

**MEMORANDUM OF UNDERSTANDING
BETWEEN
ELECTIONS CANADA
AND
NATURAL RESOURCES CANADA,
(Centre for Topographic Information)**

This memorandum of understanding (MOU) between Elections Canada (EC) and the Centre for Topographic Information (CTI) from Natural Resources Canada (NRCan) aims at providing the right to EC to distribute to its national stakeholders, for electoral purposes, electoral data spatially referenced on, and including the National Topographic Data Base.

BACKGROUND

Elections Canada, its National Stakeholders and its Other Stakeholders

Elections Canada is the non-partisan agency responsible for the conduct of federal elections and referendums.

Elections Canada's national stakeholders consist of such individuals and organizations as:

- members of Parliament, political parties, candidates during a federal electoral event;
- federal electoral boundaries commissions; and
- provincial and territorial electoral agencies.

EC's other stakeholders include municipal electoral agencies, school boards, as well as other organizations using an electoral process.

The National Geographic Database

Elections Canada is working on a joint initiative with Statistics Canada (STC) to build a national road network - the National Geographic Database (NGD) - based on features from NRCan's National Topographic Data Base. Upon completion of the project, both organizations will have a spatial database that is ready to support their respective business layers, the subsequent processes required to prepare their next event, as well as load the data into a common repository.

Center for Topographic Information

CTI has the mandate to establish and update the National Topographic Data Base (NTDB) which covers the entire country. This data base contains information found on topographic maps, such as rail and road networks, rivers and lakes, elevation data, buildings and urban areas, and forest areas. The NTDB is used to produce maps and has proven to be a valuable resource for users of

geographic information systems (GIS). Such users include organizations responsible for managing our resources, land and environment.

OBJECTIVE

Allow EC to distribute to its national stakeholders electoral data containing features from the NTDB.

GENERAL CHARACTERISTICS OF THE MOU

EC hereby obtains from NRCan the right to use the various NTDB products for its internal operations. This is to be completed through separate agreements that will describe the file names, the number of copies and the required additional information.

For the purposes of this MOU, "modify" means extracting from the NTDB, at the scales of 1:50,000 and 1:250,000 ("Data"), all features except elevation and vegetation features and combining the Data to electoral data. Appendix A lists the Data files concerned in this agreement and may be modified by mutual consent.

EC hereby obtains a perpetual right to modify the Data and license the use of modified copies of the Data in the form of the NGD to its national stakeholders.

EC hereby lets Statistics Canada distribute electoral data, through the MOU STC signed with NRCan to this effect, to users other than EC's national stakeholders.

The number of copies distributed to EC's stakeholders is assessed at 41 for each file of the Data. EC will contact CTI if this figure no longer corresponds to the actual use of the data, so that the agreement may be adjusted by mutual consent.

For these rights in respect of the Data and for the support, EC hereby agrees to pay a one-time payment of \$179,373 to NRCan (CTI).

EC agrees to inform its national stakeholders of the conditions contained in this MOU and obtain their written agreement that they will not copy, sell, loan, lease, distribute or transfer all or any part of the Data to any third party and that the stakeholders will comply with the terms and conditions contained in this MOU.

EC shall impose upon its national stakeholders the same conditions of exclusion of liability and indemnity in favour of Her Majesty the Queen in right of Canada as those contained in this MOU.

EC agrees to mention the NTDB as one of its sources of data for the NGD.

CONDITIONS FOR USE BY EC OF THE NTDB DATA

EC acknowledges that the Data is protected under the *Copyright Act* of Canada and that NRCan is the owner of the proprietary rights in the Data.

EC agrees to license the use of the Data to its national stakeholders solely for electoral purposes and to protect the Data from further copying.

EC shall not sell, loan, lease, distribute, transfer or sublicense the Data or otherwise assign any rights under this MOU to any third party except as outlined in the section above, General Characteristics of this MOU.

The Data is provided on an "as is" basis and NRCan makes no guarantees, representations or warranties respecting the Data, either expressed or implied, arising by law or otherwise, including but not limited to, effectiveness, completeness, accuracy or fitness for a particular purpose.

NRCan shall not be liable in respect of any claim, demand or action, irrespective of the nature of the cause of the claim, demand or action alleging any loss, injury or damages, direct or indirect, which may result from EC's use or possession of the Data. NRCan shall not be liable in any way for loss of revenue or contracts, or any other consequential loss of any kind resulting from any defect in the Data.

EC shall indemnify and save harmless NRCan from and against any claim, demand or action, irrespective of the nature of the cause of the claim, demand or action, alleging loss, costs, expenses, damages or injuries (including injuries resulting in death) arising out of EC's use or possession of the Data.

