

COURT OF APPEAL OF ONTARIO

B E T W E E N:

WORKING FAMILIES COALITION (CANADA) INC., PATRICK DILLON, PETER
MACDONALD, ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, THE
ELEMENTARY TEACHERS' FEDERATION OF ONTARIO, FELIPE PAREJA, THE
ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION AND LESLIE WOLFE

Applicants

and

THE ATTORNEY GENERAL OF ONTARIO

Respondent

and

DEMOCRACY WATCH

Moving Party

FACTUM OF THE MOVING PARTY/ PROPOSED INTERVENER

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COURT OF APPEAL FOR ONTARIO

B E T W E E N:

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ASSOCIATION, THE ELEMENTARY TEACHERS' FEDERATION OF
ONTARIO, FELIPE PAREJA, THE ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION AND LESLIE WOLFE**

**Applicants
(Appellants)**

and

THE ATTORNEY GENERAL OF ONTARIO

**Respondent
(Respondent in Appeal)**

FACTUM OF THE MOVING PARTY/ PROPOSED INTERVENER

PART I - INTRODUCTION

1. Democracy Watch seeks leave to intervene to provide its unique perspective and expertise on the issue of third-party electoral advertising and its interaction with the informational and equal participation components of the right to vote.
2. For more than 20 years, Democracy Watch has represented the interests of ordinary Canadians on issues of democratic participation, election finance, and third party advertising. The organization intervened in the Supreme Court's seminal decision on campaign finance,

Harper v. Canada.¹ It also regularly makes submissions to legislative committees on behalf of its broad membership, including twice in relation to the *Election Finance Act* at issue in these appeals.

3. If granted leave to intervene, Democracy Watch will make the following submissions concerning the third-party advertising provisions of the *EFA* challenged by the Applicants (the “Impugned Provisions”, as further defined below):

- (a) The right to vote under section 3 of the *Charter* guarantees not just the right to vote, but also the right to participate meaningfully in the electoral process. Restrictions on third-party advertising preceding an election can be constitutional, but only if those restrictions promote the “egalitarian model” of elections;
- (b) The Impugned Provisions unduly restrict the ability of third party advertisers such as the Applicants, who provide a crucial means for ordinary Ontarians to participate in the electoral process, to effectively represent their members;
- (c) As a result, the Impugned Provisions exacerbate the influence of wealth in the electoral process, undermine the right of ordinary Ontarians to effective representation, and are fundamentally at odds with the egalitarian model of election;
- (d) The administrative requirements imposed by the Impugned Provisions create an unnecessary and undue burden on third parties which is likely to have a chilling

¹ *Harper v. Canada (Attorney General)*, 2004 SCC 33, [2004] 1 SCR 827, Tab 1 of Book of Authorities [BoA]

effect on groups without significant staff or resources, thereby further undermining the section 3 right to meaningful participation in the electoral process and the egalitarian model of elections.

4. Democracy Watch’s proposed factum, if granted leave to intervene, is included with its motion materials.

PART II - SUMMARY OF FACTS

A. Background to these Appeals

5. In *Working Families Ontario v. Ontario*,² the Superior Court of Justice held that sections 1(1), 37.01, 37.10.1(2), 37.10.1(3), 37.10.1(3.1) and 37.10.2 of Ontario’s *Election Finances Act*³ (collectively, the “Impugned Provisions”) were unconstitutional because they infringe section 2(b) of the *Charter of Rights and Freedoms*⁴ and are not justified under section 1.

6. Shortly after the decision, Ontario invoked the notwithstanding clause and re-enacted the Impugned Provisions in the *Protecting Elections and Defending Democracy Act, 2021* (“PEDDA” or “Bill 307”).⁵

7. The Applicants brought separate applications on the basis that the Impugned Provisions violate section 3 of the *Charter*, cannot be saved under section 1, and are not subject to the notwithstanding clause. These applications were consolidated by an order of Justice Sharma, and dismissed by Justice Morgan in his December 3, 2021 decision.

