

# AN UNPRECEDENTED YEAR

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2020/21 Annual Report &  
2021/22-2023/24 Service Plan

# **An Unprecedented Year**

2020/21 Annual Report &  
2021/22-2023/24 Service Plan

October 21, 2021



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Honourable Raj Chouhan  
Speaker of the Legislative Assembly  
Province of British Columbia  
Parliament Buildings  
Victoria, British Columbia  
V8V 1X4

Dear Mr. Speaker:

It is my pleasure to submit Elections BC's Annual Report for the 2020/21 fiscal year and Service Plan for the 2021/22-2023/24 fiscal years.

This report outlines the work of my office in 2020/21, which was an unprecedented year for Elections BC as it was for all British Columbians. In 2020/21 we administered the 2020 Provincial General Election in the midst of the COVID-19 pandemic, worked on modernizing the voting process for future elections, and made recommendations for legislative change to strengthen our electoral process against threats to electoral integrity. This report also outlines our strategic plans and upcoming projects for 2021-24.

Our office is committed to providing a high level of service to British Columbians and I look forward to sharing our plans for service improvements for the years ahead.

Respectfully submitted,



Anton Boegman  
Chief Electoral Officer  
British Columbia

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# MESSAGE FROM THE CHIEF ELECTORAL OFFICER

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I am pleased to present *An Unprecedented Year*, Elections BC's Annual Report for 2020/21 and Service Plan for the 2021/22–2023/24 fiscal years.

The past year has been one of considerable change and challenge for Elections BC, as it has for all British Columbians. COVID-19 indelibly impacted all areas of life, significantly changing how we work, socialize, interact and communicate. Events around the world reminded us of the importance of free and fair elections, and independent, non-partisan election administration. They also encouraged us to reflect and consider how we can support an inclusive workplace based on respect, tolerance and opportunity.

Our immediate priority at the start of the pandemic was to keep staff safe while sustaining our operations in a remote environment. We consulted with the Office of the Provincial Health Officer (PHO) to learn more about the pandemic, its estimated trajectory, and how public health requirements could impact our mandate. Given the minority government at the time, we had to be ready to administer a provincial election on short notice. Our ongoing dialogue with the PHO informed our planning and was critical to election readiness.

We began 2020/21 focused on implementing the *Election Amendment Act, 2019*. This legislation, which received Royal Assent in November 2019, was the most significant update to B.C.'s electoral legislation in 25 years, enabling the modernization of electoral processes and greatly enhancing accessibility and voter services. During the spring of 2020, we also worked on other strategic projects, including researching threats to electoral integrity enabled by the ongoing shift to digital campaigning. These threats include foreign interference, deliberate disinformation campaigns and anonymous digital advertising. This important project culminated in the tabling of our report *Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change* with the Legislative Assembly on May 25.

In mid-summer we initiated a major project to update our election planning to align with pandemic public health requirements. We applied the mitigation matrix of physical distancing, administrative controls, engineering controls and personal protective equipment to each element of the electoral process, and identified where changes were necessary to ensure the safety of voters, political participants and election officials. This assessment was complex and nuanced, requiring unique thinking and targeted mitigation protocols. We surveyed voters about how they would vote if an election was called during the pandemic, and used this input to further inform our planning. The result was a revised election model that met the critical goal of maintaining accessibility and integrity while ensuring safety for all participants. The model was designed to reduce congestion, promote physical distancing, and ensure safety at voting places, and also significantly increased our capacity to process large numbers of mail-in ballots.

Later in the summer sustained media speculation suggested an increasing risk of a possible fall election. As such, we re-focused our priorities on pandemic election preparations to ensure that we would be ready if an early election was called. As we know, an election was called on September 21, with election day on October 24, 2020. Looking back, I can state that the 2020 Provincial General Election was the most challenging event Elections BC has ever administered. Indeed, I believe it was likely the most challenging provincial election ever administered in B.C.'s history.

Critical to our success was our relationship with the PHO, early and ongoing consultation with a range of public health experts, our ability to develop and deliver a safe election model, and our statutory access to necessary funding.

I'd like to express my great appreciation to the entire Elections BC team across the province for their dedication and tremendous work in administering such a challenging election. I'd also like to thank British Columbians for adhering to our "vote safely" rules and exercising their democratic franchise this past fall.

After the intense event demands of fall 2020, during the last quarter of 2020/21 we turned our attention to election close out activities, including processing candidates' financial reports, updating the voters list and assessing lessons learned. We were also able to resume our work on voting modernization during this time.

Looking ahead, the 2021/22 fiscal year represents an opportunity to re-focus our efforts on implementing the legislative changes enacted in the *Election Amendment Act, 2019*. We will also continue our work on strategic priorities supporting the delivery of modern, accessible and trusted electoral services designed with British Columbians at the centre. A key element will be the anticipated completion of a client portal to provide online services for candidates and political parties during the next election.

2020/21 has been an unprecedented year, one that called for unprecedented dedication, innovation and hard work. I am very pleased to share the successful efforts of my team in this year's annual report.



**Anton Boegman**  
Chief Electoral Officer  
British Columbia  
October 2021



Election Official Quick Reference Guide  
Supervisory Voting Officer

- Introduction
- Candidate Representatives
- Voter Look-up Tool and Advance Voting Checklist: Before Voting Starts
- Advance Voting Checklist: After Voting Starts and Closes
- General Voting Day Checklist: Before Voting Starts/ After Voting Starts and Closes
- Initial Count and Voting Place Clean-up Checklist
- Administering a Solemn Declaration/Voters without ID
- Voters with Special Needs
- Voting Irregularities and Troubleshooting



# SECTION 1

# BACKGROUND

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- What we do **2**
- Our business cycle **3**

## Who we are

### Our mandate

Elections BC is the independent, non-partisan Office of the Legislature responsible for administering electoral processes in British Columbia in accordance with the *Election Act*, *Local Elections Campaign Financing Act*, *Recall and Initiative Act* and *Referendum Act*. Together, these Acts define our responsibilities and set out the duties of the Chief Electoral Officer.

### Our vision, mission and values

**Our vision** is to be leaders in electoral administration through the delivery of modern, accessible and trusted electoral services designed with British Columbians at the centre.

**Our mission** is to serve democracy in British Columbia through the fair and impartial administration of electoral processes.

**Our seven core values** are:

- *Accountability*: We take responsibility for our actions and decisions, and make effective use of resources.
- *Impartiality*: We treat all voters, candidates, political parties, elector organizations and other stakeholders fairly.
- *Innovation*: We explore new ways to improve service levels and respond to change.
- *Integrity*: We are honest, and our decisions and actions are consistent with our values.
- *Respect*: We value the diversity of our colleagues and stakeholders, build collaborative relationships based on an understanding of our differences, and maintain dignity in all our interactions.
- *Service*: We strive to anticipate and meet the diverse and evolving needs of our stakeholders.
- *Transparency*: We are open about how we work and communicate issues that may impact our stakeholders.

### Our team

Elections BC's organization chart includes the CEO and 69.5 core positions, organized into program areas and work units. The Chief Electoral Officer oversees two Deputy Chief Electoral Officers and four staff in Communications.

The Deputy CEO, Corporate Services oversees nine staff in Information Technology, two staff in Investigations, five staff in Finance and Administration, 4.5 staff in Human Resources and Development Services, and six staff in Corporate Planning and Strategic Initiatives.

The Deputy CEO, Electoral Finance and Operations oversees 18 staff in Electoral Finance and 19 staff in Electoral Operations, Voter Services and Electoral Geography, as well as Regional Field Officers, District and Deputy District Electoral Officers.

## What we do

At the provincial level, we administer general elections, by-elections, referenda, recall petitions and initiative petitions. This includes preparation, event administration, and follow through activities outlined in our legislation.

At the local level, we oversee campaign financing and advertising rules, but do not administer voting or candidate nominations.

