

President of the Queen's Privy Council for Canada
and Minister of Intergovernmental Affairs



Président du Conseil privé de la Reine pour le Canada
et ministre des Affaires intergouvernementales

Ottawa, Canada K1A 0A6

AVR 09 2021
APR 09 2021

Ms. Ruby Sahota
Chair, Standing Committee on Procedure and House Affairs
House of Commons
Ottawa, Ontario
K1A 0A4

Dear Ms. Sahota:

Pursuant to Standing Order 109 of the House of Commons and on behalf of the Government of Canada, I am pleased to respond to the seventh report of the House of Commons' Standing Committee on Procedure and House Affairs regarding its study of the recommendations from the Chief Electoral Officer for administering an election during the COVID-19 Pandemic. I would like to thank the Committee members for their thorough review and analysis of the recommendations.

I would also like to take this opportunity to thank the Chief Electoral Officer for his thoughtful recommendations and also thank public health officers who stepped away from their important responsibilities to provide the Committee with their thoughtful advice.

The Government agrees with the Committee that the COVID-19 pandemic has brought on new challenges to the way elections are administered – in Canada and around the world. Canadians deserve to have full confidence in their ability to exercise their democratic rights safely in these unprecedented times.

This is why, on December 10, 2020, we introduced Bill C-19: *An Act to amend the Canada Elections Act (COVID-19 response)*. With this legislation, we seek to temporarily supplement provisions of the *Canada Elections Act* (CEA) and mitigate potential challenges associated with administering an election during the pandemic. If passed, these measures would provide Elections Canada with additional tools to administer an election during the pandemic in a manner that is safe for voters and election workers. Most importantly, they will maximize opportunities for Canadians to exercise their democratic rights, while ensuring the

Canada 

integrity of the electoral process that Canadians know and count on.

The Government is generally supportive of the Committee's recommendations and we are confident that measures brought forward in Bill C-19 appropriately address the Committee's views. The Government's Response addresses the four key areas issues that are addressed in both the Committee report and the proposed legislation.

Extend the voting period – Recommendation 1

The Government agrees with the Committee's view that polling should be extended to occur over a three-day period, including a Saturday, Sunday and Monday. Bill C-19 seeks to amend the CEA to allow for a three-day polling period with eight hours of voting on Saturday and Sunday, and 12 hours of voting on the Monday. Adding two days over the weekend would facilitate physical distancing and give more opportunities to electors for whom the pandemic is bringing additional challenges such as persons with disabilities or parents with childcare obligations. As the Chief Electoral Officer noted in his special report, reducing the voting period from 12 to eight hours per day would reduce the need for shifts and allow the polls to be staffed with a smaller, less fatigued, workforce.

Long-term care voting – Recommendations 2, 3, 4, 5 and 6

The Government agrees with the Committee that seniors residing in long-term care facilities across the country are amongst the most vulnerable and that no effort should be spared to ensure their health and safety inside and outside the context of federal elections. While these recommendations do not require legislative changes, the Government trusts that the Chief Electoral Officer will consider them when preparing for the next general election. While the Government agrees with the spirit of those recommendations, Bill C-19 goes a step further and enacts the recommendation from the Chief Electoral Officer. The Bill provides for the establishment of a 13-day period prior to the beginning of polling to facilitate the administration of the vote in long-term care facilities in which seniors and persons living with disabilities reside. With this measure, older adults, who are living in long-term care facilities and are amongst the most vulnerable electors, have more opportunities to safely exercise their democratic rights.

Adjusting the Chief Electoral Officer's power – Recommendation 7

We agree that providing the Chief Electoral Officer with flexibility to adapt the CEA is a key element to ensure Election Canada has the ability to deliver a safe election. Therefore, Bill C-19 provides for an increase to the adaptation powers of the Chief Electoral Officer for the purposes of ensuring the health and safety of electors and election workers in a pandemic-specific framework.

The measure aims to address the ongoing uncertainty surrounding the pandemic, and the myriad of ways it could unexpectedly affect the rights of electors to vote safely, the safety of Elections Canada's workforce, and the logistics of any of the elections taking place across our 338 electoral districts.

Mail-in voting

While it is not the subject of a recommendation, the Committee commented extensively on the mail-in voting and heard testimonies to that effect. Even though the Committee did not make recommendations, the Government is of the view that facilitating voting by mail would be a key aspect of running a fair election during the pandemic.

The Government also shares the view of a number of provincial Chief Electoral Officers that testified before the Committee; notably that, should a federal election occur during a pandemic, scaling capacity to support major increases in vote-by-mail would be a critical issue during the election.

Through Bill C-19, the Government is proposing measures to improve access to mail-in voting for all Canadians in several ways, including the installation of mail reception boxes at every polling location and allowing for the receipt of online applications for mail-in ballots.

Enhanced mail-in voting measures will ensure the system is easy to use, safe, accessible and responsive to the voters' needs, especially those who are most vulnerable during the pandemic.

The measures we proposed through Bill C-19 are temporary and would only apply to a general election or by-elections taking place during the pandemic. They reflect the conduct of a General Election despite unfavorable circumstances and include a mechanism for the Chief Electoral Officer to scale back these measures should the pandemic recede before the next general election.

Once again, I would like to thank the Committee members for their thoughtful analysis, as well as the witnesses and Committee staff who support this important work.



Dominic LeBlanc, P.C., Q.C., M.P.