² *Working Families Ontario v. Ontario*, 2021 ONSC 4076, Tab 2 of BoA

³ [Election Finances Act, RSO 1990, c E. 7, as amended.](#)

⁴ [Part 1 of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 \(UK\), 1982, c. 11 \[Charter\].](#)

⁵ [Protecting Elections and Defending Democracy Act, SO 2021, c. 31, at s. 37.10.1\(2\).](#)

8. The Applicants now seek to appeal that decision.

B. Democracy Watch

9. Democracy Watch is a leading national citizens' group dedicated to enhancing Canada's democratic institutions and promoting public participation in the democratic process. It was established in 1993 and is entirely funded by individual supporters' contributions.⁶

10. Democracy Watch has long taken an active interest in issues of campaign finance, political advertising, and third party election spending limits. Its activities in this area have included public education, participation in the legislative process, and intervention before the courts. In particular, Democracy Watch twice made submissions before committees of the Ontario Legislature regarding the *EFA*, and was granted leave to intervene before both the Alberta Court of Appeal and the Supreme Court in *Harper v. Canada*.⁷

11. Democracy Watch has also brought proceedings concerning the rulings of the federal Ethics Commissioner, the federal Commissioner of Lobbying (and their predecessors), the British Columbia Conflict of Interest Commissioner, and the Ontario Integrity Commissioner, including cases challenging their rulings concerning the influence of donations and fundraising activities by lobbyists and interest groups for candidates, politicians and parties.⁸

12. Democracy Watch and its broad-based membership therefore have a keen interest in, and a unique perspective on, the matters at issue in these appeals.

⁶ Affidavit of Duff Conacher, at para. 10 [*“Conacher Affidavit”*].

⁷ Conacher Affidavit, at para. 18.

⁸ Conacher Affidavit, at para. 19.

13. To the extent further background on Democracy Watch, its mandate, and its activities is of assistance, this information can be found in the Affidavit of Duff Conacher, Executive Director of Democracy Watch, at paragraphs 10-20.

C. Proposed Submissions

14. If granted leave to intervene, Democracy Watch will make the following submissions concerning the Impugned Provisions:

- (a) The right to vote under s. 3 of the *Charter* guarantees not just the right to vote, but also the right to participate meaningfully in the electoral process. Restrictions on third-party advertising preceding an election can be constitutional, but only if those restrictions are tailored to uphold and enhance the “egalitarian model” of elections;
- (b) The Impugned Provisions unduly restrict the ability of third party advertisers, such as the Appellants, who provide a crucial means for ordinary Ontarians to participate in the electoral process, to effectively represent their members;
- (c) As a result, the current legislation exacerbates the influence of wealth in the electoral process, which is fundamentally at odds with the egalitarian model of elections;
- (d) The administrative requirements under Bill 307 create an unnecessary and undue burden on third parties which is likely to have a chilling effect on groups without significant staff or resources, thereby further undermining the section 3 right to

meaningful participation in the electoral process and the egalitarian model of elections.

PART III - STATEMENT OF ISSUES, LAW & AUTHORITIES

D. Applicable Law

15. Rule 13.03(2) governs leave to intervene by persons seeking to make submissions as a friend of the court in the Court of Appeal.⁹

13.03 (2) Leave to intervene as an added party or as a friend of the court in the Court of Appeal may be granted by a panel of the court, the Chief Justice or Associate Chief Justice of Ontario or a judge designated by either of them. R.R.O. 1990, Reg. 194, r. 13.03 (2); O. Reg. 186/10, s. 2; O. Reg. 55/12, s. 1; O. Reg. 82/17, s. 16.

16. These appeals raise important constitutional issues regarding Ontario's democratic process and the right to vote under s. 3 of the *Charter*. In *Charter* cases, the scope for intervention is broader than in private disputes, as it is important for the court to receive a diversity of submissions reflecting the wide-ranging impact of its decision.¹⁰

17. An intervention in such cases is normally granted when the proposed intervener meets any one of the following three criteria:

- (a) It has a real, substantial and identifiable interest in the subject matter of the proceedings;

⁹ [Rules of Civil Procedure, RRO 1990, Reg. 194, rules 13.01 and 13.02.](#)

¹⁰ *Elementary Teachers' Federation et al v. Her Majesty*, 2018 ONSC 6318 at para 8, Tab 3 of BoA.