Jean-Pierre Kingsley
Chief Electoral Officer of Canada

Date

26/06/99

François Faucher, Director General
Centre for Topographic Information
Natural Resources Canada

Date

June 15, 1999

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Appendix A – List of Files

NTDB at the scale of 1:250,000 : 221 files

001K	012I	022G	032B	042F	062K	073B	082O	092G	093P
001L	012P	022H	032C	042G	062L	073C	082P	092H	094A
001M	013F	022I	032D	042H	062M	073D	083A	092I	102I
001N	020O	022J	032E	042I	062N	073E	083B	092J	102P
002C	020P	030L	040G	042P	062O	073F	083C	092K	103A
002D	021A	030M	040I	052A	062P	073G	083D	092L	103B
002E	021B	030N	040J	052B	063B	073H	083E	092M	103C
002F	021E	031B	040O	052C	063C	073J	083F	092N	103F
002L	021G	031C	040P	052D	063D	073K	083G	092O	103G
002M	021H	031D	041A	052E	063E	073L	083H	092P	103H
011D	021I	031E	041G	052F	072E	073M	083I	093A	103I
011E	021J	031F	041H	052G	072F	073N	083J	093B	103J
011F	021K	031G	041I	052H	072G	073O	083K	093C	103K
011J	021L	031H	041J	052J	072H	082E	083L	093D	105D
011K	021M	031I	041K	052K	072I	082F	083M	093E	
011L	021N	031J	041N	052L	072J	082G	083N	093F	
011N	021O	031K	041O	052N	072K	082H	083O	093G	
011O	021P	031L	041P	062E	072L	082I	083P	093H	
011P	022A	031M	042A	062F	072M	082J	085J	093I	
012A	022B	031N	042B	062G	072N	082K	092B	093J	
012B	022C	031O	042C	062H	072O	082L	092C	093K	
012G	022D	031P	042D	062I	072P	082M	092E	093L	
012H	022F	032A	042E	062J	073A	082N	092F	093M	

NTDB at the scale of 1:50,000 : 714 files

001M03	002C04	002M05	011E09	011J04	011L12	012H12	021A09	021E07	021G08
001M04	002C05	002M12	011E10	011K01	011N05	012H15	021A10	021E09	021G09
001M05	002C06	011D05	011E11	011K02	011O10	012H16	021A12	021E10	021G10
001N02	002C11	011D11	011E12	011K03	011O11	012I11	021A14	021E11	021G15
001N05	002C12	011D12	011E13	011K06	012A13	020O16	021A15	021E12	021G16
001N06	002D09	011D13	011F04	011K08	012B08	020P05	021A16	021E13	021H01
001N07	002D13	011D14	011F05	011L02	012B09	020P11	021B01	021E14	021H04
001N10	002D15	011E03	011F06	011L03	012B10	020P12	021B08	021E15	021H05
001N11	002D16	011E04	011F10	011L04	012B16	020P13	021B15	021E16	021H06
001N12	002E09	011E05	011F11	011L05	012G01	021A02	021E03	021G01	021H08
001N14	002E10	011E06	011F12	011L06	012H03	021A06	021E04	021G02	021H09
001N15	002E12	011E07	011F14	011L07	012H04	021A07	021E05	021G03	021H10
002C03	002E13	011E08	011G13	011L08	012H10	021A08	021E06	021G07	021H11