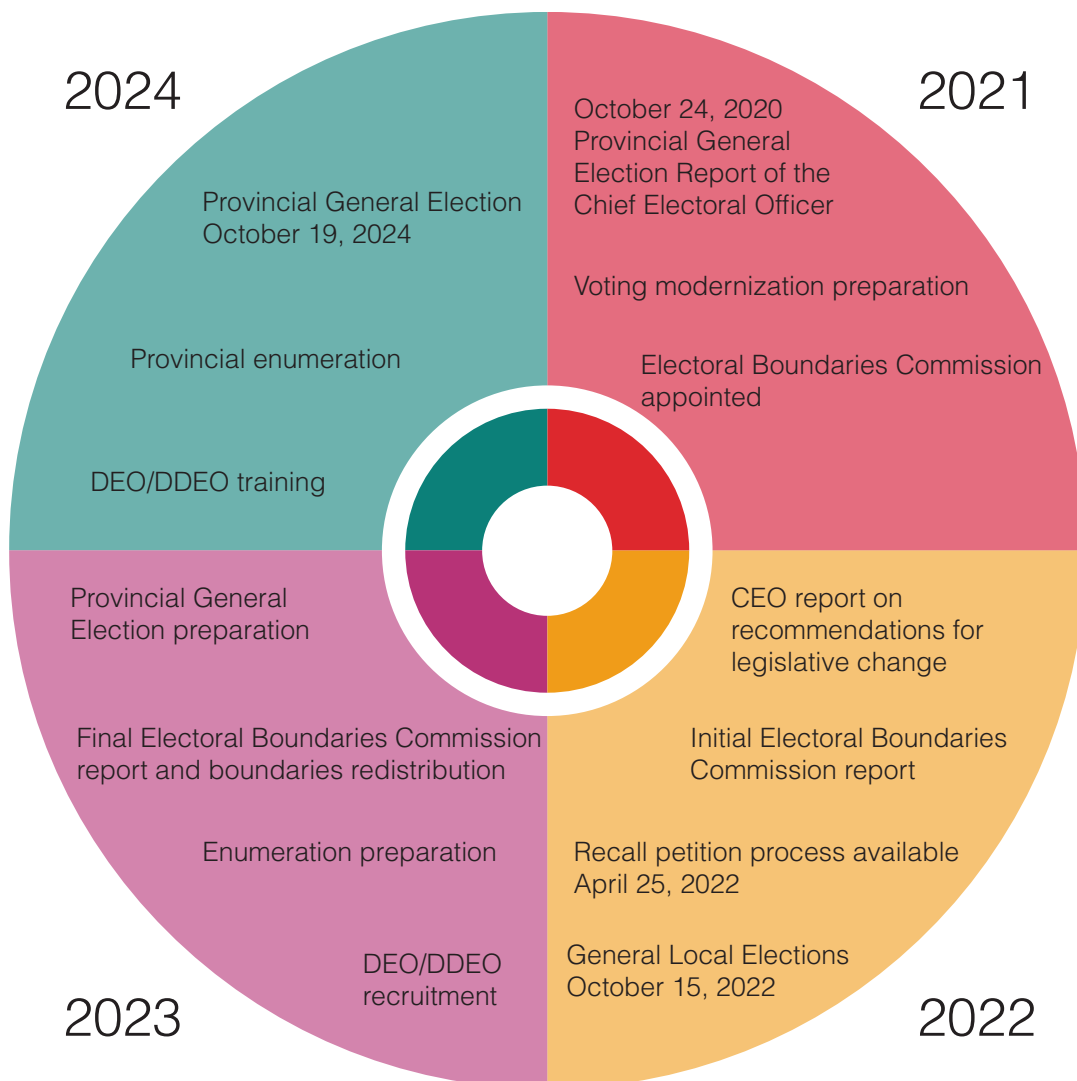
On an ongoing basis, we also liaise with federal and provincial electoral offices, provide voters lists to municipalities, political parties and MLAs, conduct investigations, respond to public inquiries, and conduct voter outreach and education.

## Our business cycle

We have a four-year business cycle based on the fixed-date provincial elections established under the *Constitution Act*. With an unscheduled election called in the fall of 2020, Elections BC's business cycle reset to a four year period covering 2021-2024.

At the end of the 2020/21 fiscal year, we were completing close-out activities related to the administration of the 2020 Provincial General Election, continuing our implementation of the voting modernization requirements of the *Election Amendment Act, 2019*, and identifying the strategic priorities for the remainder of the business cycle.

Looking ahead, scheduled events and activities include the October 15, 2022 General Local Elections, an electoral district boundary redistribution in 2023, a province-wide enumeration in the summer of 2024, and the October 19, 2024 Provincial General Election. Elections BC will also need to maintain readiness for any on-demand events that may arise.





**ELECTIONS BC**  
The Electoral System of British Columbia

PROVINCIAL ELECTION  
**VOTING PACKAGE**

Follow the instructions inside to return your ballot to Elections BC as soon as possible.

Barcode and address label area

**Forward**  
by *ambipar*



# SECTION 2

# THE 2020/21

# YEAR IN REVIEW

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## Adapting to working in a global pandemic

Fiscal year 2020/21 was indelibly framed by the onset of the global COVID-19 pandemic in March 2020, and the resultant declaration of a provincial state of emergency that would last for over a year. Like all other organizations Elections BC had to rapidly adapt to this new reality. We began the year shifting to remote work for almost all staff. We deployed technology to support virtual meetings, and developed new processes based on electronic work flows. With pandemic public health precautions a requirement, we implemented COVID-19 safety plans and prioritized frequent communications with staff on any new developments and public health updates. The impact of COVID-19 on our operations cannot be overstated; every aspect of our administration and operations had to be reviewed and updated as a result of the pandemic.

## Voting modernization and legislative change

Operationally, at the start of the 2020/21 fiscal year we were focused on modernizing the voting process, after the *Election Amendment Act, 2019* received Royal Assent in November 2019. This legislation was the most significant change to the *Election Act* in almost 25 years and will enable the use of more technology in voting administration, including electronic tabulators (to count paper ballots) and electronic voting books (i.e.: laptops with software to enable voters to be “struck off” the voters list as they vote in real time). Other provisions of the Act included establishing a List of Future Voters for eligible 16 and 17-year-olds, access to additional data sources to update the voters list, and increasing the length of the campaign period in unscheduled general elections.

From April to July 2020 significant progress was made on modernizing the voting process in

accordance with the *Election Amendment Act, 2019*. Work focused on procedures development, regulation development and drafting, equipment procurement, software development for electronic voting books, staffing plans and logistics. Voting modernization changes were planned to be in place for the fixed-date election scheduled for October 16, 2021. With the early election call in September 2020, these changes will now be in place for the next scheduled provincial election in 2024.

In May 2020, we published a report titled *Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change*. The Speaker formally tabled this report in the legislative assembly on June 22, 2020. Since publishing the report, the Chief Electoral Officer has met with legislators to discuss the research findings and proposed legislative changes. The CEO also highlighted the report at Elections BC’s February 2, 2021 presentation to the Select Standing Committee on Finance and Government Services. While no legislative amendments were introduced in the 2020/21 fiscal year, Elections BC remains ready to support a future enactment of the recommended changes if required.

## Preparing for a pandemic election

With British Columbia in a minority government following the 2017 Provincial General Election, Elections BC had to maintain readiness for an election at short notice. In the spring of 2020, with the continuation of the pandemic and provincial state of emergency, it seemed likely that B.C.’s 42nd provincial election would take place during the COVID-19 pandemic, whether it was held as scheduled in 2021 or called early. Elections BC consulted with other election agencies across Canada, as well as researched and closely followed developments in other international jurisdictions that had held elections during the pandemic.



Beginning in April 2020, Elections BC reached out to the Office of the Provincial Health Officer for guidance on how public health requirements and COVID-19 preventive measures would impact electoral processes. Elections BC applied guidance from the Office of the Provincial Health Officer, WorkSafeBC, and the BC Centre for Disease Control (BCCDC) to assess all electoral procedures and develop safe voting place and district electoral office plans to ensure that the voting process could be made safe and accessible for all British Columbians if an election were called. Our pandemic election readiness activities included aspects such as expanding vote-by-mail capacity and preparing for other remote voting opportunities, finding larger voting places and district electoral offices to ensure physical distancing, purchasing personal protective equipment, re-engineering voting processes to minimize contact, updating training and reference materials, and creating a public awareness campaign focussed on how to vote safely.

Elections BC also facilitated a meeting of Election Advisory Committee members (two representatives from each political party with seats in the legislature) with the Provincial Health Officer to discuss political campaigning during the pandemic, and developed guidelines for parties and candidates on campaigning safely.

For details on our planning and preparations, see the *October 24, 2020 Provincial General Election Report of the Chief Electoral Officer*.

## Administering the 2020 Provincial General Election

When an unscheduled election was called on September 21, 2020, Elections BC was ready. Election day was October 24, the first time a provincial election was held on a Saturday in B.C. The campaign period was 34 days instead of the usual 29, because of provisions in the *Election Act* that extended the campaign period in the event



of an non-fixed date provincial election. While the unscheduled nature of the election meant Elections BC had less time before the official election call to register voters, set up offices and process candidate nominations, the additional five days after the call helped to mitigate these challenges.

