



**Report of the  
Chief Electoral Officer  
of Canada**

*Following the  
November 15, 1999  
By-elections Held in  
Hull–Aylmer  
Mount Royal  
Saskatoon–Rosetown–Biggar  
York West*





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The Chief Electoral Officer • Le directeur général des élections

January 21, 2000

The Honourable Gilbert Parent  
Speaker of the House of Commons  
Centre Block, House of Commons  
Ottawa, Ontario  
K1A 0A6

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 federal by-elections held in the electoral districts of Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West on November 15, 1999. The report is submitted in accordance with subsection 195(1) of the *Canada Elections Act*, R.S.C., c. E-2, within sixty days after the by-election writs were returned.

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

Summary information has been included on the results of the by-elections, together with an account of the events. The official voting results will be published and made available on Elections Canada's Web site (<http://www.elections.ca>) by the end of January 2000.

Yours truly,

Jean-Pierre Kingsley

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# Foreword

This report to the Speaker of the House of Commons describes the by-elections held in the electoral districts of Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West on November 15, 1999, and Elections Canada’s activities since the Windsor–St. Clair by-election on April 12, 1999.

The process of electoral reform has been a major preoccupation since the previous by-election. On June 7, 1999, Bill C-83, intended to replace the existing *Canada Elections Act*, was tabled. The proposed legislation resulted from a comprehensive review of electoral issues undertaken in 1998 by the House of Commons Standing Committee on Procedure and House Affairs, a committee composed of members of Parliament who are charged with responsibility for electoral matters on behalf of the Canadian people. It was reintroduced as Bill C-2 on October 14, 1999, in the fall session of the 36th Parliament.

The Canadian electoral system has evolved to become known as a model of electoral democracy around the world. Over the years we have sought to put in place an electoral system that is modern, accessible, transparent, and efficient – one that ensures that the electorate can freely choose its elected leaders. A commitment to the continuing process of electoral reform and the improvement of electoral legislation has been one of the principal means for achieving these ends.

As we pursue our goal of a modern and efficient electoral system, we have been able to take advantage of technological developments to implement such improvements as the National Register of Electors. The Register was used to produce preliminary electoral lists for the by-elections. In the four electoral districts, 10 960 revisions were made to the preliminary lists produced from the Register. This number represents less than five percent of the 225 982 electors

on the preliminary lists and demonstrates the quality of the information in the National Register of Electors. Revision rates to date have been consistent with the projections made by Elections Canada during the Register’s research and feasibility phase in 1996.

In September 1999, Elections Canada established the Advisory Committee to the National Register of Electors, a forum for the exchange of information on data quality and best practices for the management of electronic databases. Participants include Elections Canada’s data suppliers, such as motor vehicle and vital statistics registrars, and partners, such as provincial, territorial and municipal electoral agencies that maintain permanent lists of electors.

During this period, Elections Canada, in partnership with Statistics Canada, completed building a digital road network for Canada, known as the National Geographic Database. The database will be used for electoral mapping and will make the National Register of Electors more accessible to electoral agencies that operate with different electoral boundaries. We will be working closely with federal and provincial agencies, as well as the private sector, to keep the digital database up-to-date and to ensure that it reflects the ever-changing network of streets and roads across Canada.

Undoubtedly, as society and technology evolve, the need for both legislative reform and further technological enhancements will continue to emerge from these shifting parameters. In Canada, we have come to view electoral reform as an ongoing task. It is a task undertaken by Parliament, on behalf of the Canadian people, in the knowledge that the results are fundamental to strengthening and upholding our democratic process. It is a privilege for me to serve Parliament and the Canadian people in this endeavour.

Jean-Pierre Kingsley

# Elections Canada's activities since the previous report

## Follow-up to the April 1999 by-election in Windsor–St. Clair

### *Candidates' election expenses*

Under the *Canada Elections Act*, candidates are required to file an election expenses return within four months of election day. Elections Canada is now reviewing financial returns from the five candidates who ran for office in the April 1999 by-election in Windsor–St. Clair, to ensure compliance with the Act and to determine the amount of reimbursement owed to candidates who qualified.

### Official voting results for by-elections held in 1999

In January 2000, the Chief Electoral Officer's report on the five federal by-elections held in 1999 was published in accordance with paragraph 193(b) of the *Canada Elections Act*. The report, entitled *By-elections 1999: Official Voting Results*, presents the results of the vote, by polling station, for the by-elections held on April 12, 1999, in the federal electoral district of Windsor–St. Clair, and on November 15, 1999, in the federal electoral districts of Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West. The report supplements the Chief Electoral Officer's statutory reports on the administration of the by-elections, which were submitted to the Speaker of the House of Commons in May 1999 and January 2000 respectively, in accordance with subsection 195(1) of the *Canada Elections Act*.

The official voting results and statutory reports are available on the Elections Canada Web site at <http://www.elections.ca> in the General Information section under Elections Canada Reports.

## Legislative issues

### *Amendments to electoral legislation*

On October 14, 1999, Bill C-2, *An Act respecting the election of members to the House of Commons, repealing other Acts relating to elections and making consequential amendments to other Acts*, was introduced and received first reading in the House of Commons. The Bill, which would replace the existing *Canada Elections Act*, provides the framework for the operational and financial aspects of federal elections in Canada. The Bill had originally been introduced as Bill C-83 on June 7, 1999, in the first session of the 36th Parliament, but died on the Order Paper when Parliament was prorogued in September 1999.

The current electoral legislation was first passed in 1970, with many of the election finance provisions being added in 1974. While various provisions have been amended over the years, parts of the Act needed to be modernized, and certain administrative issues and problems had to be addressed and remedied.

The Canadian electoral system has evolved over the years, and is known as a model of electoral democracy around the world. While the system has served the country and its citizens well, there is always room for improvement and there are new challenges to be addressed. In recent years, several studies and reports have recommended changes to Canada's federal electoral laws.