- (b) It has an important perspective distinct from the immediate parties; or
- (c) It is a well-recognized group with a special expertise and a broadly identifiable membership base.¹¹

18. Although it need only meet one, Democracy Watch satisfies all three of these criteria.

(i) *Democracy Watch has a Real, Substantial and Identifiable Interest in the Subject Matter of the Appeals*

19. Democracy Watch's work focuses on enhancing Canada's democratic institutions and voter participation through public education, advocacy, and intervention before the courts. It has been particularly active on issues of campaign finance, third-party advertising, and the interaction between these issues and individuals' rights to equal, informed, and meaningful participation in the electoral process.

20. These are the very issues engaged by these appeals and the Court's decision will have important consequences both for the democratic process in Ontario and nationally. The standard for an "interest" is flexible. Any interest in a proceeding is sufficient, subject to the Court's discretion.¹²

21. As a national citizens' group dedicated to advancing democratic institutions, Democracy Watch and its members have a keen interest in and will be directly affected by the Court's

¹¹ *Bedford v. Canada (Attorney General)*, 2009 ONCA 669 at para 2, Tab 4 of BoA; *Reference re Greenhouse Gas Pollution Pricing Act*, 2019 ONCA 29 at para 8, Tab 5 of BoA; *Ontario (Attorney General) v. Dieleman* (1993), 16 OR (3d) 32, Tab 6 of BoA.

¹² *Reference re Workers' Compensation Act, 1983 (Nfld.) (Application to intervene)* (1989), [1989] 2 SCR 335, Tab 7 of BoA.

decision in this case. Democracy Watch therefore respectfully requests that it be granted leave to intervene.

(ii) *Democracy Watch has an Important Perspective Distinct from the Immediate Parties*

22. Democracy Watch is well-placed to offer a national, egalitarian participation rights perspective that differs from the perspectives of the parties and other interveners. Democracy Watch's perspective is unique because the issues raised in these appeals relate directly to Democracy Watch's core mandate and because it is not aligned with the government nor with the applicant unions, which are large and comparatively well-resourced organizations. Democracy Watch represents tens of thousands of ordinary Canadians and is committed to protecting their right to meaningful participation in the electoral process.

23. Democracy Watch intends to take positions distinct from the immediate parties. Democracy Watch will not argue that pre-election period or total spending limits can never be constitutional, as the Applicants contend, nor that the particular limits imposed by *PEDDA* are reasonable or justified, as the Attorney General contends. Rather, Democracy Watch intends to argue that spending limits must be carefully tailored to uphold the egalitarian model of elections in order to pass constitutional muster under sections 1 and 3 of the *Charter* and that the limits at issue on these appeals are not so tailored.

24. While there may be some overlap between the arguments put forward by the parties, this is permitted and should not prevent the Court from allowing Democracy Watch to intervene.¹³

¹³ *Working Families Ontario v. Ontario*, 2021 ONSC 3652 at para 7, Tab 8 of BoA.

(iii) *Democracy Watch is a Well-Recognized Group with a Special Expertise and a Broadly Identifiable Membership Base*

25. Democracy Watch is a well-recognized group. Democracy Watch has more than 40,000 supporters across Canada who are members of its Democracy Watcher Network. More than 225,000 Canadians have signed its online petitions for changes to federal and provincial laws. In 1999, Democracy Watch established the “Money in Politics Coalition”. Various aspects of the Coalition’s recommendations regarding election finance laws have been adopted by the federal government, as well as by provincial governments in Alberta, B.C. and Ontario.¹⁴

26. Democracy Watch has expertise and experience that will be of assistance to this Court. Democracy Watch regularly participates in making public policy and legislative processes.¹⁵ Since its founding in 1993, Democracy Watch has participated in judicial proceedings across the country. It has acted on multiple occasions as a public interest party or as an intervener in proceedings involving fundamental democratic good government rights that affect a diverse range of people in Canada, including key proceedings concerning third party advertising limits.¹⁶

27. Democracy Watch’s expertise has been acknowledged by the courts. By way of example, in *Democracy Watch v. Canada (Attorney General)*, 2018 FCA 194, the Federal Court of Appeal stated that Democracy Watch “has the resources and expertise to bring the issue forward” and “brings a useful and distinctive perspective to the resolution of the issue...”¹⁷

¹⁴ Conacher Affidavit, at para. 16.