Previous elections had been “high touch” events in which millions of British Columbians participated. To reduce the transmission risk of COVID-19, voting places followed safety protocols, including:

- Physical distancing
- Capacity limits based on the square footage of the voting place
- Election officials wearing personal protective equipment (such as masks and face shields)
- Protective barriers between voters and election officials
- Hand sanitizing stations
- Frequent cleaning of voting stations and frequently touched surfaces
- Oral declarations instead of signed declarations

Elections BC also extended the advance voting period from six days to seven days, offered tailored voting opportunities to long-term care homes and high-risk voters, and saw an unprecedented 6,300% increase in demand for mail-in ballots. All of these elements were essential parts of our strategy to spread voters across multiple voting options, reduce line-ups and crowding at voting places, and ensure physical distancing. As a result, there were no confirmed incidents of COVID-19 transmission at voting places or Elections BC workplaces.

The 2020 Provincial General Election saw a large shift in voter behaviour. As a proportion of ballots cast, vote by mail increased by 31 percentage points and advance voting by 5 percentage points, while election day voting decreased by 32 percentage points and absentee voting by 4 percentage points. This was the first time that the number of voters voting before election day was

higher than the number of voters who voted on election day.

Despite the increase in mail-in voting, final count began the usual 13 days after election day. This time period is necessary to allow for absentee and mail-in ballots to be sent to the voter’s home electoral district for screening prior to being counted. This screening includes ensuring that the voter was properly registered to vote and that they only voted once. Final count took three days and the results were announced on November 8.

One district, West Vancouver-Sea to Sky, was subject to an automatic judicial recount. An automatic judicial recount must take place when the difference between the top two candidates is less than 1/500 of the total ballots considered. In West Vancouver-Sea to Sky, the threshold for a judicial recount was 49 votes and the difference between the top two candidates was 41. The judicial recount finished on November 17, confirming the election of the candidate that had been declared at final count.

In total, 1,898,553 voters voted in the 2020 Provincial General Election. While this was 87,821 fewer than in the 2017 Provincial General Election, when 1,986,374 voters cast a ballot, it was the second highest total in B.C. electoral history. Voter turnout was 53.9%.

For detailed information on the administration of the 2020 Provincial General Election, see the *October 24, 2020 Provincial General Election Report of the Chief Electoral Officer*.

## Completing the election requirements

Once voting, counting and results reporting were complete, there were many close-out activities required for Elections BC to finish administering the election. These included processing new voter registrations and voter information updates, conducting compliance reviews, reviewing processes and procedures to improve services

for voters, receiving, reviewing, and auditing (as necessary) financial reports from political participants, processing election expense reimbursements for eligible candidates and political parties, determining annual allowance eligibility and amounts for eligible political parties, and publishing the CEO report on the election.

All political parties, candidates and third party advertising sponsors were required file election financing reports with Elections BC by January 22, 2021. Some filers were granted an extension to February 22, 2021, which was also the late filing deadline. All financial reports are available on our [Financial Reports and Political Contributions filing system](#).

## Strategic planning

As many staff worked to complete the administrative requirements of the 2020 Provincial General Election, in early 2021 our focus also returned to implementing our strategic plan, which includes the following five priorities:

1. Deliver events
2. Modernize electoral services
3. Improve accessibility and inclusivity
4. Build organizational capacity
5. Protect electoral integrity

Following the unscheduled election, with our business cycle reset to a four year period covering 2021-2024, our strategic focus will be to implement major projects that support our vision to be leaders in electoral administration through the delivery of modern, accessible and trusted electoral services designed with British Columbians at the centre. To support this vision and its associate priorities, staff across the organization participated in identifying the projects that would comprise our Strategic Project Portfolio. More detail about the work under that portfolio is included in section 3, the service plan section of this report. In addition to the strategic projects included in the portfolio, over the course of our business cycle we will also need to remain ready to administer scheduled and on-demand electoral events in accordance with our mandate.



## Stakeholder feedback

***“We did it, during a snap election AND a pandemic...our team was very thankful to have the support of knowledgeable, patient, enthusiastic and often exhausted partners at HQ to make it all happen.”***

*- District Electoral Officer,  
Central and Eastern B.C.*



***“We love working with you. It’s never boring!”***

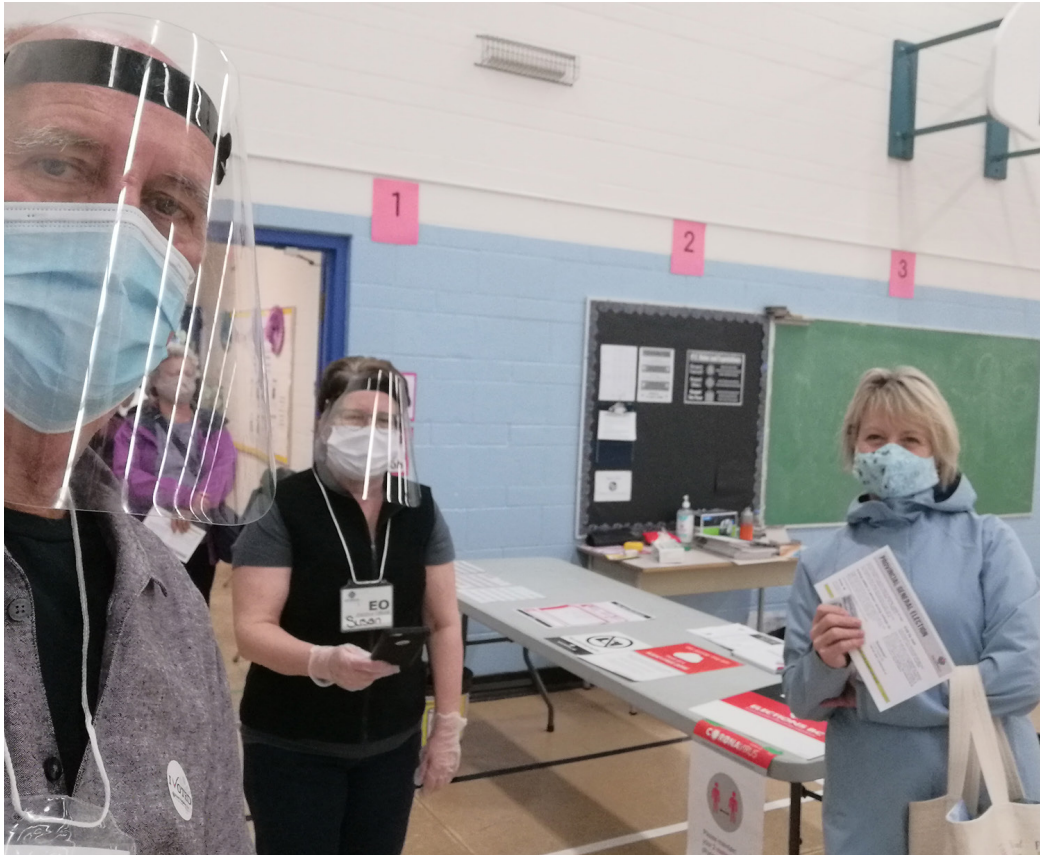
*- BC Mail Plus*



***“I can’t thank you enough for our Democracy kit! It was an invaluable tool to teach my group about elections. I will be reusing it in the future as it made the elections fun!”***

*- Licensed childcare operator*





***“You are doing an awesome job. Congratulations to all Elections BC people.”***

*- Voter*

***“[The Democracy in a Box Activity kit] was AWESOME. We had a group of 21 homeschoolers meet in a park and vote: cats, dogs or fish. It was a huge hit. Kids from 6 years to 14 years. I’m so grateful you offer these free resources. Future voters are coming through in 10 years. Thanks again.”***

*- Homeschooling parent*







# SECTION 3

# SERVICE PLAN FOR

# 2021/22 TO 2023/24

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## Priorities and activities

Elections BC's operational priorities are to deliver events, modernize electoral services, improve accessibility and inclusivity, build organizational capacity and protect electoral integrity. We have performance indicators and regular targets related to each.

The sections below outline our performance measures, activities and results for the 2020/21 fiscal year (April 1, 2020 to March 31, 2021) as well as our plan to achieve our operational priorities over the coming business cycle. As a result of the timing of the 2020 Provincial General Election, our service planning has focused on the 2021/22 fiscal year, with further planning sessions scheduled for Fall 2021.

### Deliver events

Delivering electoral events is our top priority. We remain ready as necessary to administer scheduled and unscheduled events, including provincial general elections, by-elections, recall petitions and initiative petitions. We also administer campaign financing and election advertising laws for local by-elections and referenda (non-election assent voting) throughout the year.