In November 1989, the federal government appointed a five-person Royal Commission on Electoral Reform and Party Financing – often referred to as the Lortie Commission, after its chairman, Pierre Lortie. Its four-volume report, *Reforming Electoral Democracy*, was tabled in the House of Commons on

February 13, 1992. The Commission sponsored extensive research into various aspects of Canadian electoral law and policy, much of which was subsequently published. Following the release of the Royal Commission's report, the House of Commons, in February 1992, established an eight-person Special Committee on Electoral Reform to review it. The Committee, which was chaired by MP Jim Hawkes, produced five reports to the House. The Special Committee's third report formed the basis for Bill C-114, which was passed by Parliament in the spring of 1993. In May 1993, the Special Committee tabled a fifth report, dealing with the second phase of its study. Parliament was dissolved before any of its recommendations could be introduced in a Bill, while other matters, with which the Special Committee had intended to deal, were never addressed.

The Chief Electoral Officer has presented reports to Parliament in accordance with the *Canada Elections Act*. On February 29, 1996, he tabled *Canada's Electoral System: Strengthening the Foundation*, as an Annex to *Towards the 35th General Election*, his report on the 1993 federal general election. Drawing on the work of the Royal Commission, the Special Committee, Bill C-114, and other related developments, the report contained 122 recommendations for modernizing the *Canada Elections Act*. Following the June 1997 federal general election, the Chief Electoral Officer prepared the *Report of the Chief Electoral Officer of Canada on the 36th General Election*, which was tabled in the House of Commons on September 24, 1997. It contained a number of specific recommendations for legislative changes.

In 1997, the House of Commons Standing Committee on Procedure and House Affairs determined that, in view of all the work that had been done, the issue of electoral reform should be treated as a priority. The members of the Committee also felt that it was important to deal with this matter while the experience of the 1997 general election was still fresh. In late 1997 and early 1998, the Committee consulted with the registered political parties, members of Parliament, the Chief Electoral Officer and others, and undertook a comprehensive review of the various

issues and proposals for amendments to the *Canada Elections Act*. Its report, which was tabled in June 1998, synthesized previous work and compiled the various recommendations made over the years. Bill C-2 is based in part on this all-party committee report.

Much of Bill C-2 deals with administrative issues, including: voting rights for returning officers; extending vouching procedures to all electors regardless of whether they reside in a rural or an urban polling division; adjusting the voting hours for areas that do not switch to Daylight Savings Time; providing for the first time for the merger of registered political parties; allowing registered parties that do not field the required number of candidates to retain their assets in certain cases; ensuring the rights of candidates to canvass and of electors to post election signs in multiple-unit residential buildings; providing a full refund of a candidate's nomination deposit if reports are filed; and adjusting dollar amounts to reflect inflation.

Bill C-2 requires increased disclosure of finances by registered parties. Registered parties will need to complete financial statements for any trust fund established by the party for an election.

In addition, the Bill seeks to legislate in two areas that have been the subject of successful court challenges in recent years. It would impose a new system of regulation and disclosure requirements for third-party spending. It would also prohibit the publication of new public opinion poll results during the final 24 hours of an election (election day).

### ***Recent court decisions***

On October 21, 1999, the Federal Court of Appeal handed down its ruling in the combined cases of *Sauvé v. Canada (Chief Electoral Officer)* and *McCorrister v. Canada (Attorney General)*.

The Court ruled that inmates serving a sentence of two years or more may no longer vote in federal elections. Inmates serving terms of less than two years were still entitled to vote in the November 15 by-elections.

This latest decision overturns a ruling made by the Federal Court (Trial Division) on December 27, 1995.



That earlier judgment gave all inmates the right to vote on the grounds that paragraph 51(e) of the *Canada Elections Act*, which disenfranchised every person serving a sentence of two years or more in a correctional institution, violated section 3 of the *Canadian Charter of Rights and Freedoms* and was, therefore, unconstitutional.

The issue of whether all, some or none of the inmates in Canada's penitentiaries should have the right to vote in federal elections has been under judicial scrutiny for over a decade. To date, the dialogue between Parliament and the courts has produced no definitive resolution. In the landmark case of *Belczowski v. Canada (Attorney General)*, the Supreme Court of Canada decided on May 27, 1993, that paragraph 51(e) of the *Canada Elections Act*, as it then read, was unconstitutional. In the Court's view, a blanket disenfranchisement of inmates did not meet the standard of Charter review. The Act was then amended to disqualify only those inmates incarcerated for two years or more.

Both Sauvé and McCorrister were imprisoned for terms longer than two years. They began separate actions, which were subsequently joined in the Federal Court (Trial Division). On December 27, 1995, that court held that the version of the Act then in force was not constitutional either, resulting in all inmates being given the right to vote. The Crown appealed. It admitted that paragraph 51(e) does infringe section 3 of the Charter, and the court's entire focus of attention was, therefore, on whether the restriction could be justified under section 1 of the Charter as reasonable in a free and democratic society.

In that appeal judgment, the Federal Court decided by a two-to-one majority that the provision was a complex mixture of criminal and electoral law, which creates a civil disqualification following criminal conviction. It also held that the section was proportional to the public policy matter which it was designed to address. Paragraph 51(e) was therefore held to be constitutional.

The inmates have applied to the Supreme Court of Canada for leave to appeal; at the time of writing, that application is being considered.

This subject continues to produce conflicting court judgments. As recently as August 23, 1999, the Court of Queen's Bench of Manitoba, in the case of *Driskell and Paul v. Manitoba (Attorney General)* held that Manitoba's prohibition on voting for inmates who are incarcerated for five years or more is unconstitutional.

## The National Register of Electors

### *September 1999 release*

A National Register of Electors data release was produced in September 1999. It is estimated that this release includes 95.1 percent of Canadian electors, 87.9 percent of whom are listed at the correct address. This indicates that 83.5 percent of Canadian electors are listed at the correct address. After an adjustment of 0.8 percent for deceased electors listed on the release, the overall accuracy of the data is estimated to be 82.7 percent.

### *October 1999 list of electors*

Data from the September 1999 release from the National Register of Electors were used to produce the October 15, 1999, annual list of electors to members of Parliament and registered political parties, in accordance with section 71.013 of the *Canada Elections Act*.

Because of the unprecedented comprehensiveness of the update process reflected in the September 1999 release, the quality of the data in the October 15, 1999, list is higher than the quality of the data provided to members of Parliament and political parties on October 15, 1998. It is consistent with the quality forecast by Elections Canada during the feasibility study for the National Register of Electors.