¹⁵ Conacher Affidavit, at para. 15.

¹⁶ Conacher Affidavit, at para. 17.

¹⁷ *Democracy Watch v. Canada (Attorney General)*, 2018 FCA 194 at para 21, Tab 9 of BoA.

28. Proposed interveners with considerable experience in the subject matter of the proceeding are able “to place the issues in a slightly different perspective” from that of the parties.¹⁸

Democracy Watch, with its considerable experience and expertise in elections finance, will provide the Court with an informed and distinct perspective on the issues raised by the appeals.

PART IV - ORDER REQUESTED

29. Democracy Watch seeks an order:

- (a) Granting Democracy Watch leave to intervene and to file a factum not to exceed 20 pages;
- (b) Granting Democracy Watch permission to present oral submissions at the hearing of the appeals not to exceed 20 minutes; and
- (c) That Democracy Watch will neither seek from nor be liable to pay costs to any other party or intervener.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 9th day of February 2022.



Crawford G. Smith

¹⁸ *Peel (Regional Municipality) v. Great Atlantic & Pacific Co. of Canada Ltd. (C.A.)* (1990), 74 OR (2d) 164 at para 8, Tab 10 of BoA.

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Court File No. C70178
C70197
C70212

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and

THE ATTORNEY GENERAL OF ONTARIO

Respondent
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CERTIFICATE

I estimate that 20 minutes will be needed for my oral argument of the appeal, not including reply. An order under subrule 61.09(2) is not required.

DATED AT Toronto, Ontario this 9th day of February, 2022.



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SCHEDULE “A”

LIST OF AUTHORITIES

Tab	Title	Pinpoints
1	<i>Harper v. Canada (Attorney General)</i> , 2004 SCC 33, [2004] 1 SCR 827	
2	<i>Working Families Ontario v. Ontario</i> , 2021 ONSC 4076	
3	<i>Elementary Teachers’ Federation et al v. Her Majesty</i> , 2018 ONSC 6318	8
4	<i>Bedford v. Canada (Attorney General)</i> , 2009 ONCA 669	2
5	<i>Reference re Greenhouse Gas Pollution Pricing Act</i> , 2019 ONCA 29	8
6	<i>Ontario (Attorney General) v. Dieleman</i> (1993), 16 OR (3d) 32	
7	<i>Reference re Workers' Compensation Act, 1983 (Nfld.) (Application to intervene)</i> (1989), [1989] 2 SCR 335	
8	<i>Working Families Ontario v. Ontario</i> , 2021 ONSC 3652	7
9	<i>Democracy Watch v. Canada (Attorney General)</i> , 2018 FCA 194	21
10	<i>Peel (Regional Municipality) v. Great Atlantic & Pacific Co. of Canada Ltd. (C.A.)</i> (1990), 74 OR (2d) 164	8

SCHEDULE “B”

TEXT OF STATUTES, REGULATIONS & BY-LAWS

Federal

Canadian Charter of Rights and Freedoms, Constitution Act, 1982,

Part I: Fundamental freedoms

2. Everyone has the following fundamental freedoms:

(a) freedom of conscience and religion;

(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

(c) freedom of peaceful assembly; and

(d) freedom of association.

Democratic rights of citizens

3. Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

Ontario

Rules of Civil Procedure, R.R.O. 1990, Reg. 194

RULE 13: INTERVENTION

LEAVE TO INTERVENE AS FRIEND OF THE COURT

13.02 Any person may, with leave of a judge or at the invitation of the presiding judge or case management master, and without becoming a party to the proceeding, intervene as a friend of the court for the purpose of rendering assistance to the court by way of argument.

HEARING WITHOUT ORAL ARGUMENT

Consent motions, unopposed motions and motions without notice

37.12.1 (1) Where a motion is on consent, unopposed or without notice under subrule 37.07 (2), the motion may be heard in writing without the attendance of the parties, unless the court orders

...

Opposed Motions in Writing

(4) The moving party may propose in the notice of motion that the motion be heard in writing without the attendance of the parties, in which case,

(a) the motion shall be made on at least fourteen days notice;

(b) the moving party shall serve with the notice of motion and immediately file, with proof of service in the court office where the motion is to be heard, a motion record, a draft order and a factum entitled factum for a motion in writing, setting out the moving party's argument;

(c) the motion may be heard in writing without the attendance of the parties, unless the court orders otherwise.

