



ANNUAL REPORT

OF THE

CHIEF ELECTION OFFICER
OF ONTARIO

UNDER THE
ELECTION FINANCES ACT

FOR THE YEAR 2003

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ISSN 1712-5944



This report is printed on chlorine-free
50% recycled fibre and 10% post-consumer
paper using vegetable based inks.

Office of the
Chief Election Officer
of Ontario



Bureau du directeur
général des élections
de l'Ontario

February 15, 2005

The Honourable Alvin Curling
Speaker of the Legislative Assembly
Queen's Park
Toronto ON
M7A 1A2

Dear Mr. Speaker:

It is my pleasure to submit the Annual Report covering the affairs of my Office under the *Election Finances Act* and the *Taxpayer Protection Act, 1999* conducted during the year 2003.

This Report is submitted pursuant to subsection 2(4) of the *Election Finances Act*.

In this Report, I have addressed annual activity related to political party registration, filings by the registered political parties and constituency associations, and the second return for the Progressive Conservative Party's 2002 leadership contest, as well as the returns specific to the 38th Provincial General Election, held on October 2, 2003. This Report also presents areas that merit review and clarification for administration of this activity in the future.

In addition, the timing presented by the delivery of this Report has provided an opportunity for me to inform you of the activities of my Office during 2003 under the *Municipal Elections Act, 1996*.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John L. Hollins".

John L. Hollins
Chief Election Officer

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THE MANDATE OF THE CHIEF ELECTION OFFICER

The primary responsibilities of the Chief Election Officer under the *Election Finances Act* fit broadly into five areas:

- Registering Ontario's political parties, constituency (or riding) associations, contestants for the leadership of a registered party, and the candidates in general elections and by-elections
- Supervising the limits on campaign expenses and political contributions
- Providing subsidies for campaign expenses
- Issuing tax credit receipts for contributions to parties, constituency associations and candidates, and
- Publishing information and materials filed under the Act.

In addition, during an election campaign, the *Taxpayer Protection Act, 1999* requires the Chief Election Officer to consider statements that may be provided by a political party with respect to its intention to increase the tax rate in designated tax statutes, establish new taxes or create new authorities to tax should it form the government after the election. The Chief Election Officer is required to determine if the statements are clear, concise and unambiguous and, once satisfied that the statements meet the requirements of the legislation in this regard, make his decision available to the public.

In 2000, the passage of the *Direct Democracy through Municipal Referendums Act* introduced a new mandate for the Chief Election Officer, through amendments to the *Municipal Elections Act, 1996*. He now carries a responsibility to consider and decide appeals with regard to questions proposed for submission to municipal electors, on the grounds that they are not clear, concise and neutral, or they are not capable of being answered in the affirmative or the negative.

I am pleased to report that, throughout 2003, my Office successfully met its obligations within its budget and in a timely manner.

ANNUAL ACTIVITY

PARTY DEREGISTRATION

During 2003, two registered political parties applied to my Office for voluntary deregistration under paragraph 12 (1) (a) of the *Election Finances Act*.

- The Natural Law Party (NLP), registered on May 24, 1995, was deregistered on July 21, 2003.
- The Reform Party of Ontario (Reform), registered on January 22, 1997, was deregistered effective September 15, 2003.

2002 ANNUAL RETURNS

The routine activity of the Election Finances division within my Office began with the submission and processing of over 400 annual returns from the registered parties and their constituency associations. In 2003, this activity occupied a significant proportion of staff time throughout the year following the May 31 filing deadline. While compliance with requirements and deadlines for annual filings was generally satisfactory, late filings continue to present us with significant challenges. My Office will continue to review processes and procedures, and offer support and guidance to the large volunteer community that carries the reporting obligation.

2002 PROGRESSIVE CONSERVATIVE PARTY LEADERSHIP CONTEST

Further to the first filings completed in 2002, the deadline for filing second returns for the Progressive Conservative Party leadership contest held on March 23, 2002 was November 24, 2003. This filing covered the period from May 24, 2002 to May 23, 2003. Filings from the five candidates were received on time and in compliance with the *Election Finances Act*.

