



AMCTO
THE MUNICIPAL EXPERTS

**Modernizing the
Municipal Elections Act
for the 21st Century**



Introduction

The *Municipal Elections Act (MEA)* legislates the processes for how local elections operate in Ontario. It provides municipal staff who are also local election administrators with the framework in which to organize and run efficient municipal elections. It provides voters, candidates and third-party advertisers with guidance on qualifications for participating in local democracy. The *Act* serves as an important tool for local election accountability, ensuring smooth democratic processes for citizens across Ontario, and is key to voter and public trust in local governments.

While public trust has always been [front and centre to democratic processes](#)¹, since the COVID-19 pandemic there has been [commentary, concern and cautions raised](#) about the state of trust in public institutions at all levels of government and the state of the democratic process that empowers those institutions². Applying a continuous improvement mindset to the rules and framework that support local democracy ensures democratic processes are modernized, reflect current circumstances and technology, meet citizen expectations, and continue to be reliable.

As the largest voluntary municipal association in Ontario with members working across the province, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) takes the position that local governments serve as the most transparent level of government with openness and accountability at the core of operations. To continuously improve public trust, a comprehensive review of the *MEA* is needed in consultation with the sector. By reviewing and re-writing the *MEA* to reflect today's challenges in bolstering public trust, improving voter turnout, and improving overall election administration; voters, residents, candidates, third parties, interest groups and election administrators can rely on a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

To keep public trust and improve safeguards, a review should apply a lens considering the ever-changing landscape that impacts election administration. This includes [threats of foreign interference](#)³,

¹ AMCTO. 2015, *Submission on the Municipal Elections Act*. <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

² Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory, March 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

³ For instance, Ball, Stewart. "China tried to influence last two federal elections, says report released by CSIS." *Global News*, 31, Jan. 2024. <https://globalnews.ca/news/10264872/canada-china-foreign-interference-elections-csis-report/>



increased spread of misinformation⁴ and the increased use of technologies like artificial intelligence (AI) that presents both [opportunities](#)⁵ and [challenges](#)⁶ for election administration and for supporting candidates and voters in their electoral participation. A fulsome review should also contemplate how to ensure the continued health of our local democracies, something the Association of Municipalities of Ontario (AMO) is looking at currently through their [Healthy Democracy Project](#)⁷.

While we know this is easier said than done and recognize that the legislation contains a patchwork of provisions which attempts to fill in gaps, this approach has made the overall MEA in its current form, more challenging to read, interpret, comply with, and enforce. With the upcoming 2026 municipal elections, municipalities will be planning earnestly early next year, and a focus on renewing the election frameworks has never been timelier.

This submission has been prepared by AMCTO with a goal to improve and modernize the MEA and its regulations. It highlights the need for revisions as conducted on a line-by-line basis and considers how the proposed amendments would impact other acts such as the *Education Act, 1990* and the *Assessment Act, 1990*. Our recommendations focus on outcomes-based solutions across three broad themes:

1. **Strengthening Public Trust and Electoral Integrity**
2. **Enhancing Accountability and Transparency while Making Compliance and Enforcement Easier**
3. **Permissive Legislation that Reduces Administrative Complexity**

Through this submission, we also identify a proposed timeline to assist the Province in planning for continuous improvements to the Act. These recommendations are labelled as:

- **Priority:** those we believe must be implemented through legislative updates ahead of 2026
- **Secondary:** those we believe can and should be implemented through legislative updates ahead of 2026
- **Long-term:** those that may require further investigation, analysis, and collaboration between the Province, AMCTO, municipalities, and other affected stakeholders to get right.*

**It should be noted that these are no less important to AMCTO members and we would encourage the Province to initiate work on them as soon as possible.*

This submission is the result of continuous work by our MEA Working Group, ongoing conversations with members, as well as feedback from clerks following the 2022 municipal elections. Through this submission, we hope to inspire the Province to take action in reviewing the MEA and to inform a broader dialogue around local election administration, the importance of openness and accountability in local government.

⁴ For instance, Thompson, Elizabeth. "Disinformation, foreign interference threatening Canada's electoral system, elections watchdog warns." *CBC News*. 22, June 2022. <https://www.cbc.ca/news/politics/canada-elections-watchdog-cote-1.6497875>; Bridgman, A., et al. Mis- and Disinformation During the 2021 Canadian Federal Election. Media Ecosystem Observatory. Mar. 2022. https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵ Deepack P et al. *AI Magazine*. "AI and core electoral processes: Mapping the horizons." V. 44.3 Fall 2023. <https://onlinelibrary.wiley.com/doi/full/10.1002/aaai.12105>

⁶ Leaders. "How worried should you be about AI disrupting elections?" *The Economist*. 31 Aug. 2023. <https://www.economist.com/leaders/2023/08/31/how-artificial-intelligence-will-affect-the-elections-of-2024>

⁷ See <https://www.amo.on.ca/about-us/healthy-democracy-project>





Background

Elections occur in 414 cities, towns, and villages[†] across Ontario to ensure that 2,842⁸ municipal offices and 676⁹ school board trustees are elected through processes that run as efficiently and effectively as possible within the current legislative framework.

While the *MEA* sets out the rules for local elections, the *Assessment Act, 1990* and the *Education Act, 1990* also contain provisions impacting local elections; adding more places for voters, candidates, and administrators to look for the rules that bind the local democratic process in Ontario.

quality assurance testing
compliance audit post-election reporting
staff training committee recruitment
ward boundary candidate support
election monitoring financial statement reviews
representation reviews overseeing prosecutions
new council orientation stakeholder relationships
vendor procurement supply chain management
voters list updates local scouting
volunteer recruitment

Election administration is a complex endeavour that municipal staff lead and oversee. This includes a multi-year planning and implementation journey that continues up to a year or more past election day. As election administrators, municipal clerks support candidates, third-party advertisers, election workers, and voters by overseeing ballot and technology preparation; coordinating supply chain management and vendor selection;

performing security reviews; preparing election reports; revising voters' lists; overseeing compliance audit committees (CACs); and responding to possible prosecutions. In many Ontario municipalities, this work may be done by one or two people.

Election administrators take pride in executing fair, accountable, transparent, accessible, and reliable local elections and are always looking for ways to continuously improve the delivery of these important services. An updated *MEA* would allow election administrators to do their jobs more efficiently and effectively while providing needed clarity to local candidates, third-party advertisers, voters and the general public.

To ensure administrators can pivot and implement legislative changes without impacting planning for the 2026 municipal elections, we urge the Province to act swiftly to consult on, then enact the following recommendations and updates to the *MEA*.

[†] While there are 444 municipalities in Ontario, 414 hold elections. The other municipalities are upper tiers, representatives for which are elected or appointed through lower tiers locally.

⁸ Association of Municipalities of Ontario (AMO). "Analysis of 2022 Municipal Post Election Data", 14 Nov. 2022. <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁹ Ontario Education Services Corporation. "Post Election Data," 1 Nov. 2022. <https://elections.ontarioschooltrustees.org/Resources/pdf/2022Data/Post-Election%20Data%20-%20All%20School%20Boards.pdf>



Overview of the Issues

Strengthening
Public Trust &
Electoral Integrity

As outlined in the introduction, the *MEA* in its current form needs to be comprehensively reviewed in consultation with the sector and re-written. Processes can be streamlined, rules improved, provisions re-ordered, and clarity brought forward to ensure that voters, residents, candidates, third-parties, interest groups and election administrators have a modern act that is clear and consistent, while ensuring that processes are accountable and transparent.

Enhancing
Accountability
& Transparency
while Making
Compliance &
Enforcement
Easier

Some of the top concerns identified by AMCTO members include the current legislation containing a patchwork of amendments, repealed sections, and transitional provisions that are no longer relevant. On top of this, there are other structural issues in the how the Act is laid out, that make it difficult for voters, candidates, and organizations to understand and manage. Often a clause in one section must be read with a clause in another section, or within another act, which makes reading and complying with the rules difficult to do.

Permissive
Legislation
that Reduces
Administrative
Complexity

Another significant issue has been the lack of harmonization of local election rules across the three Acts (*MEA*, *Assessment Act*, *Education Act*) that set out the complex rules for municipal and school board elections. School board trustee candidates and voters must interpret three pieces of legislation to understand their qualifications. Moreover, because school support has two purposes under legislation – election and assessment – outdated legislative requirements make it difficult to match school support to voters which can mean delays at the polling station.

Rules on campaign finance and third-party advertising are also complex and difficult to oversee and enforce. There needs to be a thorough review of both frameworks to streamline rules and introduce mechanisms to make enforcement more efficient. This must include examining enforcement such as the compliance audit process, offences, and penalties.





Recommendations

The *MEA* will be 30 years old when the next scheduled municipal and school board elections take place in October 2026. While there have been a few changes to the *Act* since the last formal review, the current mix of political, environmental, social, technological, and legal factors make this an opportune moment to modernize the *Act*.

A review and re-write of the *Act* should also include a concurrent review of relevant sections of the *Education Act* and *Assessment Act* which contain provisions that add further complexity to the local election picture.

General Recommendations

- 1. Overhaul and update the *Act* to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.**

While it may not be possible to complete a top-to-bottom re-write and re-design of the *Act* ahead of 2026, AMCTO is calling on the Province to launch consultations and engage our members to begin the process as soon as possible. The goal is to bring forward brand new legislation by 2028 at the latest, ahead of the 2030 municipal elections. The project planning for this endeavour should begin now, informed by discussions with AMCTO, Elections Ontario, the Municipal Property Assessment Corporation (MPAC) and Association of Municipalities of Ontario (AMO).