021H12	021N10	022F08	031D09	031H12	032D09	041H01	062E02	073F05	083F05
021H14	021N11	022F14	031D10	031H13	032D11	041H08	062E03	073H04	083F09
021H15	021N12	022G01	031D11	031H14	032D14	041H13	062E12	073H05	083G01
021H16	021N13	022G02	031D12	031H15	032G09	041I03	062F16	073I07	083G08
021I01	021N14	022G15	031D13	031H16	032G16	041I05	062G01	073L07	083G09
021I02	021N15	022J01	031D14	031I01	032J01	041I06	062G09	082E01	083G16
021I03	021O04	022J02	031D15	031I02	040G14	041I07	062G13	082E02	083H02
021I06	021O11	022J03	031D16	031I03	040G15	041I08	062G16	082E04	083H03
021I07	021O14	022J07	031E01	031I04	040I05	041I10	062H04	082E05	083H04
021I09	021O15	022J08	031E02	031I05	040I09	041I11	062H09	082E11	083H05
021I10	021O16	023B15	031E03	031I06	040I10	041I14	062H10	082E12	083H06
021I11	021P03	030L13	031E04	031I07	040I11	041J01	062H11	082E13	083H07
021I12	021P04	030L14	031E05	031I08	040I12	041J02	062H13	082E14	083H08
021I13	021P05	030L15	031E06	031I09	040I13	041J05	062H14	082E15	083H09
021I14	021P06	030M03	031E11	031I10	040I14	041J07	062H15	082F03	083H10
021I15	021P07	030M04	031E12	031I15	040I15	041J08	062H16	082F04	083H11
021I16	021P10	030M05	031E14	031I16	040I16	041J09	062I02	082F05	083H12
021J02	021P11	030M11	031F01	031J01	040J01	041J10	062I03	082F06	083H13
021J03	021P12	030M12	031F04	031J02	040J02	041J12	062I04	082F09	083H14
021J04	021P13	030M13	031F05	031J05	040J03	041K07	062I07	082F11	083H15
021J05	021P14	030M14	031F06	031J06	040J06	041K08	062I10	072G05	083I03
021J12	021P15	030M15	031F07	031J07	040J07	041K09	062L15	082G12	083I04
021J13	022A02	030M16	031F08	031J08	040J08	041K10	062M01	082H10	083J04
021J14	022A03	030N13	031F09	031J11	040J09	041O06	062N01	082I12	083M02
021K13	022A04	030N14	031F10	031J12	040J10	042A01	072E15	082I13	085J08
021L01	022A07	030N15	031F11	031K03	040J16	042A05	072I05	082J09	092B05
021L02	022A08	031B05	031F14	031L02	040O01	042A06	072I06	082J15	092B06
021L03	022A09	031B11	031F15	031L03	040P01	042A07	072I07	082J16	092B11
021L04	022A10	031B12	031F16	031L04	040P02	042A08	072I08	082L02	092B12
021L05	022A11	031B13	031G01	031L05	040P03	042A09	072I09	082L03	092B13
021L06	022A12	031B14	031G02	031L06	040P04	042A10	072I10	082L04	092B14
021L07	022A15	031B15	031G03	031L07	040P05	042A11	072I11	082L06	092C16
021L08	022A16	031C01	031G04	031M05	040P06	042A12	072I14	082L11	092F01
021L09	022B01	031C02	031G05	031M06	040P07	042A15	072I15	082L12	092F02
021L10	022B02	031C03	031G06	031M11	040P08	042E10	072I16	082L13	092F07
021L11	022B06	031C04	031G07	031M12	040P09	042E15	072J05	082L14	092F08
021L12	022B12	031C05	031G08	031M13	040P10	042F04	072L02	082O01	092F10
021L13	022B13	031C06	031G09	031M16	040P11	042G08	072L12	082O02	092F13
021L14	022B14	031C07	031G10	031N13	040P12	042G12	072O09	082O05	092F14
021L15	022C03	031C08	031G11	031N14	040P13	042H03	072O10	082O07	092F15
021L16	022C07	031C09	031G12	031P07	040P14	042P07	072O14	082O08	092G01
021M01	022C08	031C10	031G13	032A08	040P15	052A03	072O15	082O15	092G02
021M02	022C09	031C11	031G14	032A09	040P16	052A04	072O16	082O16	092G03
021M03	022D02	031C12	031G15	032A10	041A01	052A05	072P13	082P03	092G04
021M04	022D03	031C13	031G16	032A15	041A02	052A06	073A04	082P04	092G06
021M05	022D05	031C14	031H01	032A16	041A03	052A10	073A15	082P05	092G07
021M06	022D06	031C15	031H02	032C03	041A04	052A11	073B01	082P06	092G08
021M07	022D07	031C16	031H03	032C04	041A05	052A12	073B02	082P07	092G11
021M08	022D08	031D01	031H04	032C06	041A06	052B13	073B03	083A04	092H04
021M09	022D10	031D02	031H05	032D01	041A07	052E15	073B06	083A05	092H07
021N04	022D11	031D03	031H06	032D02	041A08	052E16	073B07	083A06	092H16
021N05	022D12	031D04	031H07	032D03	041A09	052F14	073B08	083A12	092I02
021N06	022E04	031D05	031H08	032D04	041A10	052F15	073C09	083A14	092I06
021N07	022E05	031D06	031H09	032D05	041A11	052J04	073C16	083A15	092I07
021N08	022E12	031D07	031H10	032D06	041A14	052K11	073D15	083B08	092I08
021N09	022F01	031D08	031H11	032D07	041G16	052N04	073E08	083B09	092I09

092I10	092I15	092K03	093B16	093G15	093L14	093P15	094A07
092I11	092I16	093B01	093G01	093J02	093P09	093P16	103I10
092I14	092J02	093B15	093G02	093L10	093P14	094A02	105D11