In 2020/21, we maintained an ongoing state of election readiness and took additional measures described in section 2 to prepare for a pandemic election.

In 2020/21, we administered:

- the 2020 Provincial General Election,
- the campaign financing and advertising requirements for 26 local by-elections, and
- the campaign financing and advertising requirements for two local referenda.

Our work over the coming fiscal years will focus on being ready to deliver the October 15, 2022 General Local Elections, the October 19, 2024 Provincial General Election and any unscheduled events, such as provincial by-elections, local

by-elections, local assent votes, recall petitions, initiative petitions, referenda and plebiscites, as applicable. In the 2021/22 fiscal year, specific work towards this priority includes projects to implement legislative changes from the *Election Amendment Act, 2019* and the *Local Elections Statutes Amendment Act, 2021*, and to enhance the way district electoral officers collect and report on voting place attributes for planning purposes.

### **Performance indicator #1: Quality of the Provincial Voters List**

The Provincial Voters List is an essential tool we use to administer accessible electoral events. The list contains the names and residential addresses of voters registered in each electoral district. In provincial elections, it is used to ensure that only eligible voters vote, and that they only vote once. It is also used to deliver other events such as referenda and recall petitions. Political parties, candidates and Members of the Legislative Assembly may request access to the list to communicate with voters.

The quality of the list is assessed based on coverage, currency and net currency.

- **Coverage** measures how many voters are on the list as a percentage of the eligible voters in B.C. It is calculated by dividing the number of registered voters by the estimated number of eligible voters.
- **Currency** measures how many voters are registered at their current address (how up-to-date the list is). Currency is estimated as the percentage of registered voters who are registered at their current address.
- **Net currency** combines coverage and currency. It is calculated by multiplying coverage by currency.

A high-quality voters list makes it easier to administer voting and communicate with voters. It enables us to contact voters directly with information about when, where and how to vote. It also makes voting faster and easier for voters.

Elections BC establishes targets for each measurement based on the assessed quality of the voters list during the previous provincial general election. It is expected that coverage rates are highest during an election year, reflecting the relatively intensive direct registration outreach efforts of Elections BC and voter participation in the election. In each successive year following an election, some decline in coverage and currency rates is projected, as the list is mainly updated through secondary sources during that period. Actuals for currency and net currency are not provided during non-election years because currency is assessed using a survey of voters that is conducted once per business cycle, following each provincial general election.

	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Actual	2021/22 Target	2022/23 Target
<b>Coverage*</b>	93%	95.5%	95%	99.3%	91%	91%
<b>Currency</b>	N/A	N/A	95%	89.8%	N/A	N/A
<b>Net Currency</b>	N/A	N/A	90%	89.2%	N/A	N/A

*\* All voters list quality indicators are based on population projections or surveys conducted on behalf of Elections BC by an independent third party.*

There were several factors that may have influenced the coverage, currency and net currency figures for the Provincial Voters List during the 2020 Provincial General Election. Due to the unscheduled election and the COVID-19 pandemic restrictions in place in the summer of 2020, Elections BC was unable to conduct a full provincial enumeration. A full enumeration would typically include targeted door-to-door enumeration and outreach activities, advertising and a province-wide mailout. The inability to complete a full enumeration during the snap election largely impacted the currency of the voters list at 89.8%, which did not meet the target measurement of 95%. In comparison, the 2017 Enumeration resulted in a 5.4 percentage point increase to the currency of the voters list. Although a full enumeration was not possible, we conducted a data enumeration using secondary sources during election readiness activities to ensure the voters list was as current as possible. The figures may also reflect other changes influenced by the pandemic, such as changes in mobility trends and reduced voter turnout.

Currency estimates are generated by BC Stats after each provincial general election using survey research and an analysis of Elections BC data. Voters list quality surveys occur after general elections. The last voters list quality study took place in May/June 2021 and will be reported in the 2021/22 Annual Report.

Looking forward, Elections BC expects to continue to improve the quality of the voters list. A full provincial enumeration will be conducted before the next scheduled general election in 2024. In addition, recent legislative changes have provided Elections BC with enhanced access to sources of voter information, such as BC Services Cards. Access to this information will allow Elections BC to keep voter records up-to-date more effectively. The creation of the List of Future Voters in 2019 also allows eligible 16 and 17-year-olds to sign up so they are automatically added to the Provincial Voters List when they turn 18. These new sources of information will help improve the coverage and currency of the voters list in future years.



## **Performance indicator #2: Stakeholder satisfaction**

Elections BC surveys voters after provincial general elections to obtain feedback and determine how to better deliver electoral events. In October 2018, Elections BC signed on as a partner of the Consortium on Electoral Democracy (C-DEM), a non-partisan network of academic researchers, electoral management bodies and others. C-DEM conducts the Canadian Election Study, a long-standing survey of voters before and after Canadian elections. The 2020 Provincial General Election was the first B.C. election for which C-DEM conducted voter survey research.

Stakeholder satisfaction is assessed based on the percentage of respondents satisfied or very satisfied with Elections BC's service. Following the 2020 Provincial General Election, we achieved a voter satisfaction rate of 89%. This is in line with the 90% achieved after the 2017 Provincial General Election. For more information, see our *October 24, 2020 Provincial General Election Report of the Chief Electoral Officer*.

Elections BC plans to continue to reach out to voters in between elections to better understand voter expectations, and to design our electoral services in response to this input.

### **Modernize electoral services**

We are always looking for new opportunities to enhance service and increase efficiency to meet the changing needs of our stakeholders.

At the end of the 2020/21 fiscal year, we were completing the administrative requirements of the 2020 Provincial Election and continuing to work on voting modernization procedures and technology acquisition. We had also resumed work on the Candidate Nominations Application System, an online portal which will allow nominees to complete and submit their nomination packages online. Completing these two strategic projects are among Elections BC's top priorities and we plan to be ready to administer a by-election under

voting modernization procedures by the end of the fiscal year. Planned activities to achieve this goal include finalizing electronic voting book software enhancements, running comprehensive simulations of voting modernization operational procedures, preparing training and reference materials, and upgrading legacy Elections BC systems to facilitate the new approaches to administering voting and counting.

We also plan to have the software and procedural development of the Candidate Nominations Application System complete by the end of the 2021/22 fiscal year. Looking forward, we will be considering how to expand this system to include a portal for candidates, parties and financial agents to electronically file documents and financial reports. This work is projected to begin in the 2022/23 fiscal year, in anticipation of completion prior to the scheduled October 19, 2024 Provincial General Election.

### **Improve accessibility and inclusivity**

Elections BC is committed to building an inclusive and accessible electoral process for all eligible voters.

During preparations for the 2020 Provincial General Election, election officials were trained on how to help voters access voting opportunities, and services were available to help voters with disabilities or underlying health conditions vote safely. Among these options were assisted telephone voting, expanded vote by mail opportunities, resources for blind or sight-impaired voters, resources for hearing-impaired voters, help marking ballots, accessible voting places, curb-side voting, and translated materials.

Outreach and education are also an important part of our inclusivity and accessibility efforts. We work with partners to support an inclusive electoral process, reduce barriers to voting, and reach those who need help casting a ballot. We also create and share resources, host events, make connections, and gather feedback so that we can better serve all voters in B.C.



We partner with a number of organizations and institutions to help reach voters who face barriers to participation including:

- youth,
- people with disabilities,
- Indigenous people,
- new Canadians,
- people living homeless,
- incarcerated voters, and
- deployed military members.

In preparation for the 2020 Provincial Election, we distributed educational materials and information to province-wide and community-level organizations that serve these voters. In total, we:

- mailed 7,425 voter's guides to public libraries,
- mailed 4,350 voter's guides to MLA constituency offices,
- emailed voting information and materials to the BC Assembly of First Nations (BCAFN) for distribution to all 203 First Nations in British Columbia,
- emailed voting information and materials to 62 organizations, such as Service BC and post-secondary institutions,
- emailed voting information and materials to over 160 municipalities,
- emailed voting information and materials to over 200 teachers, and
- emailed voting materials upon request.

In addition to these outreach activities led by headquarters staff, district electoral officers engaged directly with community-level organizations in their districts.

We also conducted two virtual presentations during the election period. The first presentation was hosted by Inclusion BC, a non-profit organization that focusses on enhancing the lives of children and youth with special needs, adults with intellectual disabilities and their families.



The second presentation was hosted by the Canadian National Institute for the Blind (CNIB), a non-profit organization that provides programming and advocacy for people impacted by blindness. After the election, we conducted a presentation for DIVERSEcity Community Resources Society for individuals who were preparing to take their Canadian citizenship exam.