A new *Act* would breathe new life into local government elections by rebuilding a fulsome statute instead of relying on the current patchwork of fixes that make the legislation more complicated than necessary. A new *Act* would make it easier for voters, candidates, and third-party advertisers to understand, comply with and participate in democratic processes. A review also provides an opportunity to bring innovation to election administration so that Ontario is looked to as a leader in the local democratic process in Canada.

2. Include a legislative requirement to review the Act after every scheduled municipal and school board election year.

While a comprehensive review should ensure the Act does not become quickly outdated, with the pace of technological and societal change, the MEA will continue to need regular review and updating. We are suggesting that the Act be substantially reviewed at least every four years with a specific legislative requirement to do so.

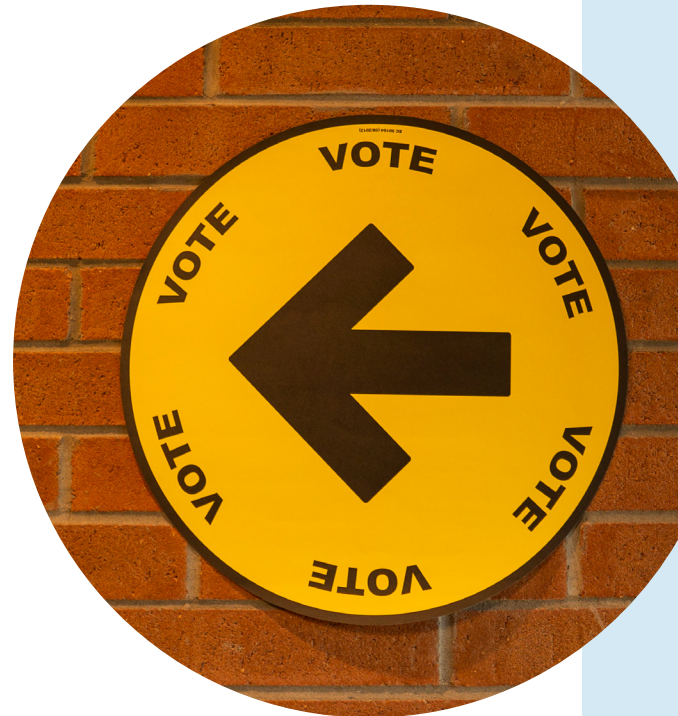
3. Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.

In the past few years, privacy protection has become increasingly important. With increased vitriol both in-person and in digital public spaces, members of the public, candidates for elected office, and other officials have expressed concern about the protection of personal information. Furthermore, as personal safety concerns have become increasingly alarming, it is essential that steps are taken to protect the privacy of individuals while balancing the need for increased transparency in local elections.

For instance, [several municipalities have passed resolutions](#) calling on the Province to remove requirements to post personal information online including candidate and contributor home addresses¹⁰. Anecdotally, several clerks have noted that they have received requests from those who experienced harassment or violence and consequentially, they do not want their information appearing on the voters' list.

Unlike provincial election legislation, the MEA does not explicitly allow for the redaction of certain information when posting documents online. Section 4.7 of the [Elections Act, 1990](#) gives Elections Ontario, upon request, the authority to redact certain personal information if the Chief Electoral Officer reasonably believes posting the information would endanger the person's life, health, or security. Further, section 4.8 of the *Elections Act* restricts the sharing of names, addresses, and unique identifiers of electors to certain persons.

For municipal election legislation, consider allowing for redaction of personal information or removing the requirement for municipalities to post personal information online while ensuring information is still available to clerks or to any other body to review qualifying addresses for contributions.



¹⁰ See for instance, <https://kitchener.citynews.ca/2023/04/26/region-of-waterloo-asks-province-to-keep-home-addresses-of-local-candidates-donors-private/>

Recommendations to Strengthen Public Trust and Electoral Integrity

Electoral integrity is a core focus of election administration and critical to ensuring public trust. While all recommendations are built on the foundation of electoral integrity, recommendations listed under this theme speak to the need to provide support to electors, residents, and administrators in this endeavour.

Priority Recommendations

1. Amend the Act to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the Act.

One way to enhance the clarity of the *MEA* is to ensure that the text matches core guiding principles of elections.

As we noted in our [2015 submission](#)¹¹, in *DiBiase v. Vaughan (City)*, 2007, the Honourable Justice Peter Howden of the Ontario Superior Court wrote that in making its finding, the court relied upon the principles articulated in a previous Supreme Court of Canada ruling (*Haig v. Canada*, 1993), specifically that:

- The secrecy and confidentiality of the voting process is paramount;
- The election shall be fair and non-biased;
- The election shall be accessible to the voters;
- The integrity of the voting process shall be maintained throughout the election;
- There is to be certainty that the results of the election reflect the votes cast;
- Voters and candidates shall be treated fairly and consistently; and
- The proper majority vote governs by ensuring that valid votes be counted, and invalid votes be rejected so far as is reasonably possible.

These principles are fundamental to the administration and exercise of elections at all orders of government in Canada. They are in fact, central to the *MEA* itself, and should be embedded in the Act.

2. Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.

The 2022 municipal and school board election day fell during Diwali, an important festival observed by many communities across the province. In future years, it could be the case that election day falls on another culturally or religiously significant festival or event.

While many municipalities provide advance voting opportunities, local elections rely on volunteers as well as municipal staff to support election day activities including running voting locations.

¹¹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>



Candidates for office may also be impacted as they may wish to be with family and friends during these special occasions. For residents and staff of the impacted communities it can be a difficult decision to choose between missing personal celebratory commitments or missing an important democratic process. This could be a contributing factor to lower voter turnout and election staffing resources.

Section 9.1 (6) of the [Ontario Election Act, 1990](#)¹² contains a mechanism through which an alternative day can be chosen for provincial elections. A mechanism for selecting an alternative day is needed for local elections, however the selection of a suitable alternate day should not be left to individual clerks as there is a policy imperative that municipal and school board elections must be held on the same day across the province.

Moreover, as clerks need ample time to ensure that they can plan and execute elections, the selection and communication of an alternate date would need to be done well in advance, at least by the January in the year prior to the year of the election, if not earlier.

3. Amend the Act so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.

To facilitate in-person voting, municipal clerks and their staff require large, central, and accessible locations to host voters on advance voting and election days. Often, the best facilities are local schools. While the MEA allows clerks to use certain buildings, including schools, as voting locations ([section 45\(4\)](#)), health and safety concerns often cited by school administrators make the location selection process less seamless than it should be.

While school boards are required to provide space on election day, clerks often face administrative difficulties in securing these spaces. For example, we have heard from members that some school administrators request that municipalities hire security personnel or may not provide access to facilities such as washrooms, or access to school staff during election day, and some refuse access altogether. This leaves clerks with challenges confirming voting locations and without the enforcement tools to secure these spaces.

Additionally, all electors should have access to voting in multiple locations on all voting days. As per the [definition in section 5 the MEA](#)¹³, “voting day in a regular election is the fourth Monday in October” which does not specifically include advance voting opportunities. For instance, schools can currently say no to advance polls, or can charge a permit fee. The Act should be changed so that schools must allow advance polls if requested, and free of charge.

On election day, institutions like long-term care homes become polling locations for the Province’s most vulnerable electors. However, there may be issues with accessing these locations because of outbreaks or other circumstances, which can make casting votes more difficult. Explicitly allowing voting to take place in institutions and schools on advance voting days allows clerks to provide more electors more choice in when and where to cast their ballots.

¹² See the *Election Act, R.S.O. 1990, c. E.6*

¹³ See section 5 in the *Municipal Elections Act, 1996*

4. Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.

Further to the above, enhancing safe schools on voting day is a priority for everyone. This goal can be achieved by reducing the number of people in schools. To do this, one of the mandatory PA days should fall on election day and while some school boards practice this, there remains inconsistency across the province.

AMCTO previously shared an analysis of locally scheduled PA days that showed that moving PA days every four years to coincide with municipal election days is unlikely to be a significant burden for school boards as there is a pattern of October PA days. School boards should be required to schedule one of the provincially mandated PA days on municipal and school board election day to facilitate the election of their own representatives and so that election administrators can focus on providing safe electoral services.

Ahead of the 2022 municipal elections our Association [made formal requests of school boards](#) to schedule one of the mandatory PA days on election day¹⁴. We also asked that these dates be included every four years as part of the annual school year calendar development.

Following this advocacy push, we were pleased to see an increase in the number of school boards that scheduled a PA day in 2022, with [encouragement from the Ministry of Education](#)¹⁵. However, this remains an issue for future elections, requiring a permanent, reoccurring solution.



Secondary Recommendations

5. Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.

There are areas where the rules and guidance within the Act should provide more certainty to candidates and to electors to facilitate their participation in local democracy. Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork. Municipal staff are responsible to their employer and so should follow established HR protocols for taking leave. By removing the requirement for municipal employees to provide council with notice of their intention to stand for election, all candidates can be treated fairly.

¹⁴ See AMCTO letter, September 2021, to School Board Directors of Education & Board Chairs re PD Days <https://www.amcto.com/letter-to-school-boards-re-PD-days>

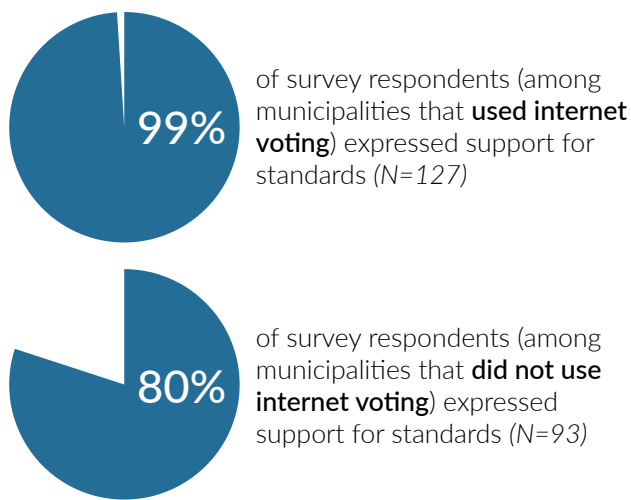
¹⁵ See AMCTO Advocacy Update, September 2022, re Progress on Professional Development (PD) Days on Municipal and School Board Election Day <https://amcto.informz.net/informzdataservice/onlineversion/pub/bWFpbGluZ0luc3RhbmNISWQ9MTA3NTYwODQ=>



6. Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).

