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Submission to the House of Commons Standing Committee on Procedure and House Affairs for its Study of the Actions of the "Longest Ballot Committee" in Recent Canadian Elections

(October 26, 2025)

Given its more than 30 years of in-depth research and advocacy concerning reforms to ensure fair and democratic elections across Canada, Democracy Watch applied to testify before the Standing Committee on Procedure and House Affairs for its study of the Actions of the "Longest Ballot Committee" in Recent Canadian Elections. While it seems that the Committee has completed its hearings, Democracy Watch is still open to appearing before the Committee and, having reviewed all the testimony to date, will provide detailed, useful, practical information and proposed changes not provided by any witness so far.

At the Committee's four hearings during this study, several of the members asked broader questions concerning political finance, third-party registration, disinformation and misinformation, candidate and party registration, and voting system issues, all of which are subject to provisions in the *Canada Elections Act* (*CEA*).

There are serious loopholes and flaws in the *CEA* that allow for and/or facilitate disinformation and misinformation, undemocratic influence by donors, lenders and third parties, and foreign interference.

Bill C-65, which the government introduced in the last Parliament without prior consultation with opposition parties or stakeholders, only addressed some of the loopholes and flaws in the *CEA*, but not in a coherent or comprehensive manner in any of the areas listed above. The Committee began to review Bill C-65 but did not complete the review, and then the prorogation of Parliament derailed the Bill (Click

here to see the Committee's study of Bill C-65). Democracy Watch appeared before the Committee during its review of Bill C-65 on November 5, 2024 (Click here to see the meeting notice). Democracy Watch also filed a detailed written submission with the Committee on November 20, 2024 (Click here to see the submission). Democracy Watch's submission sets out all the key changes needed to close all the key loopholes and correct all the key flaws in the *CEA* and related laws (including stopping disinformation without censoring dissent and criticism).

Democracy Watch's submission draws upon the five detailed policy papers that it submitted to the Hogue Inquiry into Foreign Interference in Canadian Politics (Click here to see Democracy Watch's final submission to the Inquiry that summarizes, and links to, its five policy papers).

Until all the loopholes are closed and flaws corrected, Canada will not have a coherent, ethical, democratic, fair or egalitarian political finance or electoral system, nor will it have coherent, ethical, democratic, fair or egalitarian federal policy-making processes overall, and disinformation and foreign interference will continue to undermine and harm Canadian federal political processes.

Therefore, Democracy Watch calls on the Committee to hold hearings soon on the *CEA* and related laws, as the first step in what should be a meaningful, comprehensive public consultation by the government and all political parties aimed at developing a jointly supported bill that closes all of the loopholes and corrects all the flaws in the *CEA* and the other related laws.

During this consultation, the Committee, the government, and all parties and MPs should keep in mind the Supreme Court of Canada's standard for reviewing laws that affect candidates, parties and MPs. The Supreme Court has ruled that, because MPs, party leaders and parties are all self-interested when review such laws, courts must be "vigilant in fulfilling their constitutional duty to protect the integrity" of the laws (*Sauvé v. Canada (Chief Electoral Officer)*, 2002 SCC 68 (CanLII), paras. 9-18).

Closing all of the loopholes, and correcting all the flaws, in the *CEA* and related laws, and complying with the new legal provisions that these changes will establish, will

greatly increase the public's current very low level of trust in federal politicians, the federal government, and federal political processes generally.

For the Committee's current study, Democracy Watch submits to the Committee first that the actions of the Longest Ballot Committee are far from the most serious problem with Canadian federal elections, and that the Committee's review of these actions should flow into the broader, more comprehensive consultation and development of a bill that closes all of the loopholes and corrects all the flaws in the *CEA* and the other related laws.

Secondly, Democracy Watch submits that the following changes to the *CEA* will prevent a "long ballot" federal election or by-election in any electoral district in the future, and are reasonable, *Charter*-compliant, and take into account the fact that "snap" federal elections thin which only a short period of time is available to register as a candidate occur relatively frequently (in the past 30 years, 6 of the 9 federal elections were snap elections (in 1997, 2000, 2004, 2008, 2011 and 2021)):

1. Require any group of people who coordinate efforts to nominate candidates in an election or by-election to register as a political party (which will thereby prevent them from nominating more than one candidate). This is the most reasonable and effective solution as it will not increase barriers to running as an election candidate.

If the above change is not enough to prevent long ballots, make the following additional three changes in the following order (making changes #3 and #4 should not be necessary, and again requiring a $1,000 deposit would violate the *Charter*):

2. Require each candidate in each district to have a separate financial agent.

3. Prohibit voters from signing or witnessing more than one candidate's form (and require the witness also to be resident in the riding). While this change could be made, it would be very difficult to enforce.

4. Change clause 66(1)(e) and (f) of the *CEA* to increase the number of signatures from voters in an electoral district required to register as an election or by-election candidate from 100 to 200 voters in ridings not listed in Schedule 3 of the *CEA*, and from 50 to 100 voters in ridings listed in Schedule 3. Candidates should have the support of some voters in the riding. With, on average, approximately 80,000 voters in most ridings, and approximately 35,000 in smaller ridings, each candidate that has a meaningful level of voter support should not have any problem obtaining 200 (or 100) signatures from different voters.