

# Canada's Electoral System



# Canada's Electoral System

# How to reach Elections Canada

Elections Canada  
257 Slater Street  
Ottawa, Ontario  
K1A 0M6

Telephone: 1 800 INFO-VOTE (1 800 463-6868)  
toll-free in Canada and the United States,  
001 800 514-6868 toll-free in Mexico,  
(613) 993-2975 from anywhere in  
the world

For people who are deaf or hard of hearing:  
TTY 1 800 361-8935 toll-free in Canada  
and the United States

Fax: (613) 954-8584

Web site: [www.elections.ca](http://www.elections.ca)

This publication is available in alternative formats.

## **National Library of Canada Cataloguing in Publication Data**

*Main entry under title:*

*Canada's electoral system*

*Revised and augmented edition.*

*Text in English and French on inverted pages.*

*Title on added t.p.:*

*Le système électoral du Canada.*

*ISBN 0-662-65352-1*

*Cat. No. SE1-5/1-2000*

*1. Elections—Canada.*

*2. Voting—Canada.*

*I. Elections Canada.*

*II. Titre: Le système électoral du Canada.*

*JL193.C32 2000 324.971 C00-980456-0E*

*© Chief Electoral Officer of Canada, 2000*

*Cat. No. SE1-5/1-2000*

*ISBN 0-662-65352-1*

*ALL RIGHTS RESERVED*

*PRINTED IN CANADA*



# Contents

<b>FOREWORD</b> .....	<b>1</b>
<b>WHY WE VOTE</b> .....	<b>3</b>
<b>THE ELECTORAL SYSTEM</b> .....	<b>5</b>
Representation in the House of Commons	5
First past the post	6
Non-partisan election officers	8
Everyone must have access	9
<b>EVOLUTION OF THE FEDERAL VOTE</b> .....	<b>13</b>
Elections since Confederation	18
Prime Ministers since Confederation	20
<b>ELECTIONS CANADA</b> .....	<b>23</b>
The Chief Electoral Officer	23
The mandate of Elections Canada	24
The organization of Elections Canada	26
The Commissioner of Canada Elections	32
The Broadcasting Arbitrator	32
Returning officers	33
<b>THE ELECTORAL PROCESS</b> .....	<b>35</b>
The National Register of Electors	35
Preparations	37
Election countdown	38
Conducting an election	39
The results	46
Election financing and post-election reports	48
By-elections	51
Referendums	53
<b>LOOKING AHEAD</b> .....	<b>55</b>
<b>SUGGESTED READING</b> .....	<b>56</b>



Photos: Elections Canada



Photo: Library of Parliament



Photo: National Archives of Canada (PA-2279)



# Foreword

Canada's electoral system is the product of a 200-year process by which Canadians have overcome exclusions from the franchise and barriers to voting to achieve a universal, constitutionally entrenched right to vote.

At election time, public attention tends naturally to focus on the excitement of the political campaigns, taking for granted the administrative machinery that surrounds and supports the voting process. And yet the practical mechanisms that ensure access to the franchise – such as multilingual election information, level access at polling stations, mobile polls, special ballots and advance polls – are just as important as the letter of the law in safeguarding the right to vote.

*Canada's Electoral System* is intended to clarify how this administrative machinery works. A simple and flexible resource, it begins with a look at Canada's parliamentary system of government, and some of the milestones in Canada's electoral history. It then takes the reader behind the scenes at Elections Canada, describes what we do, and outlines the election, by-election and referendum processes.

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

Jean-Pierre Kingsley,  
Chief Electoral Officer of Canada

Canada's Electoral System

Canada's Electoral System



Photos: Réflexion Photothèque



# Why we vote

We elect members of Parliament to the House of Commons to make decisions and enact laws on our behalf. Regular elections ensure that Canadians continue to be represented by candidates of their choice. The Constitution sets the maximum duration of a Parliament at five years. However, the government in power may at any time call an earlier election.

## WHO CAN VOTE IN A FEDERAL ELECTION?

*All Canadian citizens at least 18 years of age on election day are eligible to vote, with very few exceptions.*

*To ensure impartiality, the officials responsible for election administration – the Chief Electoral Officer and the Assistant Chief Electoral Officer – may not vote in a federal election. Incarcerated Canadians may not vote if they are serving terms of two years or more.*

*Some residency restrictions apply for electors living outside the country.*



Photo: Elections Canada



Photo: Réflexion Photothèque



Photo: Elections Canada



Photo: Aztech Media Corp.





Photos: Library of Parliament

Canada's Electoral System

Canada's Electoral System



# The electoral system

Canada has a parliamentary system of government, based on that of the United Kingdom. The Canadian federal Parliament consists of the sovereign (represented by the Governor General), an upper house (the Senate), the members of which are appointed by the Governor General on the recommendation of the Prime Minister, and a lower house (the House of Commons), the members of which are chosen by the citizens of Canada through federal general elections.

Elections Canada is the non-partisan agency responsible for the conduct of federal elections, by-elections and referendums. It is headed by the Chief Electoral Officer of Canada.

## Representation in the House of Commons

Representation in the House of Commons is based on geographical divisions known as electoral districts, constituencies or ridings. Each riding elects one member to the House of Commons, and the number of ridings is established through a formula set out in the Constitution. Riding boundaries are established by independent commissions, taking into account population and social and economic links. New commissions are set up following each decennial (10-year) census to make any necessary revisions to existing boundaries, following criteria defined in the *Electoral Boundaries Readjustment Act*. The process of redefining electoral boundaries is called redistribution, and the results are recorded in a representation order. The Representation Order of 1996 set the number of ridings at 301.

## First past the post

Canada's electoral system is referred to as a "single-member plurality" or "first-past-the-post" system. In every electoral district, the candidate with the most votes wins a seat in the House of Commons and represents that riding as its member of Parliament, or MP. This means that candidates need not receive more than 50 percent of the vote (an absolute majority) to be elected.

Any number of candidates may run for election in an electoral district, but each candidate may run in one electoral district only, either independently or under the banner of a registered or eligible political party. Each party may endorse only one candidate per riding. Candidates who run for election without party affiliation may be designated as "independent" or as having "no affiliation."

Photo: House of Commons



*The Governor General gives the Speech from the Throne to open the first session of the 37th Parliament.*

### **POLITICAL PARTIES REGISTERED UNDER THE CANADA ELECTIONS ACT**

#### **NOVEMBER 27, 2000, GENERAL ELECTION**

*Bloc Québécois*

*Canadian Action Party*

*Canadian Reform Conservative Alliance*

*Communist Party of Canada*

*Liberal Party of Canada*

*Marijuana Party*

*Marxist-Leninist Party of Canada*

*Natural Law Party of Canada*

*New Democratic Party*

*Progressive Conservative Party of Canada*

*The Green Party of Canada*

## DIGITIZED MAPPING

*Elections Canada has developed digitized, computer-generated electoral district and polling division maps, which are easy to update and reproduce. Electoral district boundary maps are available in atlas form for each of the 10 provinces. (Since the Northwest Territories, Yukon Territory and Nunavut consist of a single electoral district each, atlases are not needed.) Also available is a set of larger wall maps of each province and two different-sized maps of Canada, all showing electoral district boundaries.*



*Elections Canada produces digitized electoral maps, available on CD-ROM.*

A political party is a group of people who together establish a constitution and by-laws, elect a leader and other officers, and endorse candidates for election to the House of Commons. To obtain the right to put the party name on the ballot, under the names of the candidates it endorses, a political party must register with the Chief Electoral Officer. At the November 27, 2000, general election, there were 11 registered political parties operating at the federal level in Canada.