During the 2020 Provincial General Election, we partnered with CIVIX to host Student Vote, a parallel election for students under the voting age that helps them learn about government and the electoral process. Our experience is that the Student Vote program also facilitates discussions about democracy between students and their parents and caregivers. Schools that registered for the program received learning resources, an election manual, posters, provincial electoral district maps, ballots, and ballot boxes and voting screens, if requested. Each registered school received materials based on grade level (elementary, secondary or both), language requested (English, French or both) and the number of students participating. CIVIX coordinated a Student Vote Day where students took on the roles of election workers and cast ballots for an actual candidate. On Student Vote Day, 89,109 students cast ballots from 771 schools, representing all 87 electoral districts in the province.

Prior to and during the 2020 Provincial General Election, we also distributed free resources to educators, community leaders and parents teaching their children from home during the pandemic, including 81 [Democracy in a Box Kits](#) for primary and secondary-level learners.

We are also monitoring the progress of the *Accessible British Columbia Act*, which received Royal Assent on June 17, 2021. Elections BC recognizes that the Act may apply to our organization by Cabinet regulation, and we are preparing to form an accessibility committee, prepare an accessibility plan and participate in consultation on accessibility standards if called upon.

### **Performance indicator #3: Electoral awareness**

Because the 2020 Provincial General Election was unscheduled, it was not possible to survey voters on electoral awareness in the immediate lead-up to the election, as had been done for previous elections. Instead, electoral awareness was measured in the C-DEM Post-Election Survey. Fifty-nine percent of respondents said it was extremely easy and 29 percent said it was somewhat easy to find the information needed to vote, for a total of 88 percent saying finding information was easy.

### **Build organizational capacity**

At Elections BC, we believe we can build organizational strength by managing strategically, fostering employee development, creating a supportive and inclusive work environment, and enhancing internal and external relationships.

Due to the global pandemic, many Elections BC staff made a rapid shift to remote work in March 2020. This required us to update and digitize processes, and make greater use of technology to not only complete work but also to connect, support and celebrate staff.

Throughout the year, our Social Committee went above and beyond to support our close-knit community through a difficult time. Staff stepped up to promote health through fitness challenges and lunchtime painting and exercise classes over Zoom, introduced furry and feathered “coworkers”, and organized online baby showers, retirements parties, community fundraisers, and our annual holiday celebration and charity auction. Recognizing the many challenges associated with the pandemic, staff were encouraged to prioritize their health, take their vacation time and participate in workshops on stress management and mental health.

As the province moves through its restart plan, Elections BC will take a measured and consultative approach to ensure all staff are supported in the transition.



*Lots of furry and feathered “coworkers” joined our teams when we moved to remote work.*



*Staff held online fitness and painting classes to stay connected and healthy while working remotely.*

Elections BC uses several strategies to invest in, develop and retain talent. We offer internal and external training opportunities and skills development, including funding Pacific Leaders Scholarships for our core staff towards certificate, diploma and degree programs. All staff participate in a corporate onboarding program, including an online learning component and on-the-job training. Individual work units further develop specialized blended learning programs to train new staff in their specific area of service delivery. Corporate onboarding includes a focus on being non-partisan, and the “Respect Works Here” training program to improve cross-organizational understanding of diversity and inclusion, ethics and integrity, gender diversity and resilience.

To support leadership skills development and provide opportunities to gain management-level work experience, we offer senior staff temporary assignments to management-level vacancies where operationally feasible. These developmental assignments support knowledge transfer and communication to facilitate cross-program collaboration and to grow our organizational capacity and resilience. Management staff have access to executive coaching services and staff in acting leadership roles receive leadership coaching. We also use temporary assignments to fill vacant non-management positions as an opportunity for staff to gain new skills and experience while working in different roles.

We developed a new performance management process through a pilot program in 2019/20, which sees all core staff set work and development goals and have regular performance conversations with supervisors throughout the year. The program supports the relationship between employees and supervisors by inspiring conversations about goals and values and nurturing trusted feedback. It helps ensure work goals are aligned with organizational goals, and that employees are supported in developing the skills, abilities and knowledge they need to do their jobs well. Individual job-related learning goals provide input to corporate learning plans to ensure training is provided in an effective manner. The program is in its second year and will be reviewed to ensure it supports our high-performance culture.

### **Building external relationships**

To enhance external relationships, we participated in several inter-jurisdictional learning and collaborative opportunities in 2020/21, including:

- The Council on Governmental Ethics Laws (COGEL): Elections BC had representatives on the program committee, the nomination committee and the steering committee of COGEL.
- The Secretariat for Electoral Coordination (SEC): Our Chief Electoral Officer is the co-chair of the SEC Steering Committee, which is comprised of all 14 Canadian Chief Electoral Officers. Elections BC staff served on two SEC subcommittees: poll site technology and deceptive online practices.
- The Canadian Elections Resource Library (CERL): Elections BC shares information and best practices with other electoral management bodies.
- The Canadian Society for Election Official Training (CSEOT): Elections BC co-presented an information session entitled “Conducting an election in the time of COVID-19: The B.C. and Saskatchewan experiences”.

In 2020/21, we also worked with the Ministry of Citizens' Services and the Ministry of Health to incorporate their considerations regarding the addition of BC Services Card information to our information-sharing agreement with ICBC, as authorized under the *Election Amendment Act, 2019*. Elections BC also increased our collaboration with the Office of the Information and Privacy Commissioner in relation to cross-jurisdictional issues involving the protection of personal information. To prepare for a pandemic election, Elections BC worked closely with the Safe Operations Working Group, a collaboration between the Office of the Provincial Health Officer, BC Centre for Disease Control, and WorkSafeBC to prepare safe voting place and safe workplace plans. The Ministry of Citizens' Services provided significant support to the delivery of the election, through Service BC centres, InquireBC contact centres, Queen's Printer, BC Mail Plus and network services.

After every two general elections, a three-person, independent, non-partisan Electoral Boundaries Commission is established to propose changes to the area, boundaries and names of the electoral districts of British Columbia. This ensures that each MLA represents a similar number of people. Following the 2020 Provincial General Election, a new Commission must be established by October 2021. The Chief Electoral Officer will act as one of the three Commissioners and our office will provide technical assistance to the Commission. In 2015, Elections BC acted as the Electoral Boundaries Commission secretariat and may again be asked to take on this role to provide efficiencies and cost savings to the people and government of British Columbia.

#### **Performance indicator #4: Stress and workload**

Every two years, public service employees across the province complete a confidential Work Environment Survey. The survey is administered by BC Stats and measures how satisfied employees are with their jobs, their workplaces and the broader organization.

The stress and workload performance indicator is based on staff feedback collected through the Work Environment Survey. The higher the score out of 100, the more supported and able to manage their workload staff feel.

In 2019/20, we exceeded our target of 66 with a score of 73. The next survey will be held at the end of 2021 and results will be available in the 2021/22 fiscal year.

	<b>2017/18 Actual</b>	<b>2019/20 Actual</b>	<b>2021/22 Target</b>
<b>Stress and workload*</b>	64 / 100	73 / 100	66 / 100

#### **Protect electoral integrity**

Elections BC actively seeks to address challenges to democracy, trust and electoral integrity posed by cyber threats and other coordinated inauthentic behavior.

In May 2020, we published research and recommendations on addressing disinformation and cyber threats in our report, *Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change*. Elections BC actively monitors developments in this area, and following the 2020 Provincial General Election, we have continued to work with legislators to bring these proposals into future legislation.

Operationally, our Electoral Finance and Investigations work units are central to protecting electoral integrity. We administer campaign financing, disclosure and election advertising rules at both the provincial and local levels. Part of this work is supporting stakeholders like provincial political parties and local elector organizations, candidates and third party advertising sponsors, to ensure they understand campaign financing rules and their financial filing obligations.

In 2020/21, we held one provincial electoral finance information session for representatives and staff of the BC Liberal party to respond to questions and provide support.

We have a mandate to enforce the legislation we administer, including the *Election Act*, *Referendum Act*, *Local Elections Campaign Financing Act* and *Recall and Initiative Act*. We respond to cases of non-compliance through education and support, or compliance actions as necessary. If there is evidence that a substantial case of non-compliance has occurred, [we open an investigation](#) and can administer monetary penalties or refer the matter to the Ministry of the Attorney General to consider offence charges.

In 2020/21, Elections BC opened 82 investigations: 9 in relation to Local Elections Campaign Financing, 61 in relation to Provincial Electoral Finance and 12 in relation to Electoral Operations. Of these, 63 have been completed and closed, and 19 are ongoing.