Like the issue noted above about the definition of voting day in [section 5](#) of the MEA, it should be made explicit that any elector can be absent from work to exercise their right to vote on any day voting is available. The current definition of voting day is limited to election day only and could be read to exclude advance voting days, days that may be more convenient to voters for casting their ballots and participating in the democratic process.

7. In consultation with AMCTO and other municipal stakeholders, consider how the work by the [Digital Governance Standards Institute](#)¹⁶ related to electronic voting may be formalized to support election administration in Ontario.



Survey data collected through AMCTO's 2022 Post-Election Survey

Work is already underway to develop voluntary standards on [voting technology](#)¹⁷ and [electronic voting](#)¹⁸. Municipal professionals from across Ontario have engaged with the committee undertaking this work. With an increasing number of municipalities considering e-voting methods for ease of meeting voters 'where they are', there should be a provincial interest in adopting voting standards.

Overwhelmingly, respondents to our 2022 Post-Election Survey support internet voting standards. The responses also suggest more municipalities would consider this method of voting if there were standards in place. The right training and supports would need to be

What our Members are Saying:

"Standards would ensure consistency in format, security, etc. across vendors."

"[Voting standards] would ensure a province-wide standard for security and operational experience."

"There are standards set out for paper voting in the MEA. There should also be a standard for electronic voting as it is now left to the municipality and vendors. It may provide further confidence in these systems."

¹⁶ See <https://dgc-cgn.org/>

¹⁷ See <https://dgc-cgn.org/standards/find-a-standard/voting-technologies/>

¹⁸ See <https://dgc-cgn.org/can-dgsi-111-public-review-for-online-voting-standard-now-open/>



in place to ensure that municipalities, vendors, and other interested parties fully understand the standards and their responsibilities.

Moreover, decisions about voting methods should always be left to the municipality to decide. Whereas online voting may be beneficial in some regions of the province, it may not be the best method for others given costs, technological support and access to broadband.

Ultimately, voting standards would empower municipalities to select the best voting method(s) for them and their communities. Consider how these standards may be formalized to support election administration in Ontario.

Long-Term Recommendations

8. **Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of “tenant”, “spouse of a non-resident” and “occupancy”.**

Municipal elections have unique eligibility rules tied to property and tenancy status that make these terms important and unique. The current definitions provided in the *Act* are not sufficiently clear, and create potential confusion for electors, candidates, and administrators. We raised this [concern in 2015](#)¹⁹ and legislative changes in [2016](#)²⁰ brought forward regulation-making authority to consider a definition of tenant for electoral purposes. However, regulations are not yet in place.

The lack of definition about occupancy, control, possession and tenancy remains a significant gap municipal clerks must deal with related to voter qualification with many claiming to be eligible based on a lease of “properties” such as parking spots, sheds on land, as well as various seasonal properties such as RV parks and leased cottages. Providing a clearer definition of “occupancy”, “control”, “possession”, “tenancy”, and “spouse of a non-resident” is important to all municipalities, but more so in communities where qualifications based on residency and property are muddled such as in cottage country and rural Ontario. There are unique eligibility rules at the municipal level that make clear terminology important.

¹⁹ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

²⁰ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



For example, Wollaston Township experienced issues with lack of clarity on qualifications and in 2020 called for the Province to close loopholes on property qualifications and leases in what they called “pay for play schemes”²¹. The resulting council resolution received support from several other municipalities.

Providing this clarification for electoral purposes will help clerks ensure that tenants entitled to vote can do so, and those who believe they may be entitled to vote (but are not under law) can obtain needed clarity. Our Association can be a willing partner to assist in developing these regulations.

Recommendations to Enhance Accountability and Transparency While Making Compliance and Enforcement Easier

This section contains recommendations that speak to fairness, accountability, transparency, and key principles to ensuring the integrity of elections. This section contemplates making compliance with electoral rules easier to follow for candidates and where these rules are deliberately broken, suggests recommendations that allow efficient enforcement of remedies and penalties. As the local “Chief Electoral Officer”, the clerk should have the authority to make decisions about administrative and operational matters. This will ensure that there is no real or apparent conflict for council members who may be standing for election while making decisions about the electoral process. This may also help to improve overall municipal staff-council relations.

Priority Recommendations

1. Remove the 25-signature endorsement requirement.

Everyone has the right to stand as a candidate for election if they meet the qualifications set out in the relevant Acts. However, particularly in larger urban municipalities, candidates often run for office without any intention of campaigning, without setting out policy proposals, or legitimately participating in the democratic process.

The [original intent behind this provision](#) of obtaining a 25-signature endorsement was to try to reduce frivolous candidates from ending up on the ballot which could result in split votes²². Ultimately, requirements for 25 signatures in medium and large municipalities have not addressed this issue as signatures are easy to collect with a declaration that signees are eligible electors. This does not dissuade people from launching non-serious campaigns and adds an administrative burden for election administrators who must review and attempt to check required information on candidate forms and eligibility.

²¹ Wollaston Township. Letter to Minister of Municipal Affairs and Housing with Council Resolution. Dated September 16, 2020.

²² Ontario. Legislative Assembly, *Hansard*, 41st Leg, 1st Sess, No 158 (11, April 2016) at 1440. <https://www.ola.org/en/legislative-business/house-documents/parliament-41/session-1/2016-04-11/hansard#para577;~:text=Some%20people%20have,than%20100%20votes.>



2. Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.

Instead of the 25-signature requirement, the Province should look at other ways to support serious candidates while disincentivizing non-serious candidates. The current process of refunding anyone who files a financial statement is ineffective at dissuading frivolous candidates and there may be better mechanisms to ensure compliance with campaign finance rules.

Potential areas to explore are nomination fee refund eligibility to candidates who receive a certain vote share or removing the right to receive a refund of the nomination filing fee if the financial statement is not filed on time. Consideration should be given to whether certain rules favour incumbents as opposed to their challengers. Overall, there must be a balance between supporting genuine candidacy, reducing administrative burden, and applying penalties to those who deliberately skirt electoral rules.

3. Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.

While we recommend reviewing the campaign finance framework in its entirety (see long-term recommendations in this section), the Province should immediately review the Act to identify and close loopholes in campaign finance rules.

For example, [subsection 88.9](#)²³ prohibits individuals from contributing over \$1,200 to a single candidate, however there is no complementary provision that explicitly prohibits a candidate from accepting such a contribution. Contributors are not necessarily familiar with the Act in the same way candidates are, and with the Act in its current form, the rules around contributions are not easy for residents to understand.

4. Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.

There is confusion among candidates and the public about who can submit a compliance audit application. Currently, [subsection 88.33](#)²⁴ states that an elector who is entitled to vote may make an application, but it is not clear whether an elector must reside in the municipality in which they are making an application. This has been [raised and challenged most recently](#)²⁵ in the Ontario Superior Court of Justice, where an Oakville candidate appealed an elector's request for an audit of their finances, stating that the elector resides in a different ward than them, and is therefore ineligible to file a compliance audit request.

As contributions are open to residents of Ontario (i.e. not limited to electors), there should be a mechanism by which electors as residents of Ontario may seek remedy from the compliance

²³ See ss.88.9 in the *Municipal Elections Act, 1996*

²⁴ See ss.88.33 in the *Municipal Elections Act, 1996*

²⁵ See <https://www.oakvilleneews.org/local-news/ward-7-councillor-nav-nanda-appeals-decision-to-audit-her-campaign-finances-8482086>



audit process regardless of where they reside. If applications are not frivolous and vexatious, any resident of Ontario with the means of seeing through an application should be able to bring one forward to ensure the integrity of the electoral process.

5. Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.

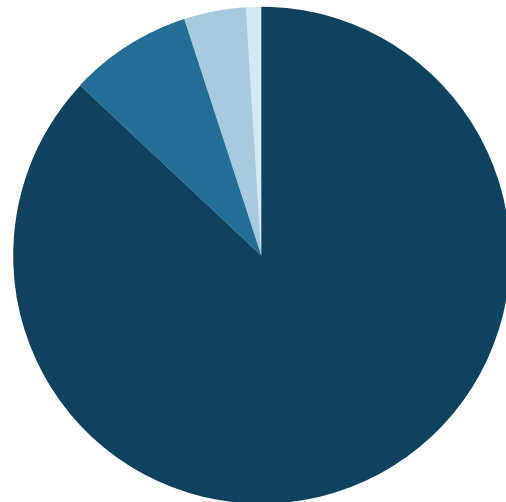
The current structure creates many overlapping deadlines which is challenging to communicate to electors, the public, and for municipalities and school boards to track. This becomes more challenging in larger municipalities with hundreds of candidates. Streamlining application deadlines will make communication, administration, and compliance easier.

6. Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.

Consistent with our recommendations on [Bill 181 to Standing Committee](#)²⁶ in 2016, having municipal clerks review contributions to candidates and third-party advertisers is problematic for a number of reasons:

- The CAC already exists to review financial statements
- The current process jeopardizes the independence and the impartiality of clerks during elections
- The current process places clerks in potential conflict with members of council
- Most municipalities do not have mature electronic filing systems for candidate and third-party advertiser financial statements
- The current process imposes additional administrative and resource burden on clerks who are already busy running local elections

Rolling the review of contributions into the established mandates of CACs would also allow an elector to make an application and is a more effective way to ensure candidate and contributor accountability.