After an election, the party with the most elected representatives usually becomes the governing party. The leader of this party becomes the Prime Minister and chooses people (usually members of Parliament of his or her party) to head the various government departments. The party with the second largest number of MPs is called the “Official Opposition.” All the elected candidates have a seat in the House of Commons, where they vote on draft legislation (called Bills) and thus have an influence on government policy.

## Non-partisan election officers

Election officers must be politically neutral: they may not favour one political party or candidate over any other. Special precautions ensure that no political leanings can affect the administration of electoral events. All election workers must take an oath to uphold voters' rights and the secrecy of the vote, and to perform their duties without favouritism.

Each candidate can have representatives present on election day during both the voting and the counting of the votes to verify that everything is carried out fairly and properly.

# Everyone must have access

## YOUR VOTE IS SECRET

*Voting in Canada is by secret ballot. The security of the ballot is paramount, and the system makes it impossible to discover how a specific voter has marked her or his ballot. It is, in fact, illegal to intimidate an elector into voting a particular way, or to attempt to force someone to reveal how he or she voted or is going to vote.*

All citizens have the right to a voice in choosing their parliamentary representatives. Canada's electoral law requires the Chief Electoral Officer to inform the public about the system and about individual rights under that system, and to remove obstacles that may make voting difficult for some.

During an election, Elections Canada informs Canadians about their right to vote, how to get on the National Register of Electors and the voters list, and where and how they can vote. Its public information activities include news releases, advertisements in newspapers and on television and radio, brochures, posters, videos, a toll-free telephone enquiries centre, a Web site, and meetings with community and ethnocultural groups.



Between elections, the agency publishes additional background information for the public, keeps its telephone enquiries centre and Web site open to answer questions, and works with educators to encourage young people to vote when they become eligible.

Helping to remove obstacles to voting is an important part of Elections Canada's work. Voters who are not able to vote on polling day can vote at the advance polls. A mail-in special ballot is available for Canadians who are away from their ridings, travelling or temporarily resident overseas. Even Canadians in their own ridings during the election period may use the special ballot if they do not wish to go to a polling station. In special cases, electors with a disability may vote at home, in the presence of an election officer. Mobile polls serve voters living in certain institutions, such as nursing homes for people who are elderly or who have a disability.

## OVERCOMING CANADA'S GEOGRAPHY

### IMMENSE LAND MASS

*Canada's electoral system has evolved in response to the country's geography. Our population, though not large in global terms, is spread over an immense land mass, much of which is accessible only by air, and then not at all times. As a result, some electoral districts are huge and sparsely populated. Nunavut, for example, sprawls over some 3 100 000 square kilometres, and serves just over 21 000 people. In sharp contrast, the smallest electoral district, Laurier–Sainte-Marie in Quebec, occupies only nine square kilometres, but serves a population of over 96 000.*

## WATCHING THE CLOCK

*With voting hours staggered across the country's six time zones, election results are available at just about the same time everywhere in Canada.*



Wherever possible, election officers at polling stations speak both official languages. In addition, a deputy returning officer can appoint and swear in an interpreter to help communicate with a voter.

For voters with special needs, most polling stations provide level access, or voters can get a transfer certificate to vote at a station with level access. Templates are available for voters with a visual disability. On request, a deputy returning officer can help a voter with a disability or a voter who cannot read in any way that will enable the person to vote. A friend or relative can also assist the voter. Elections Canada maintains a toll-free TTY telephone enquiries line for voters who are deaf or hard of hearing.





Photos: National Archives of Canada (PA-43998 and PA-2279)



# Evolution of the federal vote

- 1758** The election of the first legislative assembly in Canadian history was held in Nova Scotia. The right to vote and to be a candidate was limited to Protestant males 21 years of age or older who were landowners. Excluded were all women, Catholics and Jews. Many voters had to travel long distances to cast their ballots; voting took place over several days and on different dates in different ridings.
- 1806** Gradually, the system evolved to incorporate some of the safeguards we have today to ensure fairness. In 1806, limits were placed on how long elected assemblies could stay in power, requiring them to hold regular elections.
- 1867** At the first general election after Confederation in 1867, only a small minority of the population could vote in a country that had only four provinces, represented by 181 members of Parliament. The laws of individual provinces were used to determine who had the right to vote.

*Most Canadians take it for granted that nearly all adult citizens have the right to vote. In the country's early days, however, the number of people who had the right to vote was actually smaller than the number who were not eligible.*

- 1874** Reforms resulted in the use of the secret ballot and the practice of holding the entire general election on the same day in all ridings.
- 1885** The Canadian Parliament drew up a complicated federal franchise, based on property ownership. The application of the rules differed from town to town and from province to province.

**1915** The First World War brought important changes to the federal franchise. In 1915, the right to vote was granted to military personnel on active service.

**1917** Parliament passed the *Wartime Elections Act* and the *Military Voters Act*. The right to vote was extended to all British subjects, male or female, who were active or retired members of the armed forces, including Indian persons and persons under 21 years of age. Civilian men who were not landowners, but who had a son or grandson in the armed forces, were also temporarily granted the franchise, as were women with a father, mother, husband, son, daughter, brother or sister then serving, or who had previously served in the Canadian forces.

Photo: National Archives of Canada (PA-2279)



*Nurses at the Canadian field hospital in France exercise their right to vote in December 1917.*

## WOMEN AND THE VOTE

*Before Confederation, women had the right to vote in Upper Canada (called Canada West after 1841, and Ontario after 1867). Social disapproval, however, meant that they generally did not use it.*

*In Lower Canada (Quebec), on the other hand, women widely exercised their right to vote — especially widows, who were most likely to have the property qualifications necessary for the franchise. Women in Lower Canada were disenfranchised in 1832.*

*All women 21 years of age and over became eligible to vote federally on May 24, 1918. Provincially, Manitoba was the first to extend the vote to women, on January 28, 1916, and Quebec the last, on January 1, 1941.*

**1918** The franchise at federal elections was extended to all women 21 years of age and over. During the following year, they became eligible for election to the House of Commons. The first – Agnes Macphail – was elected in 1921.

**1920** With a new *Dominion Elections Act*, the federal government reclaimed control over the right to vote in federal elections, which had been given back to the provinces in 1898. The Act also created the office of Chief Electoral Officer and established advance polling for certain categories of electors. At that time, there were 235 federal ridings.