## ***Maintaining the National Register of Electors***

Between general elections, the National Register of Electors must be kept as up-to-date and accurate as possible, so that it is ready at any time to generate reliable preliminary lists of electors for federal by-elections, and for general elections and referendums. The Register is continually updated with data from the Canada Customs and Revenue Agency (formerly Revenue Canada), Citizenship and Immigration Canada, provincial and territorial motor vehicle and vital statistics registrars, and the electoral agencies of British Columbia and Quebec, which maintain provincial registers of electors.

As well, the Register reflects the results of two outreach initiatives launched in March and April 1999 as part of the National Register of Electors' comprehensive maintenance program. The first outreach initiative involved sending verification notices to electors whose information appeared to be incorrect or to have been added more than once to the National Register of Electors. This initiative was designed to eliminate duplicate listings. Pairs of possible duplicate listings were identified through similar or identical names, dates of birth and, in some cases, addresses. Some pairs were eliminated from consideration as possible duplicates because both listings in the pair had been matched to one of the administrative data sources used to update the Register. Verification notices were mailed to listings in the remaining pairs asking for confirmation of the elector information. As a result, over 190 000 duplicate listings were removed from the National Register of Electors.

Elections Canada's second initiative involved writing to individuals who turned 18 after the June 1997 federal election and before January 1999, and who were identified using Revenue Canada or driver's licence information. Those individuals were asked to confirm their citizenship and to give consent for their names to appear in the National Register of Electors. The initiative did not include individuals residing in Ontario, Newfoundland, the Northwest Territories or

Nunavut, because of recent or forthcoming (at the time of mailing) provincial or territorial elections. Nor did it include individuals residing in Quebec, since data for new electors provided by the Directeur général des élections du Québec are used to update the Register. As a result, more than 42 000 eighteen-year-olds were added to the National Register of Electors.

## ***Sharing National Register of Electors data***

Forging data-sharing partnerships is a corporate priority for Elections Canada. Since 1997, Elections Canada has signed data-sharing agreements with more than 60 agencies responsible for the conduct of elections at the provincial, territorial, and municipal levels, including agreements for the supply of Register data and/or the receipt of data from provincial and municipal electoral lists. A key objective of these partnerships is the opportunity for cost savings to jurisdictions using National Register of Electors data to produce preliminary electoral lists. The privacy of the information in the Register is assured by the *Canada Elections Act* and the *Privacy Act*, and the information can be used only for electoral purposes.

In September 1999, the inaugural meeting of the Advisory Committee to the National Register of Electors took place at Elections Canada's offices in Ottawa. The Committee was established by the Chief Electoral Officer to provide a forum for discussion of Elections Canada initiatives for sharing National Register of Electors data with other jurisdictions. It also provides an opportunity for the exchange of ideas and information on new initiatives in all jurisdictions that could enhance the quality of the databases maintained by electoral jurisdictions with permanent voters lists, and by motor vehicle and vital statistics registrars.

Membership is drawn from both the data supplier community and from provincial, territorial and municipal electoral agencies using permanent lists of electors.

## Information technology: Maintaining election readiness

### *Y2K preparedness*

In the latter part of 1997, a Year 2000 Project Office was created with the mandate of assessing the risk to Elections Canada operations of potential year 2000 failures. The entire operations and information technology infrastructure was assessed and the results yielded a series of risk areas that needed remediation or follow-up action. Subsequently, a series of sub-projects was started under the umbrella of the Year 2000 Project Office. They were:

- detailed assessment and remediation of all computer-based applications
- creation of a testing methodology and testing lab
- writing of test cases and testing of the computer applications in the lab
- assessment and remediation of all hardware (replacement of 250 personal computers) and off-the-shelf software products (251 products)
- risk assessment of business functions and creation and implementation of contingency procedures
- due diligence (legal) review of business functions and liabilities of Elections Canada transition management

All of the projects were carried out in accordance with Treasury Board policies.

### *Field registration: A new system and new administrative procedures*

Development of a field registration system is well underway to replace the Elections Canada Automated Production of Lists of Electors (ECAPLE), the current technology for revising electoral lists during an electoral event. The new system is called REVISE. It is year 2000 compliant and will provide increased functionality to meet needs that have evolved since the establishment of the National Register of Electors.

The design phase is now completed and a first release of the system has been delivered to Elections Canada for acceptance testing and performance

measurement. Performance measurement was conducted in two experimental returning offices set up at Elections Canada to replicate the field conditions in which the system is to be deployed. Using rigorous security procedures, the REVISE database was successfully loaded with data extracted from the National Register of Electors and experimental revision data were created to simulate a revision environment. Additional testing will take place before the new system is deployed in an actual electoral event.

A new set of administrative procedures for revision has been designed with the triple objectives of further meeting the requirements of the *Canada Elections Act*, facilitating the administration of revision and making the process easier for electors. These procedures were successfully implemented during the November 1999 by-elections.

## Electoral geography

Elections Canada, in partnership with Statistics Canada, has recently completed a digital road network for Canada, called the National Geographic Database. The database will be used for electoral mapping and will make the National Register of Electors more accessible to jurisdictions that operate with different electoral boundaries. As new electors are added to the National Register of Electors, or as electors move to new addresses, the system will allow Elections Canada to identify where those electors' addresses are located on the national road network, and in which municipality or electoral district an elector's residence is located.

We will be working closely with federal and provincial agencies, as well as the private sector, to keep the digital database up-to-date. To ensure that the database reflects the ever-expanding road network across Canada, we plan to gather additional civic addresses resulting from 911 emergency telephone number initiatives and new street development. The acquisition of more corner addresses will further facilitate the location of electors and the creation of accurate electoral maps.

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

### ***Appearances of the Chief Electoral Officer before the Standing Committee on Procedure and House Affairs***

On October 28, 1999, and November 22, 1999, the Chief Electoral Officer appeared before the Standing Committee on Procedure and House Affairs, during the Committee's consideration of Bill C-2, the new *Canada Elections Act*. Bill C-2 was referred to the Standing Committee on Procedure and House Affairs on October 14, 1999, after it received first reading in the House of Commons. (See the section on Legislative issues, above, for more information regarding Bill C-2.)

During his appearances before the Standing Committee, the Chief Electoral Officer supported measures in the Bill aimed at furthering the principle of transparency and the right of the public to know who is influencing the electoral debate. He also took the opportunity to raise the matter of his recommendations to Parliament that were not included in Bill C-2.