### **Performance indicator #5: Support compliance**

We provide support to political participants at the provincial and local levels to understand the requirements of our legislation and to promote compliance. We measure compliance based on the percentage of financing reports or statements filed on time, compared to the total number due in that fiscal year. The number of reports filed by the deadline includes those filed by the late filing deadline and those granted an extension by Order of the Chief Electoral Officer.

To help political participants understand the filing requirements, Elections BC holds information sessions across the province in the lead-up to a major event or filing deadline.

Of the 867 provincial financing reports required in 2020/21, 860 reports (99 percent) were filed by the deadline. Of the 95 local campaign financing disclosure statements required in 2020/21, all 95 were filed by the deadline.

	<b>2018/19 Actual</b>	<b>2019/20 Actual</b>	<b>2020/21 Target</b>	<b>2020/21 Actual</b>	<b>2021/22 Target</b>	<b>2022/23 Target</b>
<b>Provincial and local filing compliance</b>	99%	99%	98%	99%	98%	98%

## Disclosure report

The *Public Interest Disclosure Act* came into force December 1, 2019. The law gives current and former employees of provincial government bodies, including Offices of the Legislature, a way to bring forward concerns about wrongdoing in their workplace. The Ombudsperson has the statutory mandate to conduct whistleblowing investigations if employees do not wish to report those concerns internally to their employer. The Act protects employees from reprisal and the Ombudsperson has the sole mandate to investigate if an employee believes they have been retaliated against for bringing a concern forward.

Under the *Public Interest Disclosure Act*, the Chief Electoral Officer has responsibility, as the head of a government body, to provide an annual report and to post that on the Elections BC website. The Ombudsperson advises that government bodies can do this as part of their usual annual report.

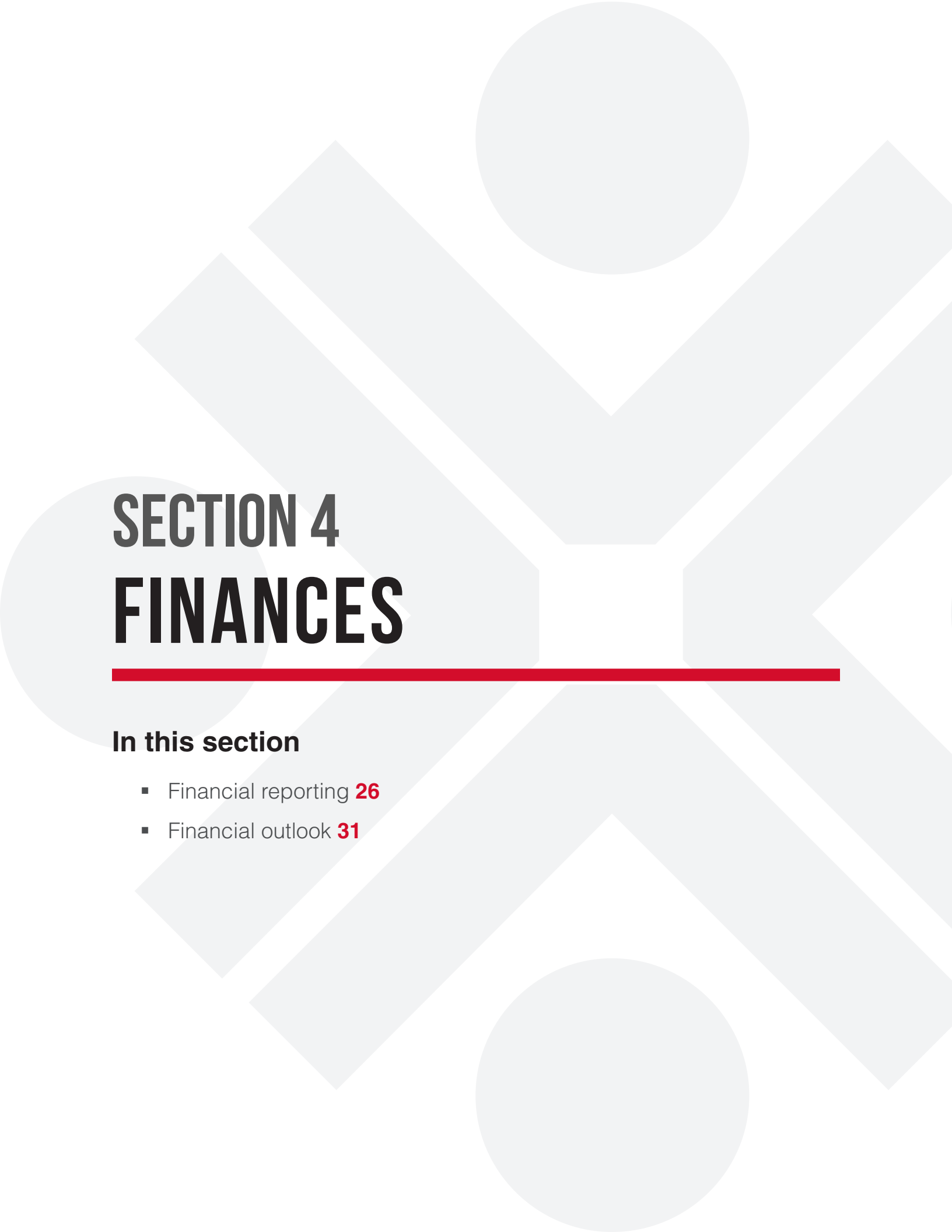
Between April 1, 2020 and March 31, 2021, Elections BC received no disclosures or referrals of disclosures pertaining to the *Public Interest Disclosure Act*. The Ombudsperson provided no notification to Elections BC of any disclosures made by current or former Elections BC employees directly to the Ombudsperson's office. Nor did the Ombudsperson provide notification of any investigations under the Act involving Elections BC employees.



*Our Human Resources team working at our warehouse during the 2020 Provincial General Election.*







# SECTION 4 FINANCES

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## Financial reporting

Elections BC achieves accountability and transparency in financial reporting through our relationship with the Select Standing Committee on Finance and Government Services. The mandate of that Committee includes considering and making recommendations on the annual reports, rolling three-year service plans and budgets of independent offices of the legislature, including Elections BC. During the annual budget process each fall, Elections BC meets with the Committee and presents our budget requirements for the next fiscal year and the following two fiscal years.

Elections BC's operating and capital budgets can be planned and presented consistently on an annual basis. Event budget requirements, however, are driven by the legislated requirements for these events and can occur on a scheduled or on-demand basis. While Elections BC has statutory spending authority to administer electoral events, meeting with the Committee on these budget requirements is important for transparency and accountability. Typically, budgets for scheduled electoral events are included in the annual budget process. For unscheduled events, or for additional funding that is required as a result of legislative change that occurs outside of the annual budget planning window, the Committee has established an alternate process whereby the Chief Electoral Officer advises the chair of the Committee in writing when these funds are required. This process has been followed for all electoral events since 2002.

On March 13, 2020, the Chief Electoral Officer wrote to the chair of the Committee requesting supplementary funding for administering changes to the *Election Act* as a result of the *Election Amendment Act, 2019* (Bill 43) which received Royal Assent on November 28, 2019. This Act included the most significant changes to the *Election Act* in almost 25 years. The request for supplementary funding was \$3,597,000 for 2020/21. The Chief Electoral Officer and senior staff met with the Committee via video conference on April 8, 2020 to review this request. The Committee recommended approval of this request.

On August 21, 2020, the Chief Electoral Officer wrote to the chair of the Committee requesting supplementary funding to ensure the next provincial election could be administered safely, if held during the COVID-19 pandemic. This funding was required in order to purchase additional supplies and services (such as acrylic safety barriers, hand sanitizer and personal protective equipment) necessary to support safe and accessible pandemic election processes. The request for supplementary funding was for an additional \$5,700,000 in 2020/21. The Chief Electoral Officer and senior staff met with the Committee via video conference on September 18, 2020 to review this request, and the Committee recommended its approval.