(5) Within ten days after being served with the moving party's material, the responding party shall serve and file, with proof of service, in the court office where the motion is to be heard,

(a) a consent to the motion;

(b) a notice that the responding party does not oppose the motion;

(c) a motion record, a notice that the responding party agrees to have the motion heard and determined in writing under this rule and a factum entitled factum for a motion in writing, setting out the party's argument; or

(d) a notice that the responding party intends to make oral argument, along with any material intended to be relied upon by the party.

Election Finances Act, R.S.O. 1990, c. E.7

Maximum contributions

Registered parties

18 (1) The contributions that a person makes to any one registered party shall not exceed, in a calendar year, \$3,300 plus \$25 for each calendar year that has begun on or after January 1, 2022. 2021, c. 5, Sched. 2, s. 7 (1).

Prohibited contributions and transfers

Prohibition on acceptance, transfer, etc.

29 (1) No political party, constituency association, nomination contestant, candidate or leadership contestant registered under this Act shall directly or indirectly knowingly accept contributions from any corporation or trade union. 2016, c. 22, s. 24.

Spending limit

37.10.1 (1) No third party shall spend,

(a) more than \$4,000 in any electoral district for the purpose of third party political advertising in that district during any election period, whether for a by-election or a general election, multiplied by the indexation factor determined under section 40.1 for the calendar year in which the election period begins and rounded to the nearest dollar; or

(b) more than \$100,000 in total for the purpose of third party political advertising during any election period for a general election, multiplied by the indexation factor determined under section 40.1 for the calendar year in which the election period begins and rounded to the nearest dollar. 2016, c. 22, s. 43.

Same, non-election period

(2) No third party shall spend,

(a) more than \$24,000 in any electoral district for the purpose of third party political advertising in that district during the 12-month period immediately before the issue of a writ of election for a general election held in accordance with subsection 9 (2) of the Election Act, multiplied by the indexation factor determined under section 40.1 for the calendar year in which the election period begins and rounded to the nearest dollar; or

(b) more than \$600,000 in total for the purposes of third party political advertising during the 12-month period immediately before the issue of a writ of election for a general election held in accordance with subsection 9 (2) of the Election Act, multiplied by the indexation factor determined under section 40.1 for the calendar year in which the election period begins and rounded to the nearest dollar. 2021, c. 31, s. 2.

No combination to exceed limit

(3) No third party shall circumvent, or attempt to circumvent, a limit set out in this section in any manner, including by,

(a) acting in collusion with another third party so that their combined political advertising expenses exceed the applicable limit;

(b) splitting itself into two or more third parties;

(c) colluding with, including sharing information with, a registered party, registered constituency association, registered candidate, registered leadership contestant, or registered nomination contestant or any of their agents or employees for the purpose of circumventing the limit;

(d) sharing a common vendor with one or more third parties that share a common advocacy, cause or goal;

(e) sharing a common set of political contributors or donors with one or more third parties that share a common advocacy, cause or goal;

(f) sharing information with one or more third parties that share a common advocacy, cause or goal; or

(g) using funds obtained from a foreign source prior to the issue of a writ for an election. 2021, c. 31, s. 2.

Contributions

(3.1) Any contribution from one third party to another third party for the purposes of political advertising shall be deemed as part of the expenses of the contributing third party. 2021, c. 31, s. 2.

Interim reporting requirements

37.10.2 (1) Every third party shall promptly file the following interim reports with the Chief Electoral Officer, in the prescribed form:

1. When it has paid or committed to any person or entity to spend any funds on paid political advertising, it shall report the amount spent or committed, with a separate report being required each time its aggregate spending increases by an amount of at least \$1,000.

2. When it has reached the applicable spending limit under section 37.10.1, it shall report that fact. 2021, c. 31, s. 3.

Posting

(2) The Chief Electoral Officer shall publish every report filed under subsection (1) on the website of the Chief Electoral Officer within two days of receiving it. 2021, c. 31, s. 3.