**1948** The last of the property ownership requirements were abolished, and the right to vote was extended to all Canadians of Asian origin.

**1960** The *Canada Elections Act* gave registered Indians living on reserves the right to vote, and further extended the right to vote at advance polls. In 1964, the reconfiguration of the electoral map was entrusted to independent boundary commissions operating under strict criteria.

**1970** A revised *Canada Elections Act* lowered the voting age and the age of candidacy from 21 years to 18. Civil servants posted abroad and their dependants, as well as those of military personnel, could now use the voting facilities previously reserved for the military. Political parties obtained the right to have their names listed on the ballot paper under the names of their candidates, if they registered with the Chief Electoral Officer.





- 1974** Legislation was passed to control election expenses and to ensure that sources of revenues of parties and candidates are made public.
- 1982** The *Canadian Charter of Rights and Freedoms* entrenched in the Constitution the right of all citizens to vote and to run for election.
- 1992** Parliament passed amendments to the *Canada Elections Act* to improve access to the electoral system for persons with disabilities. The requirements include level access at all polling stations and, where this is not possible, the use of transfer certificates.
- 1993** Parliament passed legislation to allow Canadians to vote by special ballot if they cannot go to their regular or advance poll. The mail-in ballot can be used by students away from home, travelling vacationers and business people, and those temporarily outside the country. Other changes provided for registration at urban polls on election day (previously only available to rural electors), shortened the minimum election period from 50 to 47 days, and banned the publication and broadcasting of opinion polls during the last three days of a campaign.

- 1996** Amendments to the *Canada Elections Act* created a permanent register of Canadians qualified as electors, and eliminated door-to-door enumeration for federal elections, referendums and by-elections. The general election and by-election period was shortened to a minimum of 36 days, and the hours of voting on polling day were staggered and extended so that a majority of results will be available at approximately the same time across the country.
- 2000** A new *Canada Elections Act* modernized the organization and language of the electoral legislation, and introduced new controls on election advertising by third parties. Third parties are persons and groups that play a role in the election process, but who are not candidates for office, registered political parties or their riding associations. The new Act prohibits election advertising and the publication of new election opinion poll results on election day. It also authorizes the Commissioner of Canada Elections to deal with violations of the Act by obtaining court injunctions and, where the violation is an offence, through compliance agreements. In addition, the Act permits the Chief Electoral Officer to develop and test electronic voting procedures.

## Elections since Confederation

PARLIAMENT	WRITS ISSUED	ELECTION DAYS
1.	August 6, 1867	August 7, 1867, to September 20, 1867
2.	July 15, 1872	July 20, 1872, to October 12, 1872
3.	January 2, 1874	January 22, 1874
4.	August 17, 1878	September 17, 1878
5.	May 18, 1882	June 20, 1882
6.	January 17, 1887	February 22, 1887
7.	February 4, 1891	March 5, 1891
8.	April 24, 1896	June 23, 1896
9.	October 9, 1900	November 7, 1900
10.	September 29, 1904	November 3, 1904
11.	September 18, 1908	October 26, 1908
12.	August 3, 1911	September 21, 1911
13.	October 31, 1917	December 17, 1917
14.	October 8, 1921	December 6, 1921
15.	September 5, 1925	October 29, 1925
16.	July 20, 1926	September 14, 1926
17.	May 30, 1930	July 28, 1930
18.	August 15, 1935	October 14, 1935
19.	January 27, 1940	March 26, 1940

<b>PARLIAMENT</b>	<b>WRITS ISSUED</b>	<b>ELECTION DAYS</b>
20.	April 16, 1945	June 11, 1945
21.	April 30, 1949	June 27, 1949
22.	June 13, 1953	August 10, 1953
23.	April 12, 1957	June 10, 1957
24.	February 1, 1958	March 31, 1958
25.	April 19, 1962	June 18, 1962
26.	February 6, 1963	April 8, 1963
27.	September 8, 1965	November 8, 1965
28.	April 25, 1968	June 25, 1968
29.	September 1, 1972	October 30, 1972
30.	May 9, 1974	July 8, 1974
31.	March 26, 1979	May 22, 1979
32.	December 14, 1979	February 18, 1980
33.	July 9, 1984	September 4, 1984
34.	October 1, 1988	November 21, 1988
35.	September 8, 1993	October 25, 1993
36.	April 27, 1997	June 2, 1997
37.	October 22, 2000	November 27, 2000



## Prime Ministers since Confederation

PRIME MINISTER	PARTY	YEARS IN OFFICE
1. Hon. Sir John A. Macdonald	Liberal-Conservative	July 1, 1867 – November 5, 1873
2. Hon. Alexander Mackenzie	Liberal	November 7, 1873 – October 8, 1878
3. Rt. Hon. Sir John A. Macdonald	Liberal-Conservative	October 17, 1878 – June 6, 1891
4. Hon. Sir John J.C. Abbott	Liberal-Conservative	June 16, 1891 – November 24, 1892
5. Rt. Hon. Sir John S.D. Thompson	Liberal-Conservative	December 5, 1892 – December 12, 1894
6. Hon. Sir Mackenzie Bowell	Liberal-Conservative	December 21, 1894 – April 27, 1896
7. Hon. Sir Charles Tupper	Liberal-Conservative	May 1 – July 8, 1896
8. Rt. Hon. Sir Wilfrid Laurier	Liberal	July 11, 1896 – October 6, 1911
9. Rt. Hon. Sir Robert Laird Borden	Conservative	October 10, 1911 – October 12, 1917
10. Rt. Hon. Sir Robert Laird Borden	Unionist (coalition government)	October 12, 1917 – July 10, 1920
11. Rt. Hon. Arthur Meighen	Unionist (National Liberal and Conservative)	July 10, 1920 – December 29, 1921
12. Rt. Hon. William Lyon Mackenzie King	Liberal	December 29, 1921 – June 28, 1926
13. Rt. Hon. Arthur Meighen	Conservative	June 29 – September 25, 1926

PRIME MINISTER	PARTY	YEARS IN OFFICE
14. Rt. Hon. William Lyon Mackenzie King	Liberal	September 25, 1926 – August 7, 1930
15. Rt. Hon. Richard Bedford Bennett (became Viscount Bennett, 1941)	Conservative	August 7, 1930 – October 23, 1935
16. Rt. Hon. William Lyon Mackenzie King	Liberal	October 23, 1935 – November 15, 1948
17. Rt. Hon. Louis Stephen St-Laurent	Liberal	November 15, 1948 – June 21, 1957
18. Rt. Hon. John George Diefenbaker	Progressive Conservative	June 21, 1957 – April 22, 1963
19. Rt. Hon. Lester Bowles Pearson	Liberal	April 22, 1963 – April 20, 1968
20. Rt. Hon. Pierre Elliott Trudeau	Liberal	April 20, 1968 – June 3, 1979
21. Rt. Hon. Joseph Clark	Progressive Conservative	June 4, 1979 – March 2, 1980
22. Rt. Hon. Pierre Elliott Trudeau	Liberal	March 3, 1980 – June 30, 1984
23. Rt. Hon. John Napier Turner	Liberal	June 30 – September 17, 1984
24. Rt. Hon. Brian Mulroney	Progressive Conservative	September 17, 1984 – June 25, 1993
25. Rt. Hon. Kim Campbell	Progressive Conservative	June 25 – November 4, 1993
26. Rt. Hon. Jean Chrétien	Liberal	November 4, 1993 –