The full text of the speech made by the Chief Electoral Officer at his appearance before the Standing Committee on October 28, 1999, is available on the Elections Canada Web site, at <http://www.elections.ca>, in the News section under Statements and Speeches and also in the General Information section under 1999 Electoral Reform.

### ***Advisory Committee of Registered Political Parties***

Since the previous report of the Chief Electoral Officer, the Advisory Committee of Registered Political Parties has met twice.

The objective of the June 11, 1999, meeting was to brief the members of the Advisory Committee on the various provisions of Bill C-83, which proposed the adoption of a new *Canada Elections Act*. This Bill died

on the Order Paper in fall 1999, and Bill C-2 has essentially reintroduced the same provisions, with certain technical modifications.

At the September 10, 1999, meeting, discussions focused on the formulation of an elector identification policy; guidelines on the use of electoral lists by persons authorized under the Act to receive them; and the Special Voting Rules. With respect to these, a representative of the Department of Foreign Affairs and International Trade gave a presentation on the services rendered by foreign missions to enable Canadians residing abroad to exercise their right to vote.

## **Allocation of political broadcasting time**

The *Canada Elections Act* requires that a new allocation of time for political broadcasting be prepared every year. Under this requirement, the Broadcasting Arbitrator convened a meeting of registered political parties on September 10, 1999. A further meeting was needed on December 3, 1999; two political parties that had been accepted for registration but not yet formally registered were also invited to participate in that meeting. On the basis of the discussions, the Broadcasting Arbitrator issued his annual decision on December 22, 1999.

## **Conference of Canadian Election Officials**

The annual Conference of Canadian Election Officials was held in Ottawa on June 23-26, 1999. The conference was hosted by Elections Canada and chaired by Mr. Rick Balasko, Chief Electoral Officer of Manitoba, who will host this year's conference.

All chief electoral officers – with the exception of those from Saskatchewan and Nova Scotia, where provincial elections were in progress – attended, as did senior staff from their organizations. Five members of the Australian Electoral Commission, who were in Ottawa as part of a work-study visit to Elections Canada, participated in the conference.

The Honourable Don Boudria, Leader of the Government in the House of Commons, was present at the reception to welcome the participants.

During the conference, several Elections Canada employees made presentations on a number of subjects, including the Administration and Cost of Elections Project, the National Register of Electors, electoral reform, the National Geographic Database, and electronic voting. They also demonstrated Elections Canada's operational systems.

Professor John C. Courtney of the Department of Political Studies, University of Saskatchewan, was invited to share the results of recent research relating to electoral issues.

## **International activities**

### ***Update on missions***

During the period of May to November 1999, Elections Canada hosted a number of delegations from other countries, including officials:

- from Burkina Faso in May 1999, seeking information on the Canadian electoral system
- from the People's Congress of Guangdong Province in China on June 18, 1999, seeking information on the Canadian electoral system
- from the Australian Electoral Commission during June 23-30, 1999, seeking information on the acquisition of data and the maintenance and updating of the National Register of Electors

- from the Diet Affairs Committee, Japan's House of Representatives on August 20, 1999, for a briefing on the Canadian electoral system
- from the Electoral Advisory Committee of Jamaica, on September 2-3, 1999, to learn about the Geographic Information System
- from the Independent Electoral Commission of South Africa during September 20-24, 1999, to learn about the Canadian model for the funding of political parties and about other issues pertaining to the Canadian electoral process
- from Haiti on October 4, 1999, seeking information on the National Register of Electors

In April 1999, Elections Canada provided registration and election kits to the Malawi Election Commission. In June 1999, 29 Canadian electoral officials went to assist the United Nations with East Timor's external voting program for the August 1999 referendum.

During June 29 to July 2, 1999, Elections Canada conducted a needs assessment mission in Guatemala, relating to the general elections that took place in November 1999. In November 1999, Elections Canada participated in a needs assessment mission to Kosovo to help prepare for upcoming elections.

Assistance on electoral matters was provided by Mr. Ron Gould, the Assistant Chief Electoral Officer of International Services, to Uzbekistan during July 10-17, 1999 and during August 17-25 in Kyrgyzstan.

## Convictions for offences under the *Canada Elections Act*

Following the June 2, 1997, general election, five enforcement cases resulted in convictions under the *Canada Elections Act*.

On July 9, 1999, Mr. Harold Downs, a candidate in the electoral district of Windsor–St. Clair, Ontario, pleaded guilty to failing to transmit or cause to be transmitted to the returning officer a declaration respecting the candidate's election expenses, within four months of the 1997 general election polling day, contrary to subsection 236(2) of the *Canada Elections Act*. Mr. Downs was granted an absolute discharge. Since this offence constitutes an illegal practice, Mr. Downs loses his right to vote or to be a candidate, or to hold an office where appointment is made by the Crown or Governor in Council, for five consecutive years.

On July 15, 1999, Mr. John Turner, a candidate in the electoral district of Nunavut, pleaded guilty to failing to transmit or cause to be transmitted to the returning officer a declaration respecting the candidate's election expenses, within four months of the 1997 general election polling day, contrary to subsection 236(2) of the *Canada Elections Act*. Mr. Turner was fined \$400. Since this offence constitutes an illegal practice, Mr. Turner loses his right to vote or to be a candidate, or to hold an office where appointment is made by the Crown or Governor in Council, for five consecutive years.

On July 15, 1999, Mr. Paul Kanayok, an official agent in the electoral district of Nunavut, pleaded guilty to failing to transmit to the returning officer the auditor's report and a candidate's return respecting election expenses, within four months of the 1997 general election polling day, contrary to subsection 236(2) of the *Canada Elections Act*. Mr. Kanayok was granted a conditional discharge with an obligation to file the documents within the three-month probation period. Since this offence constitutes an illegal practice, Mr. Kanayok loses his right to vote or to be a

candidate, or to hold an office where appointment is made by the Crown or Governor in Council, for five consecutive years.

On September 10, 1999, Mr. Dauda L. Massaquoi, an official agent in the electoral district of Scarborough–Agincourt, Ontario, pleaded guilty to failing to transmit to the returning officer the auditor's report and a candidate's return respecting election expenses, within four months of the 1997 general election polling day, contrary to subsection 236(2) of the *Canada Elections Act*. Mr. Massaquoi was granted a conditional discharge with an obligation to perform 75 hours of community service within the six-month probation period. Since this offence constitutes an illegal practice, Mr. Massaquoi loses his right to vote or to be a candidate, or to hold an office where appointment is made by the Crown or Governor in Council, for five consecutive years.