Percentage

(3) Based on the interim reports, the Chief Electoral Officer shall determine the amounts spent or committed to be spent by each third party as a percentage of the maximum spending that is

permitted for a third party under section 37.10.1, and publish the percentages on the website of the Chief Electoral Officer. 2021, c. 31, s. 3.

Purpose

(4) The purpose of the percentages determined under subsection (3) is to permit persons or entities that sell advertising to be aware that the third party is at risk of exceeding its spending limit, and to make informed decisions about selling advertising to the third party. 2021, c. 31, s. 3.

No selling over limit

(5) No person or entity shall sell advertising to a third party when the person should reasonably be aware, based on the reporting under this section, that the sale would cause the third party to exceed a limit imposed by section 37.10.1. 2021, c. 31, s. 3.

Administrative penalties

45.1 (1) Where the Chief Electoral Officer believes on reasonable grounds that a person or entity has contravened one of the following provisions of this Act, the Chief Electoral Officer may make an order requiring the person or entity to pay an administrative penalty:

1. Subsection 12.1 (1).
2. Subsection 14 (1).
3. Section 18.
4. Subsection 22 (9).
5. Section 32.
6. Subsection 36.1 (1).
7. Subsections 37 (2) and (3).
8. Subsections 37.5 (1) and (5).
9. Subsections 37.10.1 (1) and (2).
10. Subsections 37.10.2 (1) and (5).
11. Subsections 37.12 (1) and (8).
12. Subsections 38 (1), (2), (3) and (3.1).
13. Section 38.1.
14. Section 41.1.
15. Section 41.2. 2021, c. 5, Sched. 2, s. 22

Purpose

(2) The purpose of an administrative penalty is to promote compliance with this Act and the Election Act. 2021, c. 5, Sched. 2, s. 22.

Limitation

(3) The Chief Electoral Officer shall not make an order requiring the payment of an administrative penalty more than two years after the date on which the Chief Electoral Officer became aware of the contravention. 2021, c. 5, Sched. 2, s. 22.

Payment, etc. -

(4) An administrative penalty shall be paid into the Consolidated Revenue Fund, and shall be in an amount determined by the Chief Electoral Officer in accordance with this section. 2021, c. 5, Sched. 2, s. 22.

Maximum amounts

(5) The maximum amount of an administrative penalty under this section shall be determined as follows:

1. For a contravention of section 18 is an amount equal to twice the amount that was contributed in contravention of that section, plus \$1,500, in the case of an individual, and plus \$5,000, in the case of a corporation or other entity.
2. For a contravention of subsection 22 (9), 37 (2) or 37.10.2 (1) or (5), \$10,000 in the case of an individual, and \$100,000 in the case of a corporation or other entity.
3. For a contravention of subsection 37.5 (1), 37.5 (5) or 37.12 (8), \$10,000.
4. In all other cases, \$1,500, in the case of an individual, and \$5,000 in the case of a corporation or other entity. 2021, c. 5, Sched. 2, s. 22.

Criteria for penalty

(6) The amount of an administrative penalty is to be determined taking into account,

- (a) the degree of intention or negligence on the part of the person or entity that committed the contravention;
- (b) the harm done by the contravention;
- (c) whether the person or entity derived any advantage from the contravention;
- (d) whether the person or entity made reasonable efforts to mitigate or reverse the contravention's effects;
- (e) whether the person or entity has taken steps to avoid committing the contravention in the future;
- (f) whether the person or entity has provided all reasonable assistance to the Chief Electoral Officer with respect to the contravention, including reporting it and providing any relevant information;
- (g) the person's or entity's history of compliance with the provisions of this Act;
- (h) the person's or entity's ability to pay the penalty;
- (i) any aggravating and mitigating circumstances; and

(j) any other factor that, in the opinion of the Chief Electoral Officer, is relevant. 2021, c. 5, Sched. 2, s. 22.

Working Families' Coalition (Canada) Inc., et al.
Appellant
(Appellants)

-and- The Attorney General of Ontario
Respondent
(Respondent in Appeal)

Court File No. C70178
C70197
C70212

COURT OF APPEAL FOR ONTARIO

PROCEEDING COMMENCED AT TORONTO

**FACTUM OF THE MOVING PARTY / PROPOSED
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