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Response from OCCE
13 Apr, 21 4:18:59 PM

Our file # 2019-0378-22

Dear Mr. Conacher:

Thank you for your correspondence on March 15, 2021, concerning activities carried out by the third party, RightNow, during the 43rd federal general election.

As you may already be aware, the Commissioner of Canada Elections (Commissioner) is responsible for ensuring that the *Canada Elections Act* (the Act) is complied with and enforced. The Commissioner carefully examines all complaints received by the Office with a view to determining whether or not a breach of the Act has occurred.

It is important to note that the Commissioner, and those working on his behalf, are, by law, subject to strict confidentiality provisions that limit the sharing of investigative details. These provisions limit the amount and nature of the information that can be shared, including with you, the complainant.

After having examined the information provided in your correspondence and an evaluation of the specific circumstances of this matter, including a consideration of the factors outlined in section 32 of the [Compliance and Enforcement Policy](#), the Commissioner has determined that the matter would be best addressed informally.

It is also important to note that, in addition to the factors outlined in the *Compliance and Enforcement Policy*, legislative amendments proposed as part of Bill C-76, made significant changes to the Act's third-party regime. The fact that these changes were both considerable and complex and that they came into force just prior to the start of the electoral campaign was another factor in the Commissioner's decision to proceed informally in this matter.

Situations that are addressed using informal means carry with them the expectation that the entity will act in accordance with the requirements of the Act going forward. They form part of the entity's compliance record and future non-compliance is more likely to be addressed using stricter formal means.

Our Office relies on Canadians to let us know when they think something is wrong. By bringing this matter to our attention, you have contributed to the integrity of the electoral system and to safeguarding Canadians' trust in their democratic process. We sincerely thank you for that.

Regards,

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