On October 14, 1999, Edward Lee, a candidate in the electoral district of Scarborough–Agincourt, Ontario, pleaded guilty to failing to transmit to the returning officer a declaration respecting the candidate's election expenses, within four months of the 1997 general election polling day, contrary to subsection 236(2) of the *Canada Elections Act*. Mr. Lee was granted a conditional discharge subject to a charitable donation of \$3 000, with six months probation. Since this offence constitutes an illegal practice, Mr. Lee loses his right to vote or to be a candidate, or to hold an office where appointment is made by the Crown or Governor in Council, for five consecutive years.

Information on all convictions arising from the October 1992 referendum and the October 1993 and June 1997 general elections can be found in the Sentencing Digest on the Elections Canada Web site ([http://www.elections.ca/news/convictions/convictions\\_e.html](http://www.elections.ca/news/convictions/convictions_e.html)).

# The by-elections: Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West

On May 31, 1999, Chris Axworthy, New Democratic Party Member of Parliament for Saskatoon–Rosetown–Biggar, resigned his seat in the House of Commons.

On August 3, 1999, the Honourable Sergio Marchi, Liberal Member of Parliament for York West, resigned his seat in the House of Commons.

On August 10, 1999, the Honourable Sheila Finestone, Liberal Member of Parliament for Mount Royal, resigned her seat in the House of Commons.

On September 10, 1999, the Honourable Marcel Massé, Liberal Member of Parliament for Hull–Aylmer, resigned his seat in the House of Commons.

On October 10, 1999, the Governor in Council announced that by-elections to fill the vacancies in the four electoral districts would be held on November 15, 1999.

Following this announcement, the Chief Electoral Officer issued writs to the returning officers of the four electoral districts, directing them to conduct the by-elections. Table 1 provides an overview of the important milestones during the period from the issue of the writs to their return.

**Table 1**  
**Key dates for the November 15, 1999, by-elections in Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West**

Date	Election calendar day	Event
October 10	Day 36	Issue of the writs; preparations made to open the offices of the returning officers
October 10 to 16	Days 36 to 30 (midnight)	Advertising blackout period for political parties
October 13	Day 33	Revision of lists of electors begins
October 14	Day 32	Proclamations published – candidates may file nominations
October 18	Day 28	Targeted revision begins
October 20 to 22	Days 26 to 24	Notices of Confirmation of Registration mailed to all registered electors
October 25	Day 21 (2:00 p.m.)	Nominations close
November 4	Day 11	Revised lists of electors distributed
November 5, 6 and 8	Days 10, 9, 7	Advance polls
November 9	Day 6 (6:00 p.m.)	Revision and special ballot registration end
November 12	Day 3	Official lists of electors distributed
November 14 and 15	Days 1 and 0	Advertising blackout period for political parties
November 15	Day 0	Election day
November 16	Day –1	Official addition
November 23	Day –8	Writs returned

## Communicating with electors

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

The principal means of communicating with the general public was the “householder”, a pamphlet sent to all residences in the electoral districts within days of the issue of the writs. Substantially redesigned in appearance for these by-elections, it provided information such as the name and phone number of the returning officer, information about the National Register of Electors, and details of how to have names added to, or corrected on, the list of electors. It also gave information on deadlines for voting by special ballot and 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. The pamphlet 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 several alternatives that Elections Canada provides for electors unable to go to their polling stations on election day.

All public information was produced in both official languages, as well as in Chinese, Italian, Portuguese and Spanish, where census data indicated this was appropriate. Key information was made available on request in alternative formats, including Braille, large print, and audio-cassette.

During the November 15 by-election, a test was conducted in Saskatoon–Rosetown–Biggar to assess the effectiveness of using radio advertising to inform electors that the householder would arrive in their mail. A telephone survey conducted after the ads were aired showed that they had prompted 23 percent of respondents to look for the householder in their daily mail.

Print advertisements were placed in daily and community newspapers in the final days of the election period 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 polls. The advertisement was based on the approach used at the last general election.

Elections Canada worked closely with local media to ensure that electors had the necessary information. It provided a media information kit with the launch news release, an electoral district profile, and a calendar of key dates. The kit included background information on several topics, ranging from the electoral process and the role of Elections Canada, to the Special Voting Rules, the National Register of Electors, and election expenses and contributions guidelines for candidates and parties.

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

A special by-elections segment was posted on Elections Canada's Web site. The lists of official candidates, the electoral district maps, and the addresses and telephone numbers of the offices of the returning officers were included in this segment, along with general information on the voting process and voting by special ballot. On election night, results were posted on the Web site as they became available.

Staff of the Elections Canada Enquiries Unit were available through the 1 800 INFO-VOTE telephone line and the Internet to answer some 400 requests for information. In answer to those requests, 944 pieces of information related to the four by-elections were provided to electors.

## Communicating with candidates, official agents and auditors

### *Seminars*

To help candidates, official agents and auditors understand and comply with the financing provisions of the *Canada Elections Act*, Elections Canada presented seminars in Mount Royal on October 21 and 22, 1999, in Hull–Aylmer and York West on



October 22, 1999, and in Saskatoon–Rosetown–Biggar on October 23, 1999. Instruction was given on how to complete the *Candidate’s Return Respecting Election Expenses* and a demonstration of the *Electronic Candidate Returns* was provided.

## Revising the lists of electors

For the fourth time since its establishment in 1997, data from the National Register of Electors were used to produce the preliminary lists of electors for the by-elections. Returning officers for the four electoral districts reported 10 959 additions, removals and changes during the event to the information in the preliminary lists of electors. This number represents 4.8 percent of the 225 982 electors on the preliminary lists and demonstrates the growing reliability of the information in the National Register of Electors.

Of the 10 959 revisions performed during the event, 7 094 took place during the actual revision period,<sup>1</sup> which lasted from Day 33 to Day 6. An additional 3 865 revisions were performed as a result of registrations at polls on election day.

The breakdown of revisions by transaction type shows 6 332 electors added to the lists, 2 965 electors removed, and 1 662 records corrected. Of the 6 332 additions to the list, 2 892 (or 45.7 percent) were requested on election day. Table 2 shows the details of revision transactions for each electoral district.