# Elections Canada

*The Office of the Chief Electoral Officer of Canada, commonly known as Elections Canada, is the non-partisan agency of Parliament responsible for the conduct of federal elections and referendums. Its primary task is to conduct electoral events. This means the organization must be prepared at all times, because the date for an election can be set with no advance notice.*



## The Chief Electoral Officer

The position of Chief Electoral Officer was created in 1920 by the *Dominion Elections Act*, the forerunner of the *Canada Elections Act*, to conduct federal elections. The Chief Electoral Officer is an officer of Parliament, appointed by resolution of the House of Commons – a procedure that ensures that all parties represented there contribute to the selection process – and reports directly to the Speaker of the House of Commons. He or she serves until the age of 65 or resignation, and can be removed only for cause by the Governor General following a joint address of the House of Commons and the Senate.

## The mandate of Elections Canada

Originally, the Chief Electoral Officer was responsible only for the administration of federal general elections and by-elections. Under the *Canada Elections Act* and other laws that govern federal electoral matters, the mandate of the Office has broadened to include the administration of federal general elections, by-elections, federal referendums and other important aspects of our electoral system. In addition to the *Canada Elections Act*, the laws under which Elections Canada operates include the *Constitution Act*, the *Canadian Charter of Rights and Freedoms*, the *Referendum Act*, and the *Electoral Boundaries Readjustment Act*. The agency is also subject to other statutes of general application, such as the *Financial Administration Act*, the *Public Service Employment Act*, the *Privacy Act*, the *Human Rights Act*, and the *Official Languages Act*.

Today Elections Canada is responsible for:

- ensuring access to the system for all voters, through both physical facilities and public education and information programs
- supporting the independent commissions that periodically readjust riding boundaries to ensure that representation reflects as fairly as possible the distribution of the population
- registering political parties and third parties
- controlling election spending by candidates, registered political parties and third parties, examining and disclosing their financial returns, and reimbursing the expenses of candidates and political parties according to the statutory formulas
- enforcing electoral legislation through the Commissioner of Canada Elections

---

---

In addition to administering elections, by-elections and referendums, the role of the Chief Electoral Officer includes managing the electoral process and developing strategies to prepare for future challenges. The electoral system must evolve to keep pace with rapid technological change and with the public's insistence on increased accountability and greater efficiency in all aspects of public administration.

Elections Canada's mission is to serve the needs of electors and legislators in an innovative, cost-effective and professional manner. It is based on a commitment to a fair and inclusive electoral process that is accessible to all Canadian electors. The Chief Electoral Officer is in a good position to assess the need for changes and improvements to the electoral process and to develop practical proposals for the consideration of parliamentarians.

# The organization of Elections Canada

Elections Canada generally consists of a core group of staff at its Ottawa offices. However, when an electoral event is held, the agency requires the services of some 150 000 people across the country. The Chief Electoral Officer is supported by the Assistant Chief Electoral Officer.

Elections Canada has 10 directorates that carry out the administrative tasks involved in preparing for and running electoral events.

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

## OPERATIONS

- develops the procedures, manuals, forms and tools for registration, voting and electoral management
- prints, assembles and ships all necessary materials to each of Canada's 301 electoral districts as soon as an electoral event is called
- administers the Special Voting Rules and accessibility programs
- acts as the main liaison with returning officers in each electoral district and assists them as required



## **ELECTION FINANCING**

- manages all financial, audit and performance measurement activities, including receiving and publishing summaries of the annual fiscal returns from registered political parties, the election expenses returns of candidates and parties, the advertising expenses reports of third parties, and the financial returns of registered referendum committees
- reviews election expenses returns for compliance with the financial provisions of the legislation
- manages internal finances at Elections Canada, including fiscal planning, developing financial policies and systems, costing, budgeting, internal audit, accounting operations, payments to election workers, performance measurement and corporate reporting

## **ADMINISTRATION AND HUMAN RESOURCES**

- manages all human resources, pay and benefits activities, official languages requirements, records and mail, facilities, materiel, contracting, security, inventory, and other matters related to the provision of the supplies and services required to conduct an electoral event
- supports Elections Canada, returning officers and the electoral boundaries commissions with services related to staffing, equipment and facilities



## INFORMATION TECHNOLOGY

- plans and manages all computer hardware and software and telecommunications at Elections Canada and in the offices of returning officers, including the acquisition, development and support of all infrastructure and application systems

## COMMUNICATIONS

- informs Canadian citizens in Canada and abroad of their voting rights and how to exercise them, through public and media relations activities and advertising
- responds to enquiries from the public and produces and distributes printed, electronic and videotaped information to the public and the media
- maintains links with special-needs groups to ensure that appropriate information is developed and distributed to them

## ELECTIONS CANADA ON THE INTERNET

*The most up-to-date information on the Canadian electoral system is accessible 24 hours a day worldwide on the Elections Canada Web site ([www.elections.ca](http://www.elections.ca)). Among other things, the site includes general information on the electoral process, the latest news about Elections Canada and the registration form for Canadian electors living abroad. On election night, Elections Canada posts voting results in real time.*



## LEGAL SERVICES

- provides legal advice to the Chief Electoral Officer and staff, including opinions and interpretations with respect to the *Canada Elections Act*
- monitors compliance with statutes administered by the Chief Electoral Officer and maintains Elections Canada's relationship with the Commissioner of Canada Elections
- deals with legal aspects of broadcasting and maintains the agency's relationship with the Broadcasting Arbitrator
- prepares legislative reforms and bears primary responsibility for policy planning
- registers political parties, referendum committees, and third parties
- oversees privacy matters related to the work of Elections Canada

## PLANNING, POLICY AND PARTNERSHIPS

- conducts regular information gathering and environmental scanning to ensure that the agency can effectively plan and monitor progress for the delivery of electoral events and other major projects
- coordinates research on electoral issues
- supports organizational efforts to define long-term strategies that address emerging national trends and issues
- coordinates the agency's relations with other levels of government, provincial electoral organizations, and private sector firms

- assumes primary responsibility for corporate policy development and research
- pursues partnership possibilities with the academic community, resource centres, provincial and territorial organizations, and appropriate international organizations

### **REGISTER AND GEOGRAPHY**

- directs the agency's efforts to develop new approaches to voter registration by maintaining a permanent computerized register of electors
- ensures that the Register is updated with information obtained from federal, provincial and territorial sources, and from voters
- provides updated lists of voters annually to members of Parliament and registered political parties
- provides information to other electoral organizations with which agreements have been signed, to help them develop their own voters lists
- plans, develops and maintains the geographic information and the georeferencing systems through which digital and paper electoral maps and a variety of other address-based documents are produced