How does your municipality determine whether any contributors exceed the maximum allowable amount? (N=220)

- Clerk's office fulfilling it (192)
- Finance department fulfilling it (17)
- Other (8)
- Using an external consultant (3)

Survey data collected through AMCTO's 2022 Post-Election Survey

²⁶ See <https://www.amcto.com/sites/default/files/2023-05/AMCTO-Bill-181-Committee-Presentation-Deck.pdf>



The CAC process has traditionally not received much attention. However, the process is an important element of accountability in local elections and is [starting to receive more public discussion](#)²⁷.

Providing the CAC with explicit authority to decide whether to commence a legal proceeding against a candidate or third-party advertiser could reduce applications made to the courts for review of CAC decisions.

Consider improving the CAC process with accountability, transparency, and operations in mind as countless hours are spent on delivering important post-election processes, which can contribute to overall increased audit costs and continue for years after the election with prosecutions and court reviews.

7. Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.

Further, in the interest of supporting applicants, election administrators and CAC members with carrying out their responsibilities, the decision-timelines for CACs should be expanded from 30 days to 45 days. This additional time is especially helpful where the CAC process may fall around a holiday (especially in cases of by-elections). 45 days would remain a reasonable decision timeframe consistent with references in other statutes for required meetings.

8. Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.

The MEA assigns responsibility of administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions, is vaguely distributed between both council and staff. Administrative responsibilities for elections should rest with the clerk.

For instance, section [88.37\(1\)](#)²⁸ gives council responsibility for “establishing” a compliance audit committee to review potential campaign finance violations. In practice, however, this section has been interpreted broadly, giving council a more expansive mandate that includes appointing committee members. It is not appropriate for council to appoint members of a committee that is created to review the election finances of candidates, some of whom may end up filing as candidates and sitting as councillors. To maintain clarity and objectivity, all administrative responsibilities related to CACs should reside with the clerk.



²⁷ Coyne, Andrea and Andrew Lawlor. “Building voter confidence in the municipal electoral process,” *Policy Options*. 21, Feb. 2024. <https://policyoptions.irpp.org/magazines/february-2024/municipal-elections-safeguards/>

²⁸ See section 88.37(1) in the *Municipal Elections Act, 1996*



Secondary Recommendations

- 9. Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.**

The process of scrutineering is changing in every municipality that incorporates the use of internet voting into their election. As voting in the digital age is no longer neatly contained to recreation centres, school auditoriums or church basements, the rules are not as clear as they once were. The Act provides significant attention to the role of scrutineers during an election, ensuring that candidates are permitted to appoint a scrutineer for each ballot box and voting place. But what happens when there are thousands of polling places and no formal ballot box? There is currently no clarity about how election results can be scrutineered in jurisdictions that use online or alternative voting methods. This is a gap in the current process that needs to be addressed.

- 10. Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.**

Offences and related penalties should be reviewed. More specifically, for the coercion or intimidation of an elector, preventing or impeding an elector from voting, and from false representation or aiding a person in committing offences. A review needs to address these gaps - many of which are a result of changes to technology.

In consideration of new offences and related penalties, the Province must of course consider the burden of proof and enforceability of penalties for such offences. The Province should also provide more support and guidance to clerks on best practices for implementation and engaging law enforcement for the more serious offences.

Long-Term Recommendations

Due to gaps in rules and penalties, the lack of standardization of compliance audits, and the [increased use of the courts](#) to review compliance audit committee decisions²⁹, there has been increased frustration among administrators and an inconsistent approach to post-election activities meant to ensure transparency and accountability. As an Association, we have highlighted several of these member concerns about role clarity, conflict of interest and capacity issues.

Not only is the current process frustrating for municipal staff but for candidates who are not clear on their responsibilities. This can also be frustrating for residents and electors who are doing their due diligence in holding candidates accountable for improper activities. If the rules are not clear, and the process becomes convoluted, why would anyone participate in the electoral process?

²⁹ Coyne and Lawlor.



11. Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.

While we have put forward several recommendations as interim measures to address financial issues, there remain underlying concerns that only a full review of the campaign finance framework can properly address.

Whether it is on the campaign finance framework or the below noted third-party advertising framework, there needs to be a balance struck: any new rules should avoid making it difficult for people to participate in local democracy. Making compliance easier while also ensuring that there is proper accountability, makes the rules and processes easier to enforce and to prosecute where rules have been broken.

Given the complexity of administration, compliance, and enforcement, a wider conversation about these frameworks is needed with our members and other stakeholders to understand the issues, challenges, and opportunities from varying perspectives. Together, we can co-design a framework that benefits everyone.

12. Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.

Similarly, the third-party advertiser framework needs to be updated and improved. The [current measures were introduced](#) to regulate third-party advertising, which includes contribution and spending limits, and to help create flexibility for groups doing advocacy work throughout the campaign period³⁰. However, there remains room for improvement, including better defining qualifications for third-party advertisers. Improvements should ensure the regime is less cumbersome and easier for advertisers, administrators, and compliance audit committees to comply with and enforce.

13. Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.

Related to our secondary recommendation in this section, there are gaps in penalties related to overcontributing to a candidate's own campaign and accepting overcontributions from residents. There are nuances within the legislation that must be considered as well. For instance, there should be assurances that changes to campaign finance rules and penalties are balanced with the ability of candidates to pay off campaign debts.

Ultimately, a review of the campaign finance and third-party advertising frameworks, along with the compliance audit, offences, penalties, and enforcement processes must be looked at holistically as these are intertwined with changes to one section or subsection potentially requiring subsequent changes elsewhere in the Act.

³⁰ Ontario Newsroom. Ministry of Municipal Affairs and Housing. Backgrounder. June 7, 2016. "Changes to the Municipal Elections Act," Accessed: <https://news.ontario.ca/en/backgrounder/39111/changes-to-the-municipal-elections-act>.



14. Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.

The Province should consider revising the spending limit formula in [Ontario Regulation 101/97](#)³¹ which has been stagnant since 2018 and does not consider inflationary pressures on campaign costs.

15. Explore establishing an independent office to manage investigation and prosecution of offences under the Act.

Local election administration enforcement is nuanced and often differs municipality to municipality as does capacity and resourcing, whereas federal and provincial elections are administered by one centralized body. In reviewing the campaign finance, third-party advertising and enforcement frameworks in the *MEA*, the Province should also consider promising practices from election administrators at other levels of government, such as an independent office like the Commissioner of Canada Elections.

Municipalities face challenges proceeding with prosecutions under the *MEA*. For instance, the conflicting nature of local police governance is responsible for the investigation of criminal activity, and municipal elected officials sit on these police boards. Anecdotally, in instances where local forces are engaged, they have recused themselves and referred matters to the Ontario Provincial Police (OPP) who may or may not involve themselves in local matters. Barring a provincially appointed official, more clarity around *MEA* offences being investigated by the OPP would help address existing concerns.

Similarly, prosecution through the courts is a time-consuming process that can take multiple years to get to trial, the process for which takes up staff time and resources to prepare for, prosecute, and await judgement before applying penalties.

A separate body could allow for an alternative dispute resolution mechanism with procedures that are applied consistently across municipalities. This would remove potential conflicts and friction between municipal staff as election administrators, candidates, and members of council who may have contravened the *Act*, leading to quicker resolutions. At the provincial-level for instance, the [Election Finances Act, 1990](#)³² includes mechanisms such as referrals to the Ministry of the Attorney General for prosecution and the use of administrative monetary penalties.



³¹ See section 5 of O.Reg 101/97 under the *Municipal Elections Act, 1996*

³² See the *Elections Finances Act, 1990* <https://www.ontario.ca/laws/statute/90e07>



Recommendations to Reduce Administrative Complexity

AMCTO supports modernizing legislative and regulatory environments that enable the work of municipal public servants, while allowing innovation with policies and practices that reflect current needs and focuses on outcomes.

Legislation needs to strike the right balance between providing clear rules and frameworks to ensure the integrity of the electoral process, while also reducing administrative and operational burden for municipal staff. Local election administrators need to be able to run elections in a way that responds to the unique circumstances of their local communities. Thereby, providing the right rules and frameworks for administrators will result in benefits for electors, candidates, advertisers, and others involved in local elections.



Priority Recommendations

- 1. Bring the language of the Act and regulations into the 21st century by removing gendered references and including references to encompass all voting methods.**

To ensure more inclusive language within the Act, the Province should remove gendered references. Clerks receive complaints from non-binary persons about the use of language in the Act which they feel is exclusionary. Moreover, as more municipalities are turning to alternative voting methods to reach voters and run efficient elections, language in the Act across numerous sections and within regulations should encompass all voting methods rather than referring to traditional paper ballots or in-person voting. Changes are required in sections 43, 47, 48, 49, 52, and 89, among others.

- 2. Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.**

One way to improve clarity and interpretation is to ensure that all key terms are captured in the definition section of the Act. There are several instances wherein a definition appears later in the legislation while others are captured in the definition section. Definitions for several terms also require clarity. For instance, municipalities are left to define "retirement homes" resulting in inconsistencies across municipalities. As we have noted elsewhere in this submission, definitions of "tenants" and "occupancy" also lack clarity.

It is also important that language clarifies the definition of "municipality" so that it consistently applies to operational and administrative tasks undertaken by municipal administration, whether by the clerk or other municipal staff.



3. Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the *Legislation Act, 2006*.

Candidates, voters, and other interested parties are not familiar with the traditions and nuances of legislation and regulations. Without a reference to other legislation, voters and candidates are unlikely to know that they should refer to the *Legislation Act* for definitions. Moreover, it should be clarified that references to specific deadlines within the *Act* are to reflect regular municipal business hours especially where these hours may fall on weekends and holidays.

4. Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial nomination periods.