<sup>1</sup> This and the following figures take into account the minor changes brought to the three lists of electors registered to vote under group 1 of the Special Voting Rules. You can also refer to Table 4.

**Table 2**  
**Lists of electors revision transactions**

### Hull–Aylmer

Calendar	Revision transactions	Cumulative totals	
Day 33 to Day 11	<i>Preliminary list</i>	<b>69 420</b>	
	Additions	830	
	Corrections	208	
	Deletions	976	
	Total	2 014	
Day 10 to Day 6	<i>Revised list</i>	<b>69 274</b>	
	Additions	434	1 264
	Corrections	31	239
	Deletions	380	1 356
	Total	845	2 859
Election day	<i>Official list</i>	<b>69 328</b>	
	Additions	775	2 039
	Corrections	60	299
	Deletions	210	1 566
	Total	1 045	3 904
	<i>Final list</i>	<b>69 893</b>	

### Mount Royal

Calendar	Revision transactions	Cumulative totals	
Day 33 to Day 11	<b><i>Preliminary list</i></b>	<b>62 055</b>	
	Additions	787	
	Corrections	297	
	Deletions	592	
	Total	1 676	
Day 10 to Day 6	<b><i>Revised list</i></b>	<b>62 250</b>	
	Additions	275	1 062
	Corrections	52	349
	Deletions	150	742
	Total	477	2 154
Election day	<b><i>Official list</i></b>	<b>62 375</b>	
	Additions	506	1 568
	Corrections	28	377
	Deletions	40	782
	Total	574	2 727
	<b><i>Final list</i></b>	<b>62 841</b>	

### Saskatoon–Rosetown–Biggar

Calendar	Revision transactions	Cumulative totals	
Day 33 to Day 11	<b><i>Preliminary list</i></b>	<b>45 262</b>	
	Additions	548	
	Corrections	151	
	Deletions	222	
	Total	921	
Day 10 to Day 6	<b><i>Revised list</i></b>	<b>45 588</b>	
	Additions	244	792
	Corrections	107	258
	Deletions	254	476
	Total	605	1 526
Election day	<b><i>Official list</i></b>	<b>45 578</b>	
	Additions	1 155	1 947
	Corrections	330	588
	Deletions	77	553
	Total	1 562	3 088
	<b><i>Final list</i></b>	<b>46 656</b>	

## York West

Calendar	Revision transactions	Cumulative totals	
Day 33 to Day 11	<b>Preliminary list</b>	<b>49 245</b>	
	Additions	272	
	Corrections	128	
	Deletions	27	
	Total	427	
Day 10 to Day 6	<b>Revised list</b>	<b>49 490</b>	
	Additions	50	322
	Corrections	59	187
	Deletions	20	47
	Total	129	556
Election day	<b>Official list</b>	<b>49 520</b>	
	Additions	456	778
	Corrections	211	398
	Deletions	17	64
	Total	684	1 240
	<b>Final list</b>	<b>49 959</b>	

## Voting in the by-elections

### *Voter turnout*

In total, 64 485 of 229 350 electors cast their ballots in the four by-elections. The majority voted on election day, November 15, 1999, at one of the 683 polling sites located throughout the electoral districts. All polling stations in Hull–Aylmer, Mount Royal and York West were open for 12 hours from 9:30 a.m. to 9:30 p.m., local time. The polling stations in Saskatoon–Rosetown–Biggar were also open for 12 hours, from 8:30 a.m. to 8:30 p.m., local time.

Voter turnout was 25.5 percent in Hull–Aylmer, 27.5 percent in Mount Royal, 33.7 percent in Saskatoon–Rosetown–Biggar, and 27.4 percent in York West. The turnout at the most recent by-election before November 15 (Windsor–St. Clair, in April 1999) was 45 percent. At the 1997 general election, the voter turnout was 70.4 percent in Hull–Aylmer, 78.7 percent in Mount Royal, 59.9 percent in Saskatoon–Rosetown–Biggar and 61.0 percent in York West.

For those unable to vote on election day, advance polls were held on November 5, 6 and 8, 1999. Table 3 shows the details of polling station locations and accessibility by electoral district.

The voter turnout is always lower at a by-election than at a general election, but it was particularly low this time.

The national turnout at the last general election in 1997 was 67 percent, the lowest since 1925 (66.4 percent) and second-lowest since 1896 (62.9 percent, the lowest ever). During the 20th century Canada has held 28 general elections, and the average turnout has been about 73 percent. The highest national turnout since Confederation in 1867 was 79.4 percent, in the 1958 general election.

There was a total of 228 voting locations and all provided level access.

As is always the case during elections or by-elections, residents of an electoral district who were unable to vote at the advance or ordinary polls, and residents travelling or residing outside Canada temporarily, could vote by mail-in ballot under the Special Voting Rules. Canadians abroad could obtain information about how to cast their ballots from the Department of Foreign Affairs and International Trade, through its diplomatic missions and consular posts. Canadian Forces electors, whether based inside or outside Canada, were informed of their right to vote by the Department of National Defence (please see Table 4).

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

**Location of polling sites**

Place	Hull-Aylmer		Mount Royal		Saskatoon-Rosetown-Biggar		York West		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Residential (apartments)	2	3.08	8	17.39	1	1.39	9	20.00	20	8.77
Homes for seniors	9	13.85	3	6.52	12	16.67	0	0	24	10.53
Community centres	9	13.85	4	8.70	27	37.50	3	6.67	43	18.86
Educational facilities	26	40.00	15	32.61	25	34.72	25	55.56	91	39.91
Municipal buildings	1	1.54	1	2.17	1	1.39	0	0	3	1.32
Royal Canadian Legion facilities	0	0	0	0	2	2.77	0	0	2	0.88
Commercial premises	6	9.23	5	10.87	1	1.39	2	4.45	14	6.14
Hospitals	4	6.15	4	8.69	1	1.39	3	6.67	12	5.26
Recreation centres	2	3.08	0	0	1	1.39	0	0	3	1.32
Church halls	5	7.69	5	10.87	0	0	3	6.67	13	5.70
Other	1	1.54	1	2.17	1	1.39	0	0	3	1.32
<b>Total</b>	<b>65</b>	<b>100.00</b>	<b>46</b>	<b>100.00</b>	<b>72</b>	<b>100.00</b>	<b>45</b>	<b>100.00</b>	<b>228</b>	<b>100.00</b>