## SHARING EXPERIENCE WITH DEVELOPING DEMOCRACIES: ELECTIONS CANADA'S INTERNATIONAL SERVICES

*As a recognized supporter of democracy throughout the world, Canada has helped to establish a number of programs that provide professional advice and assistance to countries developing democratic institutions. Elections Canada has participated in more than 300 international democratic development missions in some 80 countries. This support takes many forms: pre-election assessment, technical advice, training and civic education, financing, election monitoring, and providing election materials.*

*Elections Canada's services respect each country's laws, customs, needs, environment and people. Our missions do not seek to promote our own electoral system, ideas or techniques. Rather, they identify the choices available to each host country, taking into account its specific challenges and opportunities, and help select and implement the option that best meets the country's democratic development needs.*

## PARLIAMENTARY REPRESENTATION

- assists the 10 electoral boundaries commissions by providing technical, administrative, professional, financial, and other services to help commissioners carry out their responsibilities under the *Electoral Boundaries Readjustment Act*
- plans and develops the policies, procedures, manuals and systems needed for the readjustment of electoral boundaries

## INTERNATIONAL SERVICES

- carries out a number of bilateral and multilateral programs providing professional and technical assistance to support countries wishing to develop democratic institutions

## The Commissioner of Canada Elections

Appointed by the Chief Electoral Officer, the Commissioner of Canada Elections ensures that the provisions of the *Canada Elections Act* and the *Referendum Act* are enforced. During an electoral event, the Commissioner may deal with actual or suspected infractions by applying for court injunctions or entering into compliance agreements with the individuals concerned. Anyone who has reason to believe that the Acts have been violated may complain to the Commissioner in writing, within six months of the offence, and request an investigation.

Complaints typically relate to such infractions as failure by employers to grant their employees the required time off to vote, voting by unqualified people, improper reporting of financial information, and advertising violations. Convictions can result in fines or prison terms. Persons convicted of an offence may lose, for five or seven years, depending on the offence, their right to be a candidate at a federal election.

## The Broadcasting Arbitrator

Every broadcaster must make available a specified amount of both free and paid air time to registered political parties during a general election and to referendum committees during a referendum. Under the *Canada Elections Act*, the Chief Electoral Officer appoints a Broadcasting Arbitrator, who allocates this time to the individual parties and committees, according to a formula set out in the legislation.

## Returning officers

Mention elections and people think of candidates and political parties. Behind the scenes, however, thousands of election workers play an essential role in ensuring that each electoral event is fair and well managed. A returning officer in each electoral district coordinates the activities of these workers. Appointed by the Governor in Council (the Cabinet), federal returning officers act under the general supervision of the Chief Electoral Officer of Canada.

The job is demanding and the duties varied. In theory, returning officers need only be Canadian citizens 18 years of age or older and living in the electoral district where they are appointed. In practice, however, they must be much more. Along with serious commitment, a wide range of business and management skills is required.

The work is by nature impartial and non-partisan; the returning officer must conduct all business accordingly. Returning officers must abide by a code of professional conduct and must abstain from all activities of a politically partisan nature, both during and outside election and referendum periods.

Photo: Elections Canada



*Each returning officer has an office in his or her electoral district.*

Photo: Elections Canada



*Thousands of election workers play an essential role in ensuring that all eligible electors can exercise their right to vote.*

**OCTOBER 2000**

**OCTOBRE 2000**

The 10th anniversary of the 1982 Constitution Act is celebrated in a special issue of the National Register of Electors.

**System Requirements:**

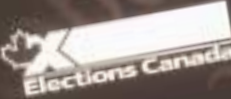
- IBM compatible PC or laptop
- Windows 95 or later (not supported on Windows 3.11 or earlier)
- 4 MB RAM (minimum 8 MB)
- Hard disk space (minimum 10 MB)
- CD-ROM drive
- Mouse (recommended)
- Network card (optional)

Ministry of Canada  
1000 Avenue Laurier  
Ottawa, Ontario K1P 6K6

**National Register of Electors  
Registre national des électeurs  
LISTS OF ELECTORS • LISTES ÉLECTORALES**




1-877-463-6842 • 1-877-463-6842  
1-800-367-8283 • 1-800-367-8283



**National Register of Electors  
LISTS OF ELECTORS  
OCTOBER 2000**

**USER'S GUIDE**



**National Register of Electors  
Registre national des électeurs  
LISTS OF ELECTORS • LISTES ÉLECTORALES  
OCTOBER 2000 - OCTOBRE 2000**







# The electoral process

## The National Register of Electors

The National Register of Electors is a computerized database of Canadians who are qualified to vote. It contains each elector's name, mailing address, residential address, electoral district, polling division, sex, and date of birth, and can be updated using existing federal and provincial data sources.

Elections Canada uses the Register to produce the preliminary voters lists for a general election, by-election, or referendum. Once they have signed an agreement with Elections Canada, provincial, territorial and municipal electoral organizations, as well as school boards, may also use information from the Register to produce their voters lists.

About 20 percent of elector information changes every year so Elections Canada must keep the Register current between electoral events. The Register is updated with data from the Canada Customs and Revenue Agency (with the consent of tax filers), Citizenship and Immigration Canada, provincial and territorial registrars of motor vehicles and vital statistics (deaths), and electoral agencies in British Columbia and Quebec (which have permanent voters lists). Voters lists from certain provincial and territorial elections are also used to update the Register.



## PROTECTING PRIVACY

*In setting up and managing the National Register of Electors, Elections Canada sought the advice of many experts, including the Office of the Privacy Commissioner of Canada. The two key principles are the right to privacy and the confidentiality of personal information in the Register. Parliament and Elections Canada have made sure that:*

- an elector may remove his or her name from the Register by notifying the Chief Electoral Officer in writing*
- an elector may decline to share information with other electoral jurisdictions for electoral purposes by notifying the Chief Electoral Officer in writing*
- opting out of the Register or declining to share the Register's information does not affect the elector's right to vote*
- the limited information from federal data sources (the Canada Customs and Revenue Agency and Citizenship and Immigration Canada) may be gathered only with the consent of the elector concerned*
- by law, the information in the Register may be used for electoral purposes only*
- improper use of electoral information is an offence*
- Elections Canada computers are not connected to those of data suppliers*
- the facilities containing the National Register of Electors are guarded by security systems*

# Preparations

## **APPOINTING AND TRAINING RETURNING OFFICERS**

The key electoral officer in each riding is the returning officer. Returning officers are appointed by the Governor in Council. They remain in the position (unless the riding changes as a result of redistribution) until they move out of the riding, resign, or are removed for cause. Once the Chief Electoral Officer is informed about a vacant post, the vacancy must be filled within 60 days, and preferably well in advance of an electoral event. This allows time for Elections Canada to train the new officer and for him or her to become familiar with the duties of the post.

## **SETTING UP POLLING DIVISIONS**

Before the election call, each electoral district must be divided into polling divisions, each serving an average of 350 electors. This is a very important exercise, since each voters list corresponds to a polling division.