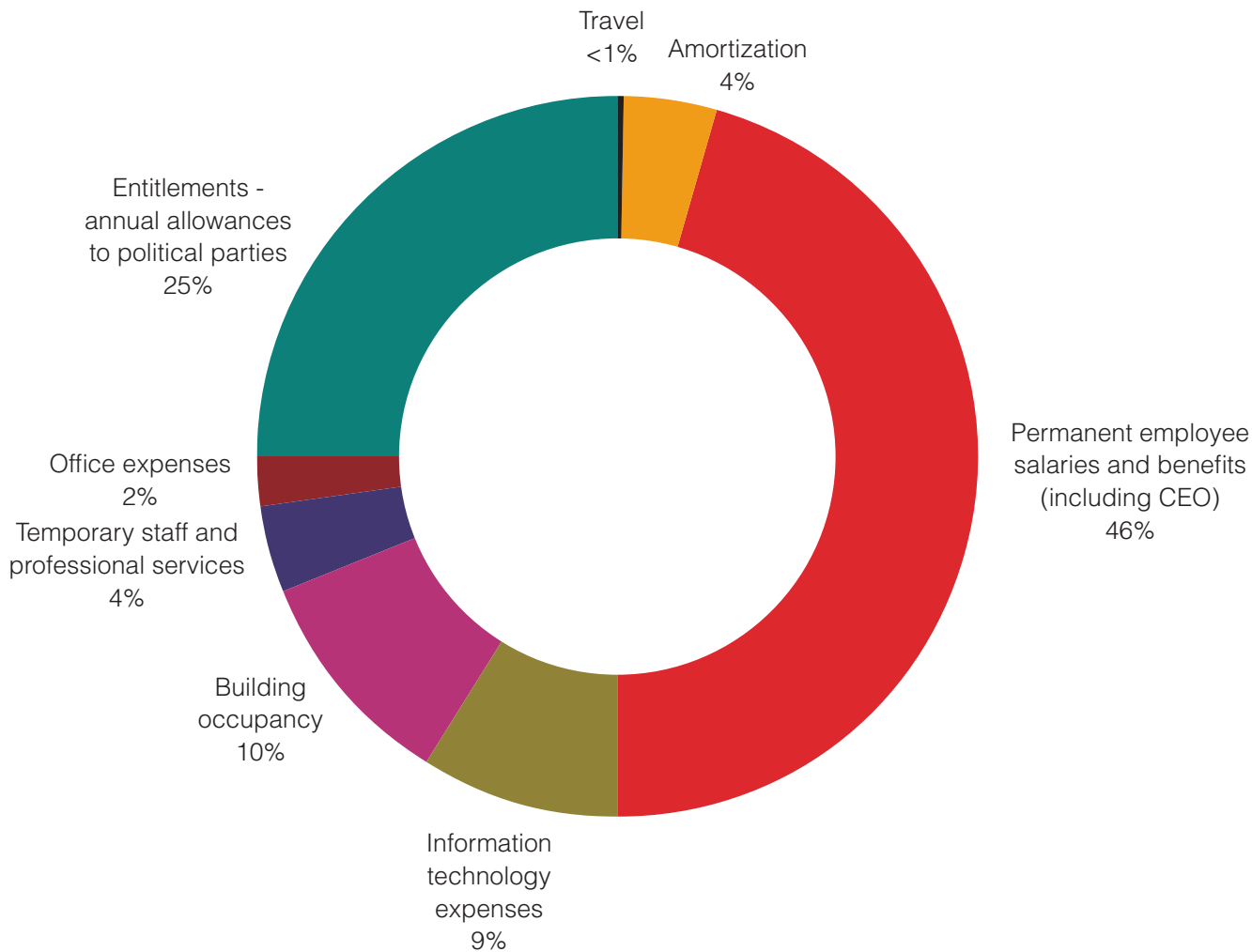
This request, however, was not formally approved by the Minister of Finance. The 2020 Provincial General Election was called on September 21, 2020, and with the election call, the legislature and all committees were dissolved. Elections BC used its statutory spending authority as necessary to complete preparations for and administer the provincial election. The full cost of the 2020 Provincial General Election was reported in the *October 24, 2020 Provincial General Election Report of the Chief Electoral Officer*, which is available on our website.

Following the election, the annual budget cycle resumed, and the Chief Electoral Officer and Deputy Chief Electoral Officers met with the Committee on February 2, 2021. Elections BC provided the Committee with a comprehensive review of the financial results for the previous fiscal year and a budget proposal for fiscal years 2021/22 to 2023/24. The proposal detailed the budget requirements for ongoing operations, capital investments, and event funding needed to cover activities necessary to complete the administration of the 2020 Provincial General Election, complete implementation of the *Election Amendment Act, 2019*, and preparations to administer the campaign finance requirements for the planned 2022 general local elections. In its report of February 26, 2021, the Committee recommended that Elections BC's ongoing (non-event) operating budget for fiscal year 2021/22 be \$11,627,000. The recommended capital budget for 2021/22 was \$700,000, and the event funding recommendation was \$2,749,000. Elections BC was also granted \$6,750,000 in 2021/22 for the administration of the public funding provisions of Division 6.1 of the *Election Act*; this included \$3,500,000 for eligible election expense reimbursements, and \$3,250,000 to fund the annual allowances for political parties.

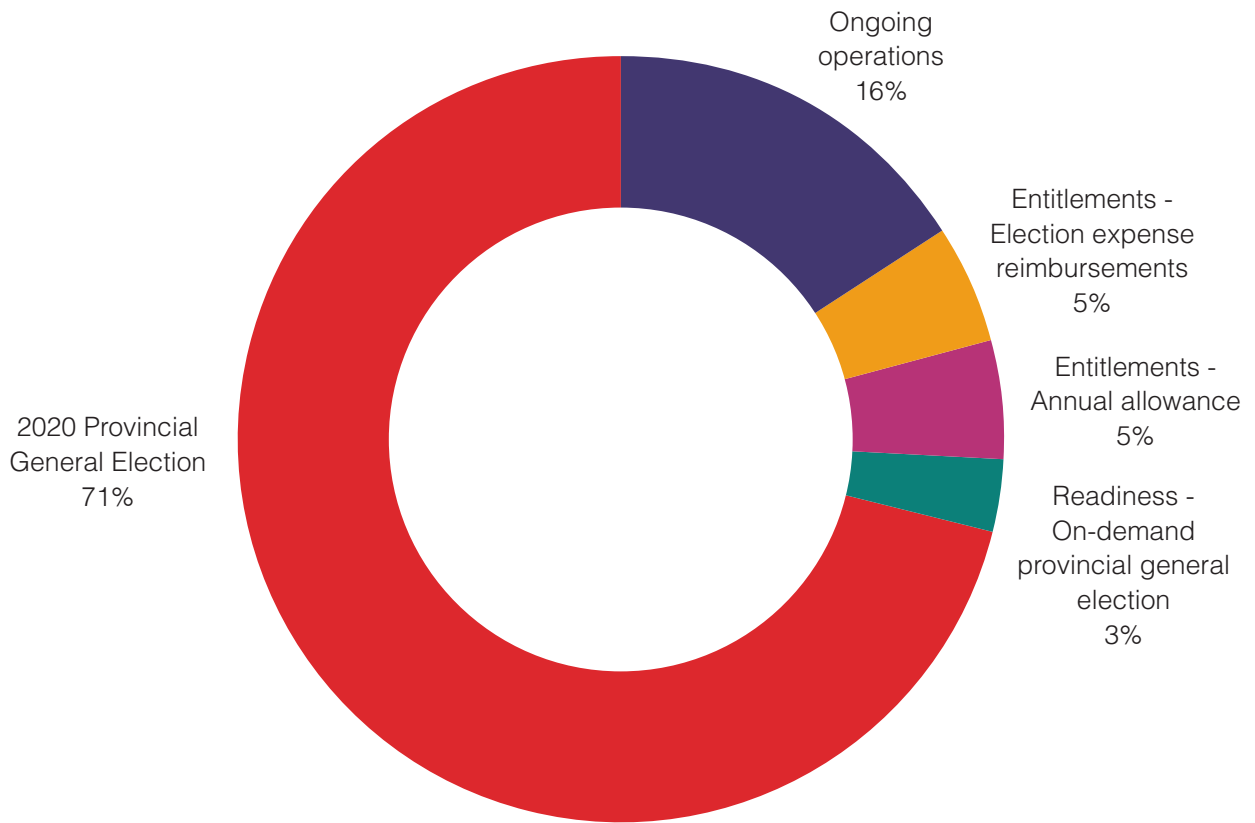
The ongoing operating and event funding table (page 30) shows Elections BC's budget for fiscal 2020/21 and the actual expenditures for that year. These amounts include funding and expenditures for ongoing work and for events conducted in 2020/21.

The summary ongoing financial outlook table (page 31) illustrates the budgets and planned budgets for ongoing work for each of the three fiscal years beginning in 2021/22. The Select Standing Committee recommended these amounts on February 26, 2021.

