

**Voting Counts:
Electoral Reform
for Canada**

LAW COMMISSION OF CANADA

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Recommendations

Adding an Element of Proportionality to the Electoral System

Recommendation 1

The Law Commission of Canada recommends adding an element of proportionality to Canada's electoral system.

Recommendation 2

The Law Commission of Canada recommends that Canada adopt a mixed member proportional electoral system.

Recommendation 3

A mixed member proportional system should be based on giving voters TWO votes: one for a constituency representative and one for a party list. The party vote should determine who is to be elected from provincial and territorial lists as drawn up by the parties before the election.

Recommendation 4

Two-thirds of the members of the House of Commons should be elected in constituency races using the first-past-the-post method, and

the remaining one-third should be elected from provincial or territorial party lists. In addition, one list seat each should be allotted to Nunavut, Northwest Territories, and Yukon.

Recommendation 5

Within the context of a mixed member proportional system, Parliament should adopt a flexible list system that provides voters with the option of either endorsing the party “slate” or “ticket,” or of indicating a preference for a candidate within the list.

Promoting Women’s Representation

Recommendation 6

Parliament should require political parties to develop initiatives and policies to promote equal representation of women in the House of Commons. Parties should be instructed to consider a range of issues, including:

- parity on party lists,
- the use of quotas for party lists and constituency nominations,
- recruiting policies for women candidates,
- incentive measures for women to participate in politics,
- support for campaign financing, including measures to enhance access to candidacy, and
- the inclusion of more women in cabinet, if a party is elected as the government.

Following the first general election under the new electoral system, political parties should also be required to submit reports to Parliament outlining how they addressed these issues.

Recommendation 7

A Parliamentary committee should subsequently review the parties’ reports on the measures they have taken to promote the equal representation of women in the House of Commons.

Promoting Minority Group Representation

Recommendation 8

Parliament should require political parties to develop initiatives and policies to promote greater representation of minority group members in the House of Commons. Parties should be instructed to consider a range of issues, including:

- minority group candidates on party lists,
- the use of quotas for party lists and constituency nominations, recruiting policies for minority group candidates,
- incentive measures for minority group candidates to participate in politics,

- support for campaign financing, including measures to enhance access to candidacy, and
- the inclusion of more minority group members in cabinet, if a party is elected as the government.

Following the first general election under the new electoral system, political parties should also be required to submit reports to Parliament outlining how they addressed these issues.

Recommendation 9

A Parliamentary committee should subsequently review the parties' reports on the measures they have taken to promote greater representation of minority group members in the House of Commons.

Promoting Youth Representation

Recommendation 10

Parliament should require that political parties examine options for increasing youth participation and representation in mainstream political decision making. This process should be based on broad and inclusive consultations, and should consider ways to better reflect the perspectives of youth in the system of democratic governance.

Political parties should also be required to submit reports to Parliament outlining the measures they have taken to promote youth participation and representation. A Parliamentary committee should subsequently review the parties' reports.

Recommendations

Promoting Aboriginal Representation

Recommendation 11

Parliament should require political parties, in consultation with First Nations, Métis and Inuit peoples, to develop initiatives and policies to promote greater representation of Aboriginal people in the House of Commons. Parties should be instructed to consider a range of issues, including:

- Aboriginal candidates on party lists,
- the use of quotas for party lists and constituency nominations,
- recruiting policies for Aboriginal candidates,
- incentive measures for Aboriginal peoples to participate in politics,
- support for campaign financing, including measures to enhance access to candidacy, and
- the inclusion of Aboriginal people in cabinet, if a party is elected as the government.

Following the first general election under the new electoral system, political parties should also be required to submit reports to Parliament outlining how they addressed these issues. A Parliamentary

committee should subsequently review the parties' reports on the measures they have taken to promote greater representation of Aboriginal people in the House of Commons.

Recommendation 12

The federal government, in consultation with First Nations, Métis, and Inuit peoples, should explore the possibility of introducing Aboriginal Electoral Districts, as recommended by the Royal Commission on Electoral Reform and Party Financing, or a "House of Aboriginal Peoples," consistent with the recommendations of the Royal Commission on Aboriginal Peoples.

Recommendation 13

There should be no legal threshold for gaining access to the list (compensatory) seats.

Recommendation 14

A party should be eligible for compensatory provincial list seats only if it presents candidates for election in at least one-third of the constituencies in the relevant province. In Prince Edward Island, any party wishing to be eligible for the list seats would have to contest the single-member constituency seat in that province. In Nunavut, Northwest Territories, and Yukon, any party wishing to be eligible for a list seat would have to contest the single-member constituency seat in the relevant territory.

Recommendation 15

There should be no legal restrictions on double inclusion. That is, candidates should be able to run both in a constituency and on the party list at the provincial or territorial level.

Recommendation 16

Provincial and territorial list Members of Parliament should have all the rights and privileges of constituency Members of Parliament.

Recommendation 17

Parties represented in the House of Commons should develop protocols for ensuring the effective co-functioning of constituency and list Members of Parliament, including consideration of methods for informing constituency Members of Parliament of issues or cases being taken up by list Members of Parliament.

Recommendation 18

Vacancies in the directly-elected (constituency) portion of Members of Parliament should be filled by means of a by-election, while vacancies among list Members of Parliament should be filled by the candidate who was ranked next highest on the party list for the province or

territory in question.

Implementation

Recommendation 19

The federal government should prepare draft legislation on a mixed member proportional electoral system as proposed in this Report. After drafting the legislation, a Parliamentary committee should initiate a public consultation process on the proposed new electoral system.

Recommendation 20

The public consultation process should be broadly representative and adequately resourced. It could consider the option of holding a referendum.

Recommendation 21

Elections Canada should be given at least a two-year preparation period before an election under the new electoral system is held.
Monitoring / Review Process

Recommendation 22

An ad hoc Parliamentary committee should review the new electoral system after three general elections have been conducted under the new electoral rules.

Recommendation 23

A federal government department or agency should be made responsible for engaging in an ongoing dialogue with Canadians and citizens' groups on issues of democratic performance and change, and should be invited to reflect annually on the state of Canadian democracy, including representation issues relating to women, minority group members, Aboriginal people, and youth.