## **SELECTING LOCATIONS FOR POLLING STATIONS**

Once the polling divisions have been established, each returning officer must select convenient and accessible locations for polling stations, for both the regular and the advance polls. Polling stations are usually set up in well-known central locations with level access, such as community centres and schools.

## **PREPARING SUPPLIES**

Staff at Elections Canada in Ottawa develop administrative procedures and prepare maps, instruction kits, forms, information materials, ballot paper and boxes, and other supplies that will be needed to conduct a federal electoral event. Early shipments are sent to returning officers' homes if an event is thought to be imminent.

# Election countdown

*Governor General dissolves Parliament and calls election*



*Chief Electoral Officer notifies returning officers and issues the writs of election*



*Returning officers open offices*



*Voting by special ballot begins*



*Elections Canada prepares preliminary voters lists and sends them to returning officers*



*Revision of voters lists begins*



*Returning officers mail voter information cards to registered voters*



*Candidates submit nomination papers and cash deposits to returning officers*



*Canadian Forces electors begin voting*



*Voting at advance polls takes place*



*Voting by incarcerated electors and those in acute care hospitals begins*



*Deadline for revision and special ballot registration*

## **ELECTION DAY**

*Preliminary voting results are available after the polls close*



## **AFTER ELECTION DAY**

*Returning officers carry out the validation of the results*



*Judicial recounts are conducted if necessary*



*Returning officers return the writs of election, declaring the winning candidates*



*New members of Parliament are sworn in and the new Parliament is convened*



*Chief Electoral Officer publishes a report on the election, and on the official voting results*



*Candidates, political parties and third parties submit election financial reports*



*Reimbursement of election expenses to candidates and political parties*



*Candidates dispose of surplus funds*

# Conducting an election

## CALLING THE ELECTION

For a general election, the Governor General, at the request of the Prime Minister, dissolves Parliament, and the Governor in Council sets the date of the election and the date by which the writs must be returned. By law, the time between the issue of the writs and election day must be a minimum of 36 days.

## ISSUING THE WRITS

Once advised of the election, the Chief Electoral Officer sends a notice to each returning officer, directing him or her to rent office space and to prepare to conduct the election. At the same time, the writs of election are being printed, giving the dates for election day and for the close of nominations. Once signed by the Chief Electoral Officer, the writs are sent to the returning officers, who then publish a notice of election informing voters of the important dates and other details.

## OPENING THE OFFICES

Upon notification, each returning officer rents space and furniture in an accessible location in his or her electoral district, and opens an office. This office will be open during the hours prescribed by the Chief Electoral Officer, and will serve as the centre of operations for the duration of the event. Staff must be hired and trained immediately, as the office is expected to begin operations without delay. Load after load of supplies arrive from Elections Canada.

## REVISING THE PRELIMINARY LISTS

Immediately after the election is called, Elections Canada prepares the preliminary voters lists, using information from the National Register of Electors, and sends the lists for each riding to the returning officer. The returning officer mails a voter information card to each registered voter soon afterwards. Each card confirms the name and address of the voter, provides information about when and where to vote, and indicates whether the polling station has level access.

During the four weeks between the 33rd and the 6th day before election day, the voters lists are revised by adding, deleting and correcting registrations as needed. If a voter has moved within the same riding, he or she can amend the registration over the telephone, with satisfactory proof of identity. Voters can also register in person during the advance polls and on election day, with the same proof of identity.

The returning officer prepares revised voters lists to be used at the advance polls, and a second set of revised lists, called the official lists, to be used on election day.

After election day, the returning officer prepares voters lists that include voters who registered on election day, and sends them to Elections Canada. There staff prepare electronic and printed copies of the final voters lists for distribution to registered political parties and members of Parliament.

## NOMINATING CANDIDATES

The returning officer receives the nomination papers and cash deposits submitted by the candidates who wish to run for election in that electoral district. The returning officer then has 48 hours to verify the signatures of the voters supporting each candidate before confirming or rejecting the candidacy.

## REGISTERING POLITICAL PARTIES

Political parties must be properly registered with the Chief Electoral Officer before candidates may use the party name on the ballot. They must apply for registration before an election is called. However, for its registration to take effect (or to remain in effect, if the party is already registered), a party must nominate at least 50 candidates at a general election.

## VOTING

There are a number of ways to vote. The most common way is at the ordinary polls on election day (also known as ordinary polling day). Voters can also cast their ballots at an advance poll or at a mobile poll. Or they might vote by special ballot, either at the office of the returning officer, or through the mail.



Photo: Elections Canada

*To eliminate the possibility of fraud, Elections Canada verifies bar codes on the outer envelopes of special ballots.*



Photo: Elections Canada

*Each voter has his or her name crossed off the list before going behind the screen to vote.*

**ORDINARY POLLS:** This is the method of voting used by the vast majority of voters. During the hours of voting on election day, the voter goes to the polling station indicated on his or her voter information card, has his or her name crossed off the list, and goes behind a voting screen to mark the ballot.

The hours of voting are staggered by time zone, so that a majority of results will be available at approximately the same time across the country.

If necessary, the Chief Electoral Officer may modify the voting hours in a riding to make them coincide with the voting hours in other ridings in the same time zone. When by-elections are held on the same day in the same time zone, the voting hours are 8:30 a.m. to 8:30 p.m.

**ADVANCE POLLS:** Three days are designated for advance polling to accommodate electors who know in advance that they will be unable to vote on ordinary polling day. The dates and the location of the designated advance polling station for each elector are indicated on the voter information card. The procedure is the same as at the ordinary polls.

### ALWAYS ON MONDAY

*Polling day at federal elections and referendums is always on a Monday, except when the Monday in question is a public holiday. In such cases, polling day is on the following day. This last occurred in 1984, when election day was Tuesday, September 4, the day after Labour Day.*

### POLLS OPEN AND CLOSE IN LOCAL TIME

<i>Newfoundland time</i>	8:30 a.m. – 8:30 p.m.
<i>Atlantic time</i>	8:30 a.m. – 8:30 p.m.
<i>Eastern time</i>	9:30 a.m. – 9:30 p.m.
<i>Central time</i>	8:30 a.m. – 8:30 p.m.
<i>Mountain time</i>	7:30 a.m. – 7:30 p.m.
<i>Pacific time</i>	7:00 a.m. – 7:00 p.m.

---

---

**SPECIAL BALLOT:** The special ballot accommodates voters who:

- reside temporarily outside Canada
- reside in Canada, but will be away from their electoral districts when it is time to vote
- will be in their own electoral districts during the election or referendum but cannot or do not wish to vote in person at the ordinary or advance polls

Canadian Forces electors and incarcerated electors serving sentences of less than two years also vote by special ballot, using different procedures than do other special ballot voters.

Electors must first apply to vote by special ballot; registration forms are available from Elections Canada or the offices of returning officers.