**Types of polling stations**

Electoral district	Ordinary	Mobile	Advance	Total
Hull-Aylmer	188	3	11	<b>202</b>
Mount Royal	172	1	11	<b>184</b>
Saskatoon-Rosetown-Biggar	136	2	7	<b>145</b>
York West	144	1	7	<b>152</b>

**Polling stations with level access**

Electoral district	Total number of polling stations	Polling stations with level access	Percentage
Hull-Aylmer	202	202	100%
Mount Royal	184	184	100%
Saskatoon-Rosetown-Biggar	145	145	100%
York West	152	152	100%

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

Categories of electors asking to vote under the Special Voting Rules	Number of ballots requested			
	Hull–Aylmer	Mount Royal	Saskatoon–Rosetown–Biggar	York West
<b>Group 1<sup>1</sup></b>				
Members of the Canadian Forces	231	20	112	43
Incarcerated electors	1	1	0	0
Electors temporarily residing outside Canada	275	113	3	12
<b>Group 1 subtotal</b>	<b>507</b>	<b>134</b>	<b>115</b>	<b>55</b>
<b>Group 2<sup>2</sup></b>				
Electors temporarily outside their electoral districts	9	3	2	0
Electors voting in their electoral districts	215	149	127	46
<b>Group 2 subtotal</b>	<b>224</b>	<b>152</b>	<b>129</b>	<b>46</b>
<b>Total number of registrations for voting by special ballot</b>	<b>731</b>	<b>286</b>	<b>244</b>	<b>101</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 event.

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

In Hull–Aylmer, a representative of the school board confirmed in writing that the schools were available as central polling places; however, many schools later refused the use of their facilities. Given the urgency of the situation, and the impossibility of finding adequate facilities for 59 polling stations, the returning officer had to locate all these stations in the Robert Guertin Arena to enable the electors to exercise their right to vote. This was the first time in Canada that such a large number of polling stations were gathered in the same place, and the situation did not produce a large number of complaints.

Persons in institutions, including those in hospitals and inmates serving a sentence of less than two years in correctional facilities, could also vote in the by-elections under the Special Voting Rules. Registration and voting in acute care hospitals was held on November 8 and 9. To facilitate special ballot voting in correctional facilities, information kits were supplied to the John Howard and Elizabeth Fry societies.

Preliminary statistics on the number of ballots cast by all means are presented in Table 5.

**Table 5**  
**Preliminary statistics on the number of ballots cast and voter turnout, November 1999 by-elections**

Electoral district	Number of electors on final list	Ordinary polls	Advance polls	Special Voting Rules	Total votes cast	Rejected ballots	Total valid votes	Voter turnout
Hull–Aylmer	69 893	16 040	1 490	257	17 787	144	17 643	25.5%
Mount Royal	62 841	15 569	1 568	173	17 310	110	17 200	27.5%
Saskatoon–Rosetown–Biggar	46 656	14 602	969	134	15 705	55	15 650	33.7%
York West	49 959	13 179	456	48	13 683	154	13 529	27.4%

## The candidates and by-election results

The deadline for the nomination of candidates was 2:00 p.m., on October 25, 1999. The deadline for withdrawal or for making corrections to information on candidates' nomination papers was 5:00 p.m. that same day.

Of the 10 registered federal political parties, eight chose to nominate candidates in the Hull–Aylmer by-election: the Bloc Québécois, the Christian Heritage Party of Canada, The Green Party of Canada, the Liberal Party of Canada, the Natural Law Party of Canada, the New Democratic Party, the Progressive Conservative Party of Canada, and the Reform Party of Canada. There was also an independent candidate.

In the Mount Royal by-election, four registered federal political parties nominated candidates: the Bloc Québécois, the Liberal Party of Canada, the New Democratic Party, and the Progressive Conservative Party of Canada.

In Saskatoon–Rosetown–Biggar, five registered parties nominated candidates: The Green Party of Canada, the Liberal Party of Canada, the New Democratic Party, the Progressive Conservative Party of Canada, and the Reform Party of Canada. There was one candidate with no political affiliation.

In York West, six registered parties nominated candidates: the Canadian Action Party, The Green Party of Canada, the Liberal Party of Canada, the New Democratic Party, the Progressive Conservative Party of Canada, and the Reform Party of Canada.

Once nominations closed, the lists of official 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. The lists were also posted on the Elections Canada Web site.

On election night, the Election Results System used in the electoral districts was linked to Elections Canada's central computer; as votes were counted, they were transmitted to the server in Ottawa for posting on the Web site.

Three Liberal candidates were elected in the November 15 by-elections: Marcel Proulx in Hull–Aylmer, Irwin Cotler in Mount Royal, and Judy Sgro in York West. In Saskatoon–Rosetown–Biggar, the New Democratic Party candidate, Dennis Gruending, was elected.

In Saskatoon–Rosetown–Biggar, it should be noted that 425 ballots (serial numbers 38051-38475) were reported missing to Elections Canada by the returning officer two days before election day. Since the disappearance of the ballots was discovered before election day, the poll to which this series of ballots had been assigned was assigned a new series. Deputy returning officers were instructed to make certain that their initials were on the ballots used by the electors and placed in the ballot boxes.

Once the official results had been announced and the time for requesting a judicial recount had elapsed, special authorization was given under section 196 of the *Canada Elections Act* to open the polling station material envelopes for the purpose of seeking the missing ballots. The missing ballots were not found. Having eliminated the possibility that the ballots might have been misplaced in the ballot envelopes, the Chief Electoral Officer asked the Commissioner of Canada Elections to inquire into the situation. The Commissioner reported that the investigation did not locate the 425 missing ballots. Neither is there evidence to suggest that any election officer working at the office of the Saskatoon–Rosetown–Biggar returning officer on November 12, 1999, is responsible for taking the ballots. Finally, no other avenue of investigation is available that would likely result in identifying a suspect or in sufficient and reliable evidence for a prosecution on the matter of the missing ballots.