As noted previously, local elections are complex multi-year projects often undertaken by a handful of municipal staff who are also responsible for numerous other statutory and operational responsibilities. In 2020, the [nomination period was extended to August from July](#)³³. Extending this period runs contrary to the changes the Province made in 2016 [shortening the nomination period](#)³⁴. Furthermore, the municipal nomination period is longer than those at the provincial and federal levels where this process is managed by agencies whose sole focus is election administration.

Shortening the length of the nomination period would give municipalities more time to prepare ahead of the election. There is significant strain on municipal staff and resources with longer nomination periods, with legislative and business deadlines for printing ballots, quality assurance, security, and testing, among other activities. While this may sound straightforward, municipalities are often working with tight, limited supply chains and vendors, and in larger municipalities, staff are often dealing with multiple ballot types, and in many cases, managing hundreds of candidates. A longer nomination period means there is less time between the close of nominations and the first day of voting to finish the nuanced tasks and activities required of local elections.

Longer elections are more expensive for candidates, harder to run for administrators, and can be a potential cause of fatigue from an already disengaged electorate. Moving the nomination period back to at least July would make the nomination period shorter, while also giving candidates in smaller municipalities—who may still be working full-time jobs with less sophisticated campaign infrastructure—enough time to campaign.

5. Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.

[Building on the updates made in 2016](#)³⁵ which began to untangle council's role in election administration, the *Act* should be updated to authorize the clerk to choose what voting method is best. Requiring council to pass bylaws on voting methods in section 42 gives council members and the public the impression that council is responsible for election administration issues.

³³ See <https://www.amcto.com/network-community/blog/advocacy-update-bill-218>

³⁴ See <https://news.ontario.ca/en/release/39113/ontario-passes-legislation-to-allow-ranked-ballot-option-for-municipal-elections>

³⁵ See section 41(4) of the *Municipal Elections Act, 1996*.



[Section 42](#)³⁶ should further be amended to resolve the conflict in timelines between when procedures need to be completed and when they must be provided to candidates. For instance, June 1st is the deadline for the procedures in a regular election year, but 42(3)(b) requires these must be provided when a candidate files their papers, which could be as early as May 1st.

6. Change the timeline for proxy appointment to begin September 1st for a regular election.

A similar timeline alignment issue occurs between making the voters' list available to voters to confirm if they are on the list and/or update their information and the appointment of proxies. In the 2022 election, the first day for proxy appointment was August 22nd. However, the voters' list was not available until September 1st. In this scenario, staff were not able to necessarily confirm whether an individual appeared on the voters' list as a qualified elector until September 1st. Thus, allowing proxy voters to be appointed earlier than receipt of the voters' list is problematic.

In the case of a by-election, consider changing the timing for proxy appointments to when the clerk has made corrections.

7. Expand the timeline for reporting on accessible elections from 90 days to 120 days.

[Section 12.1 \(3\)](#)³⁷ requires the public posting of a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities within 90 days of voting day. We recommend that this be extended to 120 days. Providing additional time to municipalities would allow them to look at reporting on the election holistically in one comprehensive post-election report that includes factors impacting accessibility.

8. Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.

The Act states that candidates are to receive the certificate of permitted amounts of their own expenses and contributions to their campaigns upon the filing of their nomination forms. The MEA does not require the certificate for maximum amount for parties, etc., after voting day to be issued until or before September 30th along with all final certificates. In comparison, third-party advertisers are to receive the certificate of maximum amount for parties, etc., after voting day upon filing their Notice of Registration. Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.



³⁶ See section 42 of the *Municipal Elections Act, 1996*.

³⁷ See section 12.1(3) of the *Municipal Elections Act, 1996*.



9. Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.

The following points outline areas where we believe further clarification can be provided to ensure continued progress, transparency, and accountability in local election administration.

Voters' Guide

- Include more details on voter identification (ID) requirements to provide clearer information about acceptable ID.

Candidate and Third-Party Advertiser Guides

- Specify the documentation that can be accepted as proof an individual is authorized to act on behalf of a trade union for third-party advertising purposes.
- Clarify whether promoted social media posts count as third-party advertising.
- Provide clarification on whether contributions can be sought via platforms such as GoFundMe that process online payments.
- Add further clarity in candidate guides on how to interpret the Act from a campaign finance perspective (i.e. using personal credit cards to reimburse campaign expenses, setting up and managing banking accounts) and where to seek advice for filling out the required forms.
- Add content to guides related to individuals who are supported by their corporations/organizations and stipulate that in these cases, campaign volunteers could be perceived as 'in-kind' contributions. Any stipends provided to volunteers should be captured in financial documents.



Forms

- Ensure clarity and consistency regarding the use of a single name on the ballot under [section 41 \(2\)](#)³⁸. Nomination forms allow the use of a single name on the ballot while section 41 does not provide guidance on how names should be listed on the ballot.
- Conduct extensive external-to-government systems testing of provincial government forms to ensure they are accessible and useable. Our members advised of candidate challenges with downloading and filling in prescribed forms as they were in a format that was not supported by their computer system. We understand that several municipalities raised this issue with the Ministry of Municipal Affairs and Housing (MMAH), but no remedy was applied.
- Update Declaration of Identity - Form 9 so that it can be used to serve voters who have no identification (e.g. those who may be homeless, seniors who have not updated their government-issued identification, etc.)

³⁸ See section 41(2) of the *Municipal Elections Act, 1996*.



Secondary Recommendations

10. Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.

[Section 27\(2\)](#)³⁹ requires that the final changes clerks make to the voters' list be submitted 30 days following election day. In the post-election period, it can be challenging for clerks to meet this deadline given that they are busy managing orientation and onboarding of councillors as well as handling compliance activities. In larger municipalities where thousands of revisions are processed during the election period, it is very challenging to meet the current 30-day timeline. It has never been clear from an operational perspective why this must be done in 30 days. 60 days would provide clerks with a more reasonable post-election timeline to account for and submit final changes.

11. Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.

The Act should be clear that if the clerk is satisfied, a correction can be made regardless of when that is. A similar mechanism should be included regarding school board support especially where an elector has completed a declaration. This would facilitate a smoother experience on election day for electors whose information may not be correct.

AMCTO's advocacy efforts⁴⁰ to fix the voters' list resulted in Elections Ontario taking over responsibility for a single register of electors, consolidating elector information across the province and removing overall responsibility from MPAC, which retains responsibility for school support data. We are hopeful that in 2026, the first election in which voters' lists will be compiled using Election Ontario's information, there will be a significant improvement in data quality of the voters' list.

Clerks should be extended the authority to make changes to elector information beyond what is currently allowed under [section 22](#)⁴¹ to update voter information, including school support, on election day, if they are satisfied that the information provided by an elector is correct. Without this authority and as the legislation stands currently, an elector may be unable to exercise their right to vote.

Permitting changes to the voters' list on election day should not prevent any improvement to processes for accepting revisions at the single register or at MPAC's level related to school board support. The end goal should always be to have corrections addressed adequately at all levels to ensure voters have a seamless, quick, and overall positive experience on election day.

³⁹ See section 27(2) of the *Municipal Elections Act, 1996*.

⁴⁰ See <https://www.newswire.ca/news-releases/local-govt-association-applauds-elections-ontario-report-887387112.html>

⁴¹ See section 22 of the *Municipal Elections Act, 1996*.



12. Establish a province-wide registry for MEA offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.

The Act makes it clear that candidates, contributors, and third-party advertisers are responsible for ensuring that they comply with the Act. While the Act also requires clerks to certify nomination papers and registrations, clerks do not have the tools or resources such as public and centralized information about electoral histories and sanctions imposed on candidates, contributors, or third-party advertisers. How is a clerk from southwestern Ontario to know whether a candidate or third-party registering in their municipality has been disqualified in northern Ontario?

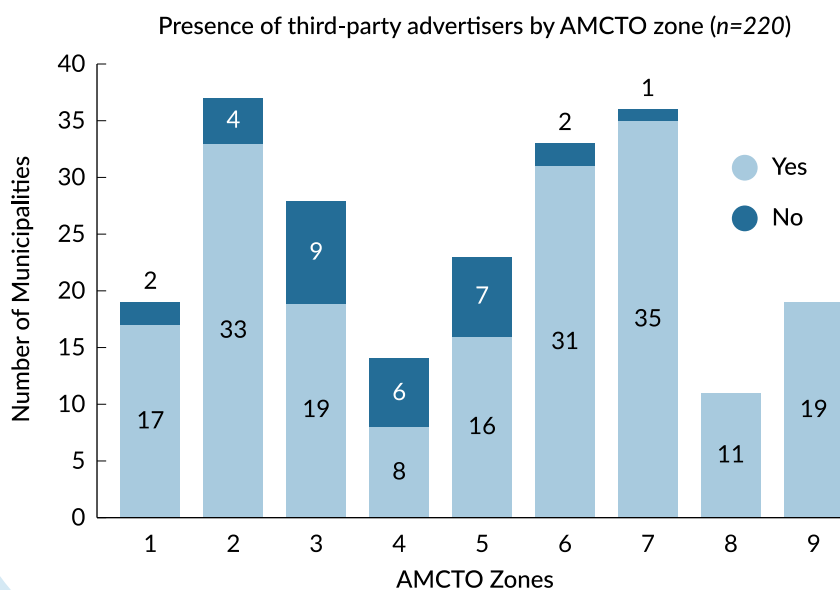
To assist municipalities in completing reviews, there should be a province-wide registry of MEA offenders. Such a central repository kept and maintained by a separate body would include information about qualifications, records of compliance audit and court decisions. Information should be available to ensure clerks, compliance audit committees, and others have access to information about those who have contravened the Act.