At an election, a voter may cast a ballot only for a candidate in his or her own riding. The special ballot is a blank one, and the voter writes in the first name or initials and the surname of the candidate of his or her choice for that riding. It is the voter's responsibility to obtain information about the candidates. At a referendum, the ballot is pre-printed with the referendum question(s) and the voter places a mark in the space indicated for a "Yes" or "No" answer.

To preserve secrecy, the voter then seals the ballot in three envelopes, and sends it by mail or courier to the Chief Electoral Officer in Ottawa, or (if the voter is in his or her own riding) to the returning officer for that riding.



## **ASSISTING VOTERS WHO HAVE SPECIAL NEEDS**

Elections Canada has taken special measures to ensure that voting is accessible to all electors:

- polling stations and the offices of returning officers have level access
- transfer certificates are available to voters with disabilities whose polling stations are among the very few that cannot offer level access
- on election day, mobile polling stations serve the residents of many institutions for seniors and for persons with disabilities
- a ballot box can be carried from room to room, if necessary, in chronic care facilities
- a cardboard template helps voters with a visual disability to mark their ballots privately
- interpreters may accompany voters to assist them if required
- election workers will provide whatever other assistance they can at the polls

## MARKING THE BALLOT

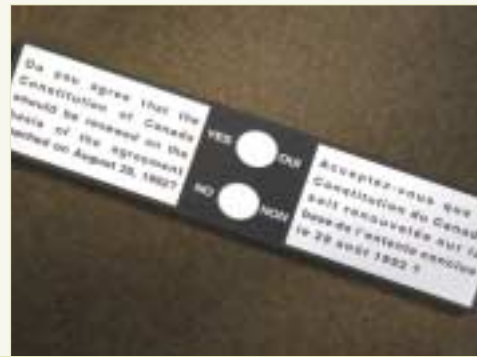
At the polling station specified on the voter information card, the poll clerk crosses the voter's name off the voters list. The deputy returning officer (DRO) hands the voter a folded ballot with the initials of the DRO on the outside.



The election ballot lists the names of the candidates in alphabetical order, along with each one's political affiliation, if any.

The voter takes the ballot behind the voting screen and makes a clear mark in the circle beside the preferred name, using the pencil provided.

The voter then refolds the ballot so that the DRO's initials are visible and hands it to the DRO. The DRO checks the initials and the number shown on the counterfoil, removes the counterfoil and discards it, and returns the ballot to the voter. The voter, or the DRO at the voter's request, places the folded ballot in the ballot box. The poll clerk then places a mark in the "voted" column beside the elector's name.



The referendum ballot shows the text of the referendum question, and the words "Yes" and "No", in English and in French.

The voter takes the ballot behind the voting screen and makes a clear mark in the circle beside the preferred option, using the pencil provided.

# The results

Shortly after the closing of the polls on election day, the unofficial results begin to come in. As the reports arrive from the various polling stations, Elections Canada posts the summaries of the results by riding on its Web site ([www.elections.ca](http://www.elections.ca)). At the same time, the returning officers release the results to the media for immediate publication or broadcast.

## VALIDATION OF THE RESULTS

Within seven days of election day, each returning officer validates the results. That is, he or she examines the documents relating to the vote count to verify the election night calculations. Only after the validation has been completed can the official voting results be proclaimed.

## JUDICIAL RECOUNTS

A judicial recount is automatically requested by the returning officer and conducted by a judge if the number of votes separating the candidate with the most votes and any other candidate is less than one one-thousandth of the total number of votes cast in that riding. A recount may also be conducted if it appears to a judge to whom a request for a recount has been made that an error occurred during the count.



*The Chief Electoral Officer, Jean-Pierre Kingsley, signs the writs.*

## **TIE VOTE**

If, after a recount, two winning candidates have received the same number of votes, a new election is called for that electoral district.

## **THE RETURN OF THE WRITS**

The returning officer records the name of the elected candidate (or the winning side at a referendum) on the writ that he or she received at the beginning of the event. He or she signs the writ, and returns it to the Chief Electoral Officer after the sixth day following the validation of the results, or immediately after a judicial recount. Only after the writ is returned may an elected candidate be sworn in as a member of Parliament.

## Election financing and post-election reports

The *Canada Elections Act* and the *Income Tax Act* include a series of financial provisions designed to entrench openness, fairness and accessibility within our electoral system. There are strict regulations as to who may contribute and how contributions must be received and reported, as well as how much a candidate, a political party or a third party may spend during the election period.

### ELECTION EXPENSES LIMITS AND REIMBURSEMENT

While there are no limits on the amounts they may receive in contributions, the *Canada Elections Act* restricts the amounts that candidates, political parties and third parties (persons and groups that play a role in the election process, but who are not candidates for office, registered political parties or their riding associations) may spend on election expenses. The expenses limits for candidates and political parties are calculated according to a formula based on the number of electors on the voters lists for each riding. The public treasury reimburses part of the election expenses of candidates and registered political parties, if certain conditions are met. These include the submission of detailed financial statements.

The election advertising expenses of third parties are limited to \$150 000 for a general election, of which a maximum of \$3 000 may be spent in any single electoral district. Third parties have no right to any reimbursement. Any third party that spends more than \$500 for election advertising must register with the Chief Electoral Officer and submit a financial statement after the election.



*Elections Canada publishes the financial information submitted by candidates, political parties and third parties.*

**TAX CREDITS:** Although contributions may be in the form of money, goods or services, only a monetary contribution to a registered political party or a confirmed candidate qualifies for an income tax credit under the *Canada Elections Act*. The maximum tax credit permitted is \$500 (corresponding to a contribution of \$1 075.01 or more). Third parties may not issue tax receipts for donations in their capacity as third parties.

**PUBLIC DISCLOSURE:** Every registered political party must submit an audited return of its election expenses to the Chief Electoral Officer within six months following election day. Parties must also submit audited annual fiscal period returns disclosing the amount and source of all contributions, with the names and addresses of those whose contributions exceed \$200.

### CANADIAN CONTRIBUTIONS ONLY

*Registered Canadian political parties and candidates may receive contributions only from Canadian citizens or permanent residents. Corporations or associations that do not conduct business in Canada may not contribute; nor may foreign political parties or governments, or trade unions without Canadian bargaining rights. The same restrictions apply to third parties, in terms of any contributions intended for election advertising expenses.*

Third parties must report the details of their election advertising expenses within four months of election day. They must also report who contributed money to the third party for election advertising expenses in the period beginning six months before the issue of the writ and ending on election day.

Each candidate must submit an audited return of election expenses to the returning officer of his or her electoral district within four months of election day. The candidate's return, which the Chief Electoral Officer must publish, shows all election expenses incurred, indicates the amounts and sources of all contributions, and discloses the names and addresses of all those whose contributions exceed \$200.

All the financial information submitted to the Chief Electoral Officer by parties and candidates is available to the public at all times.

**REIMBURSEMENTS:** Parties that have received at least 2 percent of the valid votes cast nationally, or at least 5 percent of the valid votes cast in the electoral districts in which they have endorsed a candidate, are entitled to a refund of 22.5 percent of their election expenses.

