voting Rules	Number of ballots requested
<b>Group 1<sup>1</sup></b>	
Members of the Canadian Forces	301
Incarcerated electors	63
Electors residing outside Canada temporarily	37
<b>Group 1 subtotal</b>	<b>401</b>
<b>Group 2<sup>2</sup></b>	
Electors temporarily outside their electoral districts	0
Electors voting in their electoral districts	342
<b>Group 2 subtotal</b>	<b>342</b>
<b>Total number of registrations</b>	<b>743</b>

<sup>1</sup>The three lists of electors registered under group 1 of the Special Voting Rules are separate from the list that is revised during an election.

<sup>2</sup>The electors registered under group 2 of the Special Voting Rules are also entered on the revised list of electors.

**Table 5**  
**Preliminary statistics on the number of ballots cast and voter turnout, September 1998 by-election in Sherbrooke**

Number of electors on final list	Ordinary polls	Advance polls	Special Voting Rules	Total votes cast	Rejected ballots	Total valid votes	Voter turnout <sup>2</sup>
76 101 <sup>1</sup>	34 058	2 582	387	37 028	582	36 446	48.66%

<sup>1</sup> This figure includes electors on the National Register of Electors (please see Table 2), as well as electors registered under group 1 of the Special Voting Rules (please see Table 4).

<sup>2</sup> Voter turnout is the ratio (expressed as a percentage) of the total number of electors who voted (including those whose ballots were rejected) to the number of electors on the final list established after election day.

## The candidates and by-election results

The deadline for the nomination of candidates was 2 p.m., Eastern Daylight Time, on August 24; 5 p.m. was the deadline for withdrawal or for making corrections to information on candidates' nomination papers. Eight candidates were nominated for the by-election, representing seven political parties. One candidate ran as an independent. Once nominations were closed, lists of candidates were transmitted to Canadian diplomatic missions and consular posts by the Department of Foreign Affairs and International Trade and to Canadian Forces bases by the Department of National Defence and were posted on the Elections Canada Web site.

On election night, the returning officer's Election Results System was linked to Elections Canada's central computer; as votes were counted,

they were transmitted to the Ottawa server for posting on the Web site.

Bloc Québécois candidate Serge Cardin received the most votes and was elected Member of Parliament for Sherbrooke (please see Table 6).

Of the eight candidates, only the two who received more than 15 percent of votes cast were eligible for reimbursement of part of their deposit and of their election expenses.

Finally, the Chief Electoral Officer has forwarded allegations of irregularities surrounding the Sherbrooke by-election to the Commissioner of Canada Elections for his review. Under the *Canada Elections Act*, where there are reasonable grounds to believe that an election officer may have committed an offence against the Act, the Chief Electoral Officer can direct the Commissioner to make such inquiry as appears to be called for in the circumstances.

**Table 6**  
Preliminary statistics on valid votes cast, September 1998 by-election in Sherbrooke

Candidate	Political affiliation	Valid votes obtained	Percentage
Archambault, Robert	Progressive Conservative Party of Canada	2 303	6.31
Bolduc, Marcel	Reform Party of Canada	934	2.56
Bousquet, Jacques	The Green Party of Canada	254	0.69
Cardin, Serge*	Bloc Québécois	16 143	44.29
Goulet, Sébastien	New Democratic Party	720	1.97
Lachapelle, Serge	Marxist-Leninist Party of Canada	72	0.19
Pouliot, Robert Y.*	Liberal Party of Canada	15 923	43.68
Turmel, John C.	Independent	97	0.26
<b>Total</b>		<b>36 446</b>	<b>100.00</b>

\* Having obtained at least 15 percent of the valid votes cast, these candidates were eligible for partial reimbursement of their deposit and election expenses.

## Improving the administration of electoral events

As part of efforts to ensure that all electoral events are administered in the most efficient manner possible, several members of Elections Canada's staff visited the office of the returning officer during the by-election period to observe and to provide advice as required.

In addition, Elections Canada surveyed all deputy returning officers (DROs) involved in the Sherbrooke by-election. The objectives of the survey, which was conducted on election day, were to assess the usefulness and appropriateness of the materials provided to poll officials; gather information on services to electors at polling stations that is not readily available to election administrators; assess whether the role of candidates' agents (scrutineers) at the polls is fully understood by all concerned and whether candidates exercise their right to be represented; and assess the quality of the training DROs received.

The survey questionnaire was used as a pilot project in this by-election. Once evaluated, it will be adapted for use in future by-elections to give Elections Canada a first-hand account of what goes on at polling stations.

## Conclusion

This report fulfils the statutory obligation of the Chief Electoral Officer to report on the Sherbrooke by-election. This by-election, as with the Port Moody-Coquitlam by-election, gave Elections Canada an opportunity to test new developments in the automation of election administration, in preparation for the next general election.