13. Amend the Act to consolidate rules between regular elections and by-elections specifying what must be different.

The Act provides that by-elections should be conducted “as far as possible in the same way as regular elections”. However, it does not provide further guidance. Are there ways in which by-elections should not run like regular elections? This is an area where the Act can be streamlined to clarify, where necessary, what activities may be different in a by-election. This would ensure municipalities are conducting by-elections consistently across the province.

14. Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.

Third-party advertiser registration primarily occurs in medium to larger municipalities and few, if any, are registered in smaller municipalities.



The entire process from registration to compliance is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled third-party advertisers. If the intent is to retain the current framework, amendments need to be made so that there is a line in the sand for who and when someone becomes a third-party advertiser. For instance, is a 'mom and pop restaurant' a third-party advertiser because they hand out flyers for a

candidate at their restaurant? A threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds would help ensure local voices without resources can participate without unnecessarily triggering ad status.

Moreover, calculations for third-party spending limits are cumbersome and lack clarity especially for by-elections. The current wording of section 88.21⁴² suggests that the number of electors in the entire municipality, instead of the ward that is the subject of the by-election, is used to calculate spending limits for third-party advertisers. This gives third-party advertisers a disproportionately higher spending limit than candidates in a by-election.

15. Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.

There are also timeline issues with third-party advertising registration. Allowing third-party advertisers to register up to the Friday before election day is problematic from an operations perspective. At this time, municipal staff's attention should be focused on the successful execution of voting and the electoral process, rather than additional paperwork.

16. Require those who file a Notice of Extension of Campaign Period - Form 6 to also file a Supplementary Financial Statement.

Often candidates and third-party advertisers believe that because they did not campaign, raise or spend money in the extended period, they are not required to file a supplementary financial statement even though they filed a notice of extension. This is the interpretation which inevitably causes confusion. Stronger language should be applied to those who file a Form 6 to specify that a Supplementary Financial Statement is required.



Long-Term Recommendations

17. Clarify the process for removing a name from the voters' list by a relative.

Providing the clerk with more flexibility to determine procedures on how a family member may request to remove someone from the municipality's voters' list (provided the clerk is satisfied that the individual should be removed) would assist in the clean-up of municipal voters' lists.

However, we are hopeful that the single register of electors managed by Elections Ontario will improve the quality of the voters' list given that there is one register and duplications should be reduced. The Province could re-evaluate this post-2026 to determine whether any legislative changes are necessary.

⁴² See section 88.21 of the *Municipal Elections Act, 1996*.



18. Decouple school board support for electoral purposes from school support for assessment purposes.

Despite Elections Ontario taking responsibility for a single register of electors, under the *Assessment Act*, MPAC remains responsible for collecting information about school board support. This may be attributed to the leading legislative interpretation that school support may have dual purposes: electoral and assessment. However, as the Ombudsman noted in [the 2021-2022 Annual Report](#)⁴³, this data from MPAC is no longer used to determine school board funding but rather who can run and vote in school board elections.

Currently, the single register of electors is not expected to resolve this issue as MPAC remains responsible for collection of school support information. As a result, there are two separate portals through which voters must check and update their information: one from Elections Ontario for qualification and one from MPAC for school support. This dual process will cause confusion for the voter without resolving issues related to incorrect assignment of school support.

Municipalities receive school support information, relying on this data to develop their voters' lists. The problem resides in processes that assume an elector to be an English Public supporter unless a supporter has submitted forms or updated information on an online portal to declare otherwise. This particularly impacts French-language rights holders and separate school supporters who may have moved between wards or between municipalities but did not fill out a form.

This issue continues to blur the electoral picture for candidates, electors, and administrators when it comes to linking electors and the school boards for which they are entitled to cast their ballots. This blurring sometimes results in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials. Making school support for electoral purposes distinctive in legislation and providing Elections Ontario with the authority to collect this information would improve the quality of school support data.

The Province should update candidate and voter guides to make it clear that school support amendments cannot be made by municipalities as a result of Provincial legislative barriers. It is important that candidates and voters are able to direct their concerns to the Province rather than to municipal staff who do not control these processes.

19. Amend the *Education Act* to clarify who is a French-language rights holder and who is a separate school rights holder.

As we noted previously, local elections are complex endeavours, and not only do clerks run municipal elections, but they are also required to run the election for trustees across five school boards. Increasingly, candidates who may not be qualified to run for school trustee (i.e. do not hold the language or religious rights to qualify) are submitting papers to run. This has resulted in

⁴³ Ontario Ombudsman. 2022, *Annual Report 2021-2022*, <https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/annual-reports/2021-2022-annual-report> p 43



void school board trustee elections. It is no wonder why there is confusion when the *Education Act*, *Assessment Act* and the *MEA* must be read to figure out the nuances of qualification. Clearer rules around language rights qualifications would help people understand whether they qualify as a candidate.

20. Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.

Given that school board boundaries cross municipal boundaries, when trustee candidates do not submit their nomination papers in the municipality in which they reside, it complicates the situation. Clerks are left trying to figure out residential qualification in addition to general candidate qualification. This is burdensome for candidates and municipal staff and must be addressed.



21. Consider readjusting school board boundaries to align with municipal boundaries.

Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.

22. Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.

Voters and administrators require more guidance and clarity on what types and forms of acceptable identification can be used in local elections. It is a persistent challenge for municipalities educating members of the public about what can be used, particularly because accepted identification is different than provincial and federal elections due to residency requirements. Moreover, certain voters also lack identification and documentation to be able to exercise their right to vote.

As part of the Province's work on [Digital Identity](#)⁴⁴ under the Ontario Onwards Action Plan, there should be collaboration and consultation with the municipal sector, including AMCTO, on the specific needs of identification for electoral and other local service provision purposes.

⁴⁴ See <https://www.ontario.ca/page/digital-id-ontario>





Trends AMCTO Continues to Monitor

Our Working Group also discussed several trends that may impact electoral administration. While there are no specific recommendations at this time, we want to highlight some of what the group identified to inspire continued conversations about the tools, resources and supports local election administrators may require in the future.

Electoral Participation

Declining voter turnout has been discussed as an indicator of democratic health. Our 2022 Post-Election Survey, which included data from [MMAH's municipal election survey](#), found a 4% decline in overall voter turnout between 2018 and 2022⁴⁵. In 2018 and 2022, electors also voted in a provincial election, and in the fall of 2021, voted in a federal election as well.

[Our 2014 Post-Election Survey](#) found the average turnout was approximately 43%⁴⁶. [As we noted in previous submissions](#), there may be some element of voter fatigue⁴⁷ which is also why we recommend shortening the election period.

While voter turnout has decreased, the number of acclamations has increased. [As AMO noted](#):

with fewer candidates, there are also more positions being acclaimed, especially in smaller, rural municipalities. This year, 548 council positions were acclaimed, including 139 mayors and reeves. Compared to 2018, total acclamations are up 15% over 2018 and up 16% for mayors and reeves (heads of council). A total of 32 councils will be entirely acclaimed this year, 3% more than 2018, when 26 councils were acclaimed. All of [sic] the fully acclaimed municipalities in 2022 have populations of 10,000 residents or less.⁴⁸

⁴⁵ AMCTO. February 2024, *2022 Post Election Survey*, <https://www.amcto.com/about-amcto/news-announcements/2022-municipal-elections-survey-key-findings>

⁴⁶ AMCTO. August 2015, *2014 Post Election Survey* <https://amctopolicy.files.wordpress.com/2015/08/amcto-2014-post-election-survey-results.pdf>

⁴⁷ AMCTO. July 2015, *AMCTO Submission on the Municipal Elections Act* <https://www.amcto.com/sites/default/files/2023-05/AMCTO-MEA-Submission.pdf>

⁴⁸ Association of Municipalities of Ontario (AMO). News Release. September 27 2022, "Municipal elections data available on AMO website" Accessed: <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/municipal-election-data-available-amo-website>



It is understood that in making voting easier and more accessible, it is possible to increase participation in local democratic processes which is why municipalities have looked at implementing alternative voting methods in their communities.

Digital Identity

As an Association, we continue to be interested in the Province's [Digital Identity](#) project⁴⁹ given the operational implications to local service delivery. Photo identification is used for recreation programming registration, paying property tax, resolving parking offenses, and confirming residency for local elections. The degree to which Ontario follows other jurisdictions in implementing digital identities will determine how local service delivery, including elections⁵⁰, may benefit or be challenged by such an initiative. Any introduction of digital identities will need to work for elections and be reflected in the *MEA*.



Misinformation

We are also keeping an eye on more subversive and potentially harmful trends including the spread of misinformation that threatens democratic institutions. This is an increasing concern for election administrators at all orders of government.

For instance, a report from the [Canadian Election Misinformation Project](#)⁵⁰ documents and evaluates misinformation during the 2021 Canada federal election. While there was widespread misinformation during this election, the overall impact was minimal as the campaign period and results were not driven by misinformation. However, there was a rise in misinformation through groups who hold conspiratorial beliefs about various topics. The report also highlights certain vulnerabilities that need to be addressed including the increasing difficulty in detecting what qualifies as misinformation and the continued distrust of democratic institutions by increasing segments of Canadians.

There has also been reporting on distrust and misinformation, among other threats outlined by the [Security and Intelligence Threats to Elections Task Force](#)⁵¹ that are a cause for concern.

While there are tools and resources offered by organizations like the [Canadian Centre for Cybersecurity](#)⁵² to help the public and others identify this pervasive information, decentralized elections such as those run by municipalities, could benefit from more specific resources and supports for managing these threats.

⁴⁹ See <https://www.ontario.ca/page/digital-id-ontario>

^{*} There are a range of identification requirements outlined in regulation that may be accepted as proof of identity.