A candidate who is elected or who receives at least 15 percent of the valid votes cast in his or her riding is entitled to a reimbursement of 50 percent of actual election expenses, up to a maximum of 50 percent of the election expenses limit in that riding.

Candidates with a surplus of revenues over expenses must pay the surplus to their riding associations or to the parties they represent. If the candidate is not sponsored by a party, the surplus must be paid to the Receiver General for Canada.



### **THE CHIEF ELECTORAL OFFICER'S REPORTS**

After each general election, within 90 days of the return of the writs, the Chief Electoral Officer must submit a report to the Speaker of the House of Commons. This statutory report covers the election, as well as the activities of Elections Canada since the date of the previous narrative report. As soon as possible after an election, the Chief Electoral Officer also reports on any modifications to electoral law that he or she judges necessary. In addition, the Chief Electoral Officer must publish a report of the official voting results by polling division.

## By-elections

When a seat in Parliament becomes officially vacant, the Speaker of the House of Commons must inform the Chief Electoral Officer immediately by means of a Speaker's warrant.

Between the 11th and the 180th day after the Chief Electoral Officer receives this warrant, the Governor in Council must set the date for holding a by-election. Once the date is known, the Chief Electoral Officer issues a writ to the returning officer of the electoral district concerned, directing him or her to hold a by-election on that date.

If a general election is called after the by-election writ has been issued and before the by-election is held, the writ for the by-election is automatically withdrawn, and the Chief Electoral Officer publishes a notice in the *Canada Gazette* to that effect.

Photo: Elections Canada



Photo: Elections Canada



*During an election period, Elections Canada's Enquiries Unit handles thousands of calls every day, covering all aspects of the electoral system.*



The conduct of by-elections is the same as that of general elections in almost all aspects. The differences stem from the fact that only specified electoral districts are involved.

For example:

- Parliament is not dissolved at the beginning of a by-election (as it is at the beginning of a general election).
- Only the leader of a political party may sign a candidate's endorsement letter (at a general election, the party leader may designate someone else to sign endorsement letters).
- Canadian Forces electors whose home riding is listed as one in which a by-election is being held will automatically be sent a special ballot voting kit (at a general election, a polling station is set up on the base and military electors vote during a specified period before election day).
- Incarcerated electors serving sentences of less than two years, whose home riding is listed as one in which a by-election is being held and who wish to vote, must request a special ballot directly from Elections Canada in Ottawa (at a general election, a polling station is set up in the correctional institution and voting takes place on the 10th day before election day).
- To vote in a by-election, the elector must have been ordinarily resident in the riding from the beginning of the revision period until election day.
- Political parties receive no reimbursement for their expenses.

# Referendums

The purpose of a federal referendum is to consult the electorate on specific issues related to the Constitution.

In Canada, federal referendums are held under the *Referendum Act*. While elections and referendums differ in purpose, their procedures differ very little. In fact, the provisions of the *Canada Elections Act* are adapted to form the basis of the referendum process.

## CALLING A REFERENDUM

Before the referendum period officially begins, the government submits the text of the question (or questions) to each political party with 12 or more members in the House of Commons. A member of the Cabinet gives notice of a motion for approval of the referendum question to the House of Commons within three days. The motion is considered by the members of the House of Commons for a maximum of three days and, if adopted, is forwarded to the Senate. The Senate in turn has three days to vote on it.

On approval of the question by the Senate, the Governor in Council has 45 days to proclaim the referendum, specifying whether the question(s) will be put to all Canadian electors or only to those of one or more provinces. As soon as the proclamation is issued, the Chief Electoral Officer issues writs to the appropriate returning officers, instructing them to conduct a referendum.

The Chief Electoral Officer must inform the public of the referendum question and of the manner in which the referendum will be conducted. He or she must also make the text of the question available in selected Aboriginal languages. He or she may not inform the public of the substance of any argument in support of or in opposition to the Yes or No options.

## REFERENDUM COMMITTEES

Any person or group may advertise to support or oppose one side or the other of the referendum issue, but sponsors must be identified in the advertisement. Persons or groups intending to spend more than \$5 000 to directly support or oppose one of the options must register with the Chief Electoral Officer as a referendum committee.

Like political parties at an election, registered referendum committees may apply to the Broadcasting Arbitrator for free broadcasting time. This free time must be allocated evenly among committees that support the Yes and No options.

Committees also have the right to appoint one agent to be present at each polling station on polling day.



Photo: Elections Canada

*The ballot box used for elections and referendums is made of recyclable cardboard. Inexpensive to produce, it is easy to store, transport and assemble.*

Registered referendum committees must report their contributions and expenses to the Chief Electoral Officer. The names of all persons or groups that contribute more than \$250 to a committee must be reported in the referendum expenses return.

## VOTING

Polling day at a referendum is no earlier than the 36th day after the writs are issued.

Electors vote by making a clear mark in the circle beside the word “Yes” or “No” on the ballot.



# Looking ahead



Photos: Elections Canada

The success of the Canadian electoral system is due in part to its ability to adapt to and reflect changing circumstances. Electoral laws have evolved and will continue to evolve as various legislative provisions are amended to reflect societal change.

It is not by chance that Canada's electoral system is considered one of the best in the world. It is a reflection of the Canadian people's continued concern for fairness and democracy and of their willingness to go the extra mile in pursuit of excellence in electoral system delivery.

# Suggested reading

For more detailed treatment of the subjects addressed in this booklet, the following publications may be ordered free of charge from Elections Canada:

*Accessibility of the Electoral System* (EC 90505)

*Canada Elections Act* (EC 06605)

*Canada's Electoral System: Strengthening the Foundation – Annex to the Report of the Chief Electoral Officer of Canada on the 35th General Election* (EC 94610)

*Election Handbook for Candidates, Their Official Agents and Auditors* (EC 20190)

*Elections Canada on the World Scene: Sharing Experience with Developing Democracies* (EC 90770)

*Important Considerations for Prospective Candidates* (EC 90790)

*National Register of Electors* (EC 90780)

*Registration at the Polls* (EC 90525)

*Registration of Federal Political Parties* (EC 90530)

*Report of the Chief Electoral Officer of Canada on the 37th General Election Held on November 27, 2000* (EC 94318)

*Report of the Chief Electoral Officer of Canada on the 36th General Election* (EC 94612)

*Representation in the Federal Parliament* (on the Web site)

*Serving Democracy: A Strategic Plan 1999-2002* (EC 08901)

*The Evolution of the Federal Franchise* (EC 90785)

*The Investigative Process Under the Canada Elections Act* (EC 90560)

*The Returning Officer* (EC 90535)

*The Role and Structure of Elections Canada* (EC 90600)

The lavishly illustrated book, *A History of the Vote in Canada*, is available for purchase. Published in 1997 by the Minister of Public Works and Government Services Canada for the Chief Electoral Officer of Canada, it is available at bookstores or can be ordered through the Elections Canada Web site ([www.elections.ca](http://www.elections.ca)) under General Information.