BY-ELECTIONS

While no by-elections were held in 2003, the resignation of the member of the Legislative Assembly for the Electoral District of Mississauga West, and the resultant Speaker's Warrant issued on March 18, 2003, meant that my Office had to be ready to manage a possible event in this District throughout the spring and summer of 2003. Ultimately, the call of a general election on September 2, 2003 eliminated the need for a by-election in this electoral district.

THE 38TH PROVINCIAL GENERAL ELECTION: OCTOBER 2, 2003

The Writs for the 38th Provincial General Election were issued on September 2, 2003. By polling day, 522 candidates had registered under section 13 of the *Election Finances Act*. This was 46 fewer than the number of candidates registered in the previous general election in 1999.

Number of Registered Candidates

General Election	Number of Electoral Districts	Number of Candidates
October 2, 2003	103	522
June 3, 1999	103	568
June 8, 1995	130	651
September 6, 1990	130	615
September 10, 1987	130	495
May 2, 1985	125	442

Political Party Affiliation of Registered Candidates in 2003

Party	Abbreviated Party Name	Number of Candidates
New Democratic Party of Ontario	ONDP	103
Ontario Liberal Party	OLP	103
Progressive Conservative Party of Ontario	PC Party	103
Communist Party of Canada (Ontario)	CPC Ontario	6
Ontario Libertarian Party	Ontario Libertarian Party	5
Freedom Party of Ontario	FP	24
The Green Party of Ontario	The Ontario Greens	102
Family Coalition Party of Ontario	Ontario Coalition	51
Ontario Provincial Confederation of Regions Party	Ont. C.O.R. Party	1
Independents		24
Candidates who registered and subsequently withdrew		9

Note: Parties are listed in order of date of registration.

Activity by registered parties, constituency associations and candidates with respect to a general election is governed by a timetable derived from both the *Election Finances Act* and the *Election Act*.

2003 General Election: Key Dates

Writ date:	Tuesday, September 2, 2003
Nomination day:	Thursday, September 18, 2003 (deadline 2:00 p.m.)
Polling day:	Thursday, October 2, 2003
Campaign period:	Tuesday, September 2, 2003 to Friday, January 2, 2004
Financial returns due to be filed:	Friday, April 2, 2004
Political advertising period:	Wednesday, September 10, 2003 to midnight, Tuesday, September 30, 2003

FINANCIAL FILINGS

As in previous general elections, the chief financial officers (CFOs) of every registered political party, constituency association and candidate are required to file a financial statement with my Office. By the filing deadline of April 2, 2004, 673 returns, representing 69.7 percent of the total participants, had been filed. At the date of publication of this Report, as a result of their failure to file the required returns, six candidates who registered for the 2003 general election face a ban on candidacy through to the next general election under subsection 43 (1) of the *Election Finances Act*. In addition, two constituency associations did not file campaign period returns and have subsequently been deregistered under subsection 12 (2) of the *Election Finances Act*.

All the financial information in this Report and the accompanying Appendices reflect the information as filed with my Office and as subsequently revised to the date of publication. Our review of some filings continues and, as a result, some information in this Report may subsequently be revised after this publication. The Election Finances references within the Elections Ontario web site, www.electionsontario.on.ca, will be adjusted to reflect more up-to-date information as it becomes available.

The Appendices to this Report present a summary of campaign period financial statements as filed for the October 2, 2003 general election by registered political parties (Appendix H), combined income and expense statements as filed for candidates and constituency associations (Appendix I), and subsidy payments.

SPENDING LIMITS

The *Election Finances Act* establishes limits on the campaign expenses of political parties and candidates and their constituency associations. These amounts are established by following a formula set out in the Act that incorporates a basic amount, an indexation factor reflecting changes in the Consumer Price Index for Canada and the number of electors. The indexation factor component of the formula came into effect on January 1, 2004 and did not apply to the 2003 general election.