⁵⁰ See https://www.mcgill.ca/maxbellschool/files/maxbellschool/meo_election_2021_report.pdf

⁵¹ See <https://www.cbc.ca/news/politics/threats-of-violence-canada-elections-1.7153960>

⁵² See <https://www.cyber.gc.ca/en/guidance/how-identify-misinformation-disinformation-and-malinformation-itsap00300>



Foreign Interference

Misinformation created and distributed by domestic actors is concerning enough but with the threat of foreign interference, the scale of risk is at a magnitude that must be dealt with at a national level. [The Government of Canada](#) consulted with Canadians on foreign interference and potential government action starting in late 2023⁵³. As an Association and to represent our members' interests, [we wrote to the Ministers of Justice Canada and Public Safety](#)⁵⁴ to advise that changes made at the federal level will require complementary provincial legislation. Local election administrators will require support in managing threats and potential incidents.

We also continue to watch with interest the [Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions](#)⁵⁵ for findings and recommendations.

Artificial Intelligence (AI)

While governments are beginning to take measures that provide frameworks and rules around the development and use of AI, there are few sources that deal specifically with elections. Administrators need the right legislative tools and guidance to ensure they can manage the impacts of AI on local democratic processes and ensure there is the right support to enforce such provisions. The Act must provide the rules and frameworks to support election administrators who may choose to leverage these technologies to improve electoral services.



⁵³ CSIS. 2021. *Foreign Interference: Threats to Canada's Democratic Process*. <https://www.canada.ca/content/dam/csis-scrs/documents/publications/2021/foreign-interference-threats-to-canada%27s-democratic-process.pdf>; Government of Canada. Public and Emergency Preparedness Canada. News Release. November 24, 2023. "Government of Canada launches consultation on legislative amendments to counter foreign interference in Canada" <https://www.newswire.ca/news-releases/government-of-canada-launches-consultation-on-legislative-amendments-to-counter-foreign-interference-in-canada-868566675.html>

⁵⁴ See AMCTO letter, January 2024 re: AMCTO Letter to Ministers of Justice Canada and Public Safety re Foreign Interference <https://www.amcto.com/letter-to-ministers-re-foreign-interference>

⁵⁵ See <https://foreigninterferencecommission.ca/>





Conclusion

For many reasons, election administrators at all orders of government face several heightened challenges and our clerk members are no different. [Increasing distrust in public institutions](#)⁵⁶ beyond just healthy skepticism⁵⁷ means that democratic processes delivered through election administration are more important than ever. There are decreasing rates of democratic participation reflected in low voter turnout, electoral support, and an increased number of acclamations that [impact the efficacy of elections](#)⁵⁸.

The good news is that there are opportunities as well: voting methods can reach more qualified electors which may result in increased rates of voter participation. Improvements to technology can result in more automated and quicker service delivery if balanced with the necessary security precautions. Clarifying rules can make compliance and enforcement more straightforward, paving the way for more diverse pools of candidates.

The Act should reflect the digital challenges and opportunities of today and tomorrow, and discussions should occur via legislated four-year reviews to ensure clarity, consistency, accountability, transparency, and trust remain top of mind. The legislation should be more enabling while providing important guidance, standards, and support with the right mix of tools to make compliance and enforcement streamlined.

The Province should build on the [MEA modernization work from 2016](#)⁵⁹ by rewriting and restructuring the Act to address existing and new challenges and opportunities. The issues weighing most on the minds of election administrators would be served by transformational change to the Act to provide a better overall framework for local elections. This requires bringing a 21st century mindset to improving service delivery to voters, candidates, and the public, while providing election administrators with more flexibility, certainty, and clarity to do the important work of delivering fair, accountable, and transparent municipal and school board elections.

AMCTO looks forward to discussing our recommendations with the Province and collaborating on priority legislative and regulatory improvements.

⁵⁶ Edelman Canada. May 2023. "2023 Edelman Trust Barometer," <https://www.edelman.ca/sites/g/files/aatuss376/files/202303/2023%20Edelman%20Trust%20Barometer%20EN.pdf>

⁵⁷ Norris, Pippa. *In Praise of Skepticism: Trust but Verify*. Oxford University Press, 2022.

⁵⁸ See <https://www.amo.on.ca/policy/municipal-governance-indigenous-relations/analysis-2022-municipal-post-election-data>

⁵⁹ See <https://www.ola.org/en/legislative-business/bills/parliament-41/session-1/bill-181/debates>



AMCTO MEA Working Group

AMCTO formed the MEA Working Group in 2023 to review, analyze, and discuss a suite of reforms to the *Municipal Elections Act (MEA)*. Together, the Group brought forward best practices and lessons learned from municipal and school board elections administration to identify challenges and opportunities for solution-orientated improvements to existing election rules and regulations. Their work informed this submission and continues to support our members and municipal professionals in local election administration.

AMCTO would like to thank the following individuals for their time, contributions, and expertise as part of our MEA Working Group:

Martina Chait-Hartwig
(Chair)
Township of Douro-Dummer

Florence Witherspoon
(Vice-Chair)
Township of Ashfield-
Colborne-Wawanosh

Shawnica Hans
City of Brampton

Veronique Hie
City of North Bay

Terri Knight-Lepain
City of Windsor

Antonia Mancuso
Town of Oakville

Lori McDonald
Town of Bracebridge

Fiona Murray
City of Toronto

Evan Read
City of Vaughan

Pam Walsh
Town of Blind River

For more information about this Working Group, the submission and AMCTO advocacy initiatives, please contact advocacy@amcto.com.

The following appendix includes a line-by-line breakdown of our recommendations and the corresponding section of the *MEA* in its current form. We invite the Province to consult with us, our members and other sector organizations on reviewing and updating the current legislation to better serve local elections administration now and into the future.



Appendix: Summary of Recommendations

Recommendation	Legislative Reference(s) if applicable	Rationale
Overhaul and update the <i>Act</i> to ensure that it is future-proof, addresses current gaps, streamlines rules, and brings added clarity well ahead of the 2030 election.	Act and regulations	The <i>MEA</i> contains a patchwork of amendments, sections, provisions and other structural issues that make it difficult for people to understand and manage.
Include a legislative requirement to review the <i>Act</i> after every scheduled municipal and school board election year.	New section	The <i>Act</i> should be updated on a regular cycle to ensure that it is responsive to new and emerging technology and trends.
Review how the current legislation, regulations, and prescribed forms treat personal information, considering a digital privacy lens.	Act and regulations	Protection of privacy is becoming an increasing concern and is central to ensuring public trust.
Amend the <i>Act</i> to include a preamble that captures the principles of elections recognized by the court and the intended outcomes of the <i>Act</i> .	New preamble	A preamble inclusive of these principles should set out the intended outcomes of the legislation and provide foundational understanding of elections.
Establish a mechanism that permits the Minister of Municipal Affairs, in consultation with affected communities, to alter municipal and school board election day if it falls on a day of cultural or religious significance.	Section 4 Regular elections	In future years, it could be the case that election day falls on another culturally or religiously significant festival or event impacting voter turnout and staffing resources.
Require school boards to schedule one of the provincially required Professional Activity (PA) days on municipal and school board election day.	New sub/section	Confirming availability of school facilities for election day is one less thing for clerks to have to determine and provides voters with a large, central, accessible facility to cast their ballots. Ensures that election administrators can focus on providing electoral services to residents and municipal and school trustee candidates.
Amend the <i>Act</i> so that, if requested, schools and institutions must allow space for advance polls and voting day free of charge.	Section 45 Number and location of voting places	Clerks require a legislative basis to work with heads of institutions to address resident voting requirements providing more opportunities for the most vulnerable to cast their vote.

Recommendation	Legislative Reference(s) if applicable	Rationale
Remove the requirement for employees of a municipality or local board to provide notice of their intention to stand for election to council.	Section 30 Employee of a municipality	Potential candidates for municipal office, who happen to work for a municipality or a local board, should be provided the same, equal opportunity as other candidates who are not required to declare their intentions until they submit their paperwork.
Clarify the Act to reflect that a voter's absence from work may be on any day voting is available (i.e. advance voting days).	Section 50 Electors' absence from work	The current definition of voting day is limited to Election Day only and could be interpreted to not include advance voting days.
In consultation with AMCTO and other municipal stakeholders, consider how the work by the Digital Governance Standards Institute related to electronic voting may be formalized to support election administration in Ontario.	New section	With an increasing number of municipalities considering e-voting methods to make voting easier and be "where the voters are" there should be a provincial interest in adopting some standards.
Establish a working group with AMCTO and other municipal stakeholders to inform the development of a regulation for electoral definitions of "tenant", "spouse of a non-resident" and "occupancy".	Section 17 Qualification of electors (with possible implications for Section 2 Residence)	The current definitions provided in the Act are not sufficiently clear, and create potential confusion for electors, candidates, and administrators.
Remove the 25-signature endorsement requirement.	Section 33 Filing Nomination	Signature requirements in medium and large cities has not addressed its stated intent as signatures are easy to collect with a declaration that signees are eligible electors and adds an administrative burden.
Investigate incentives to support genuine candidacy while addressing frivolous campaigns, including the nomination filing fee refund.	Section 34 Refund	The current process of refunding anyone who files a financial statement does not dissuade frivolous candidacies. Other mechanisms should be investigated.
Amend the Act so that no candidate shall accept a contribution over \$1,200 from a single resident.	Section 88.9 Maximum contributions to candidates	Fill the gap that does not specifically prohibit candidates from accepting a contribution.
Clarify that any resident of Ontario may submit a compliance audit application, consistent with contribution rules.	Section 88.33 Compliance audit of candidate finances	Clarify that any resident in Ontario can file a compliance audit application consistent with rules on contributions.