The Chief Electoral Officer concluded that the missing ballots could not have affected the results of the by-election, given that the margin of victory was greater than 2 000 votes. Further, none of the election officers or candidates' representatives reported any irregularity on election day, and the number of electors who attended to vote equalled the number of ballots cast.

**Table 6****Preliminary statistics on valid votes cast, by candidate, November 1999 by-elections**

<b>Candidate</b>	<b>Political affiliation</b>	<b>Valid votes obtained</b>	<b>Percentage</b>
<b>Hull–Aylmer</b>			
Robert Bélanger	Bloc Québécois	4 495	25.47%
Alain Cossette	New Democratic Party	1 356	7.68%
Luiz Da Silva	Reform Party of Canada	175	0.99%
Ron Gray	Christian Heritage Party of Canada	176	0.99%
Jean-Claude Pommet	Natural Law Party of Canada	103	0.58%
Marcel Proulx	Liberal Party of Canada	9 532	54.02%
Richard St-Cyr	Progressive Conservative Party of Canada	1 448	8.20%
John C. Turmel	Independent	51	0.28%
Gail Walker	The Green Party of Canada	307	1.74%
<b>Total</b>		<b>17 643</b>	<b>100.00%</b>
<b>Mount Royal</b>			
Mathieu Alarie	Bloc Québécois	385	2.23%
Noel Earl Alexander	Progressive Conservative Party of Canada	648	3.76%
Irwin Cotler	Liberal Party of Canada	15 820	91.97%
Serge Granger	New Democratic Party	347	2.01%
<b>Total</b>		<b>17 200</b>	<b>100.00%</b>
<b>Saskatoon–Rosetown–Biggar</b>			
Ace Cetinski	No Affiliation	111	0.70%
Henry Dayday	Liberal Party of Canada	2 448	15.64%
Rich Gabruch	Progressive Conservative Party of Canada	2 242	14.32%
David Greenfield	The Green Party of Canada	175	1.11%
Dennis Gruending	New Democratic Party	6 353	40.59%
Jim McAllister	Reform Party of Canada	4 321	27.61%
<b>Total</b>		<b>15 650</b>	<b>100.00%</b>
<b>York West</b>			
Stephen Burega	Canadian Action Party	242	1.78%
Elio Di Iorio	Progressive Conservative Party of Canada	1 721	12.72%
Enzo Granzotto	Reform Party of Canada	377	2.78%
Julia McCrea	New Democratic Party	1 054	7.79%
Judy Sgro	Liberal Party of Canada	10 034	74.16%
Henry Zeifman	The Green Party of Canada	101	0.74%
<b>Total</b>		<b>13 529</b>	<b>100.00%</b>

## Special permissions

The week before election day, the Chief Electoral Officer made a ruling under subsection 9(1) of the *Canada Elections Act*, which allows him to adapt provisions of the Act in keeping with the intent of the legislation. This case concerned subsection 126(4), which permits transfer certificates for deputy returning officers and poll clerks working at polling stations other than the one at which they may vote, if they are appointed after the advance polls. The Chief Electoral Officer extended this provision to central poll supervisors, information officers, registration officers and their assistants, and persons responsible for maintaining order. These officials would otherwise have been deprived of their right to vote, as they may not leave the polling stations where they work.

## Improving the administration of electoral events

As a result of discussions with the Advisory Committee of Registered Political Parties, new identification cards for candidates' representatives and polling station personnel were tested at the Windsor–St. Clair by-election in April 1999. The results of the survey completed by all deputy returning officers and central poll supervisors regarding the new format were very positive. As a result, the new identification cards were again used for the four November by-elections.

The seating arrangements at the polls for representatives of candidates, which were also tested at the Windsor–St. Clair by-election, were found to be unsatisfactory. As a result, it was decided to test new seating arrangements for representatives of candidates at the November by-elections. Their chairs and tables (if available) were placed on either side of the table reserved for the deputy returning officer and poll clerk, ensuring that they had a clear view of the proceedings without obstructing the deputy returning officer and the poll clerk in their duties, or the electors in their voting.

All deputy returning officers and central poll supervisors were surveyed again to assess the usefulness and appropriateness of the new identification cards and seating arrangements. The results of this survey

will be discussed with the Advisory Committee of Registered Political Parties. Elections Canada will then decide whether or not these new measures should be implemented for the next general election.

## Commissioner's report

The Commissioner of Canada Elections is responsible for ensuring compliance with and enforcement of the *Canada Elections Act*. At the time of writing, three allegations of offences have been brought to the Commissioner's attention in connection with the November 15, 1999, by-elections in Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West.

Following a report of 425 ballots declared missing before the November 15, 1999, by-election in Saskatoon–Rosetown–Biggar, the Chief Electoral Officer, under section 257 of the *Canada Elections Act*, directed the Commissioner to inquire into the situation, particularly to identify possible offences under section 249 of the Act, such as taking packets of ballot papers without authority. The Commissioner has reported his findings to the Chief Electoral Officer. Two other complaints relate to advertising and prohibited activities in a polling station.

The six-month deadline for submitting written allegations of offences under the *Canada Elections Act* has not yet expired. On receipt of such an allegation, the Commissioner of Canada Elections studies it to determine if it is justified and whether an inquiry is warranted. The Commissioner does not investigate complaints of alleged offences under the Act committed by an election officer or of certain specific offences committed by any individual, except at the request of the Chief Electoral Officer.

No prosecution can be instituted under the Act without the Commissioner's consent, except one relating to peace and good order at elections.

The Commissioner consents to a prosecution only if he deems that, based on the evidence, it is in the public interest. The deadline for instituting a prosecution under the Act is 18 months after the commission of the offence.

Once a prosecution is authorized, charges are laid with the court of competent jurisdiction.



## Conclusion

This report fulfils the statutory obligation of the Chief Electoral Officer to report on the November 15, 1999, by-elections in Hull–Aylmer, Mount Royal, Saskatoon–Rosetown–Biggar and York West.

Because there were simultaneous by-elections in four electoral districts, Elections Canada had a useful opportunity to test new procedures and recent technological advances in preparation for the next federal general election, while at the same time providing electors and candidates with up-to-date and efficient electoral administration and services.

As is customary, the report reviews other developments since the previous by-election in April 1999, highlighting both legislative reform and technological developments. We continue to innovate as we pursue our goal of a Canadian electoral system that is a model of modern practices, accessibility, transparency, and efficiency.