Recommendation	Legislative Reference(s) if applicable	Rationale
Consider setting one 90-day period for compliance audit applications for initial and supplementary financial statements to simplify the process.	Section 88.33(3)	The current structure creates many overlapping deadlines that is challenging to communicate to electors and candidates and for purposes of tracking.
Roll the review of contributions and over-contributions to candidates and third-party advertisers into the Compliance Audit Committee (CAC) process and permit the committee to decide whether to commence a legal proceeding against a candidate or third-party advertiser for an apparent contravention.	Section 88.34 Review of contributions to candidates	This provision jeopardizes the independence and impartiality of the clerk, places the clerk in conflict with members of council and there already exists a process on the Compliance Audit Committee to review statements.
Expand decision timelines for CACs in Subsection (8) from 30 days to 45 days.	Section 88.34 Review of contributions to candidates	To support applicants, election administrators and CAC members with carrying out an application, moving the decision-timelines from 30 days to 45 days may be more reasonable especially where the CAC process may fall around the holidays and is consistent with references in other statutes for required meetings.
Clarify roles with respect to CACs wherein council is responsible for establishing the committee and the clerk is responsible for making appointments.	Section 88.37 Compliance Audit Committees	The MEA gives the responsibility for administering elections, including establishing necessary policies and procedures, to the clerk. However, there are several sections throughout the Act where the responsibility for what are, in effect, administrative decisions is unclearly distributed between both Council and staff. This is one area where there is a clear conflict in members of council who may be subject to an application are involved in the administration of the committee reviewing that application.
Clarify the role of scrutineers where alternative (unsupervised or remote) voting is in place and collaborate with AMCTO and others on the definition of scrutineer and what they may or may not do.	Section 16 Scrutineers	Qualifications of scrutineers continues to be challenged. Moreover, as alternative voting methods are increasingly used, the role of scrutineering is less understood and should be addressed.
Review the scope of election offences and related penalties to address gaps. Consider providing support and guidance to clerks on best practices for implementation and enforcement of serious offences.	Section 89 Offences	Fill existing and new gaps because of changes to technology. Any changes to offences and penalties would require additional guidance and support for election administrators on how to enforce these matters.

Recommendation	Legislative Reference(s) if applicable	Rationale
Establish a working group with AMCTO and other municipal partners to review and improve the campaign finance framework, including rules, guidance, forms, processes, and penalties.	Section 88.8 Campaign Contributions to Section 94.2 Limitation Period	The campaign finance framework is complex to administer and comply with and should be reviewed to make it easier to follow while ensuring accountability.
Establish a working group with AMCTO and other municipal stakeholders to review and improve the third-party advertiser regime for ease of compliance and enforcement.	Section 88.4 Third Party Advertisers	The third-party advertising framework is complex to administer and comply with and should be reviewed to make it easier to follow and comply with.
Within the campaign finance and third-party advertiser frameworks, review the mechanisms for enforcement, and related penalties to address gaps in accountability and transparency measures.	Section 89- Section 94.2	A holistic review needs to consider enforcement mechanisms, penalties and the prosecution process for candidates and contributors.
Consider increasing maximum campaign spending limits and its related formula to consider inflation outlined in O Reg 101/97.	O Reg 101/97	The Province should consider reviewing and updating the spending limit formula in regulation which has been stagnant and does not consider inflationary pressures on campaign costs.
Explore establishing an independent office to manage investigation and prosecution of offences under the Act.	New section	Municipalities have faced challenges proceeding with investigations and prosecutions due to capacity, resourcing and time-consuming processes through the courts. A separate body would allow for alternate dispute resolution that avoids placing municipal staff in conflict with candidates and members of council.
Bring the language of the Act and regulations into the 21 st century by removing gendered references and including references to encompass all voting methods.	Act and regulations	To ensure more inclusive language within the Act, remove gendered references. Moreover, as more municipalities are turning to voting methods to reach voters and run efficiency elections, language in the Act across numerous sections and within regulations should contain language that encompasses all voting methods rather than referring to paper ballots.
Ensure all definitions that appear in the Act are captured in and limited to Section 1 and update definitions to add clarity.	Section 1	One way to improve clarity and improve interpretation in the Act is to ensure that key terms within the Act are captured in the definition section. There are several areas wherein a definition appears later in the Act and others are captured in the definition section.

Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify references to municipal business hours as well as dates that constitute a weekend or holiday as defined pursuant to the <i>Legislation Act, 2006</i> .	Section 10 Saturdays and Holidays and other sections dealing with filing deadlines.	Inconsistency between business hours and the legislation can lead to frustration for candidates, administrators and others engaging in local democratic processes.
Move nomination day to July, shortening the campaign period to be more consistent with federal and provincial campaign periods.	Section 31 Nomination Day	The municipal nomination period is longer than those at the provincial and federal levels which are run by agencies whose sole focus is election administration while municipal staff are managing day-to-day operations while running elections simultaneously. Revert back to the 2016 nomination deadline of July or earlier.
Enable clerks to determine what voting method is best as the local chief electoral officer and align timelines related to clerk's procedures.	Section 42 Bylaws re voting and vote counting equipment	Clarify areas of responsibility between the clerk as the administrator of elections and council as overseers of the municipality.
Change the timeline for proxy appointment to begin September 1 st for a regular election.	Section 44 Appointment of Proxy	Fix the disconnect between voters' list availability and appointment of proxies, qualifications for which cannot be confirmed as electors until the list is available.
Expand the timeline for reporting on accessible elections from 90 days to 120 days.	Section 12.1 (3)	Extending the timeline would allow more time to compile a comprehensive post-election report which is typical practice.
Consider aligning the spending limit certificate requirements and timelines between candidates and third-party advertisers for consistency.	Section 88.20 Candidate Expenses and s 88.1 Registered Third parties' expenses	Providing consistent timelines across various participants in the electoral process makes it easier for municipal staff to adhere to legislative requirements and ensure that candidates and parties are adhering to timelines.
Update existing provincial guides and forms and provide additional guidance to voters, candidates, third-party advertisers, and election administrators.	Voters' Guide; Third Party Advertisers Guide; Candidate's Guide	There are several opportunities to update and provide more information to support voters, third party advertisers and candidates in Provincial guidance materials. There have also been several challenges with usability of provincial forms and inconsistencies between the legislation and forms that should be addressed.
Extend the timeline to submit final changes to the voters' list from 30 days to 60 days.	Section 27 List of changes	Provide more time for clerks to provide final changes after the election period given the number of activities and tasks required to be completed post-election.

Recommendation	Legislative Reference(s) if applicable	Rationale
Consider extending discretion to remove a name from the voters' list and the correction of errors to voting day.	Section 22 Correction of Errors	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Establish a province-wide registry for <i>MEA</i> offenders, maintained by the MMAH or another provincial body, and provide this registry to election administrators.	Section 35 Examination of nominations	While candidates are ultimately responsible for declaring their eligibility, clerks are required to certify nominations. Providing centrally available information about qualifications of candidates, and of those who may have contravened the <i>MEA</i> available to clerks will support this process.
Amend the <i>Act</i> to consolidate rules between regular elections and by-elections specifying what must be different.	Section 65 By-elections	Should the <i>Act</i> continue to distinguish between regular and by-elections, then there must be more guidance and information on how these elections are run to ensure more consistency in how by-elections are run across the province.
Consider a threshold amount for registering as a third-party advertiser that is in line with provincial and federal thresholds.	Section 88.4 Third Party Advertisers	The process is cumbersome and may prevent smaller actors from engaging in the political process for fear of being labelled as a third-party advertiser.
Consider amending the deadline for third-party advertiser registration to be more reasonably in advance of an election.	Section 88.4 Third Party Advertisers	There are also timeline issues with registration. Allowing third-parties to register up to election day is problematic from an operations perspective when municipal staff's attention has shifted from paperwork to execution of voting.
Clarify the process for removing a name from the voters' list by a relative.	Section 24 Application for Name Change	Electors who move must fill out forms or go to a portal to update their residency and school support information, and despite improvements made to make this process easier, there will be electors who do not do this. Permitting clerks to remove names to voting day would allow for a cleaner voters' list.
Decouple school board support for electoral purposes from school support for assessment purposes.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Cumbersome rules across multiple acts can result in an elector being assigned an incorrect school board ballot which slows the voting process, frustrates the elector, and means more work for election officials.
Amend the <i>Education Act</i> to clarify who is a French-language rights holder and who is a separate school rights holder.	<i>Education Act, 1990</i> and <i>Assessment Act, 1990</i>	Clearer language around qualifications would help people understand whether or not they qualify as a candidate.

Recommendation	Legislative Reference(s) if applicable	Rationale
Clarify that school board trustee candidates must file their nomination papers in the municipality in which they reside.	<i>Education Act, 1990</i> and <i>Municipal Elections Act</i>	School board boundaries cross municipal boundaries, and trustee candidates do not always submit their nomination papers within the municipality in which they reside, meaning clerks are left trying to figure out residential qualification as well. The complexity is burdensome for candidates and for municipal staff and must be addressed. Rules for elections need to be clear and straightforward.
Consider readjusting school board boundaries to align with municipal boundaries.	<i>Education Act, 1990</i> and <i>Municipal Act</i>	Given the complications between jurisdictional boundaries, one consideration may be to better align school board boundaries with municipal boundaries.
Conduct a review of identification requirements in the regulation and consider the availability of digital and hard copy identification as well as identification challenges for segments of Ontario voters.	O Reg. 304/13 Voter Identification	There are numerous ways people carry identification requirements and there are segments of the population without proper identification. The Province has also been working on digital identity which needs to be accounted for.



The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) represents excellence in local government, management and leadership. Over the past 85 years, AMCTO has provided education, accreditation, leadership, and management expertise for Ontario municipal professionals. With 2,200+ members working in municipalities across the province, AMCTO is Ontario's largest association of local government professionals, and the leading professional development organization for municipal professionals.

Our mission is to deliver professional growth, networks, advocacy, and leadership to support and strengthen the knowledge, skills, and capabilities of municipal professionals now and into the future.

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