### 2020/21 Ongoing operating actual expenditures by type



### 2020/21 Actual expenditures for ongoing operations and events



## Ongoing operating and event funding

	2020/21 Budget \$	2020/21 Actual \$	Variance \$
<b>Funding</b>			
Estimates (Note 1)	18,801,000	18,801,000	-
Other authorizations (Note 2)	49,858,269	49,858,269	-
<b>Total Funding</b>	<b>68,659,269</b>	<b>68,659,269</b>	<b>-</b>
<b>Expenses</b> (Note 2)			
Salaries and benefits for permanent employees and the Chief Electoral Officer	6,893,000	6,757,270	135,730
Amortization	594,000	512,176	81,824
Building occupancy charges	1,391,000	1,422,691	(31,691)
Office expenses	502,000	412,974	89,026
Corporate information systems	1,334,000	1,163,576	170,424
Address and boundary maintenance	83,000	60,859	22,141
Voters list maintenance	127,000	84,114	42,886
Political entity reporting	263,000	3,884	259,116
Voter education	133,000	55,258	77,742
<b>Scheduled events</b>			
2021 Enumeration preparation	428,000	-	428,000
Readiness - On-demand provincial general election	3,443,000	2,214,379	1,228,621
Annual allowances to political parties	3,610,000	3,550,040	59,960
<b>Unscheduled events (Other authorizations - Note 2)</b>	49,858,269	-	49,858,269
<i>Election Amendment Act, 2019</i> (Bill 43)	-	845,946	(845,946)
Election expense reimbursements for eligible political parties and candidates	-	3,668,489	(3,668,489)
2020 Provincial General Election	-	47,907,613	(47,907,613)
<b>Total expenses</b>	<b>68,659,269</b>	<b>68,659,269</b>	<b>-</b>

Note 1 - Estimates represents Election BC's approved budget as per Estimates. The ongoing (non-event) operating budget for 2020/21 was \$11,320,000. The event budget for 2020/21 was \$7,481,000.

Note 2 - Other authorizations represents Elections BC's Statutory Appropriation (within Vote) for administering the ongoing responsibilities related to administering the *Election Act*.

Note 3 - The budget is based upon anticipated activities at the beginning of the year and does not include reallocations of budget made during the fiscal year, hence actual expenses differ from the budget.

## Financial outlook

The summary ongoing financial outlook table illustrates the operating and capital budgets for 2021/22 and planned budget for 2022/23 and 2023/24, as presented to the Select Standing Committee on Finance and Government Services (SSCFGS) during the annual budget review on February 2, 2021. The SSCFGS recommended these amounts in their Annual Review of the Budgets of Statutory Offices report dated February 26, 2021.

### Summary ongoing financial outlook

	<b>2021/22 budget \$</b>	<b>2022/23 (planned) \$</b>	<b>2023/24 (planned) \$</b>	
<b>ONGOING OPERATING COSTS</b>				
Approved budget by SSCFGS	11,627,000	11,773,000	12,015,000	
<b>Total funding for ongoing operating costs</b>	<b>11,627,000</b>	<b>11,773,000</b>	<b>12,015,000</b>	
<b>Notes Expenses</b>				
1	Salaries and benefits for permanent employees and the Chief Electoral Officer	7,048,000	7,172,000	7,303,000
2	Amortization	601,000	614,000	650,000
3	Building occupancy charges	1,614,000	1,636,000	1,653,000
4	Office expenses	493,000	463,000	493,000
5	Corporate information systems	1,316,000	1,328,000	1,340,000
6	Address and boundary maintenance	75,000	78,000	94,000
7	Voters list maintenance	227,000	229,000	229,000
8	Political entity reporting	120,000	120,000	120,000
9	Voter education	133,000	133,000	133,000
	<b>Total expenses for ongoing operating costs</b>	<b>11,627,000</b>	<b>11,773,000</b>	<b>12,015,000</b>

See the following pages for detailed information on notes 1 - 9.

	<b>2021/22 (budget) \$</b>	<b>2022/23 (planned) \$</b>	<b>2023/24 (planned) \$</b>
<b>CAPITAL ASSETS</b>			
<b>Approved budget by SSCFGS</b>			
Computer hardware and software	700,000	700,000	700,000
<b>Total funding for capital assets</b>	<b>700,000</b>	<b>700,000</b>	<b>700,000</b>
<b>Expenditures for capital assets</b>			
Computer hardware and software	700,000	700,000	700,000
<b>Total expenditures for capital assets</b>	<b>700,000</b>	<b>700,000</b>	<b>700,000</b>



**Notes:**

Core services expenses are those incurred to continue operations and ensure readiness for electoral events. These expenses are incurred regardless of electoral events.

Event expenses are those incurred to prepare and deliver events, both scheduled and unscheduled. Such events include provincial and local elections, enumerations, referenda and recall and initiative petitions.

- Note 1 - The salaries and benefits line includes salaries and benefits for Elections BC's permanent employees and the Chief Electoral Officer. Employees are paid in accordance with policies established by the BC Public Service Agency.
- Note 2 - Amortization is the allocation of the cost of a capital asset over its estimated useful life, and it is closely tied to capital spending. The major contributors to amortization are capital investments made in the Electoral Information System (EIS), Financial Reports and Political Contributions System (FRPC) and other information systems. For example, the figure in the capital budget represents the actual cost for 2021/22; however, that actual cost must also be paid for out of the operating budgets over a number of years. Amortization rates are government policy established by the Office of the Comptroller General, and Elections BC does not have flexibility to change them.
- Note 3 - Building occupancy charges are rental charges for the main office and warehouse space.
- Note 4 - Office expenses includes supplies, equipment, postage, courier, bank charges, permanent staff training, travel, legal fees and statutory advertising.
- Note 5 - Corporate information systems include technology services which are provided through a contract with Fujitsu Consulting (Canada), such as support of EBC's servers and applications; maintenance and minor improvements to applications such as the Electoral Information System, the Online Voter Registration System, the Financial Reports and Political Contributions System and the Recall and Initiative Verification System; and support for technical infrastructure such as shared file storage, printing, firewalls, servers, workstations, local area networks, backup and recovery, and office automation software.

Also included in this budget line is the cost of telecommunications; email accounts; a portion of network costs; licensing and maintenance fees for various software and hardware in use at EBC; costs for purchasing software and repairing hardware; and fees for the Internet service on which the Elections BC website is hosted.

- Note 6 - Address and boundary maintenance involves the upkeep of voting area boundaries to satisfy legislative requirements and to enhance the accessibility of voting places to voters. It also includes the production of high quality electoral data and information through the continual custodianship of a geo-spatial database containing B.C.'s electoral boundaries, road network, address data and administrative boundaries. This means to accurately and efficiently derive physical addresses from provided addresses and assign physical addresses to electoral districts and voting areas; to maintain a current and complete register of physical addresses for residential and non-residential properties; to maintain a current and complete road network along with their electoral district and voting area assignments; and to communicate this electoral information through map products and web tools.

- Note 7 - Voters list maintenance includes information technology costs and costs related to the transfer of voter data. The voters list contains the names and residential addresses of all individuals registered to vote in each electoral district. It is a fundamental component of all electoral events and is used to ensure only registered voters vote and to prevent voters from voting more than once. It is also used to ensure that only registered voters sign recall and initiative petitions. The voters list is used by MLAs, parties and candidates to communicate with registered voters and by the Court Services Branch to generate jury selection lists.
- Note 8 - Political entity reporting includes the costs associated with reviewing ongoing disclosure reports filed by provincial political parties and other provincial political entities; administering monetary penalties for non-compliance with the financing provisions; conducting investigations of political entities, candidates and third party advertising sponsors in accordance with section 276 of the *Election Act*; development and delivery of guides, forms and training for political entities, financial agents and auditors; maintaining the register of political parties, constituency associations and third party sponsors. This budget line does not include costs associated with local campaign finance administration or annual allowance payments to political parties.
- Note 9 - Voter education is a statutory responsibility of the Chief Electoral Officer under section 12(1)(c) of the *Election Act*. It includes costs to engage partner organizations and the public with the goal of increasing civic engagement and accessibility to the democratic process. It also includes initiatives to help inform B.C.'s youth about the importance of elections and voting.



# APPENDICES

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## Appendix A: Our priorities

Priority	Supporting Activities
<p><b>Deliver events</b></p> <p>Be ready for and successfully deliver electoral events.</p>	<ul style="list-style-type: none"> <li>▪ maintain a high-quality voters list throughout the business cycle</li> <li>▪ maintain organizational readiness for on-demand events</li> <li>▪ ensure critical information systems are maintained and ready when events are initiated</li> <li>▪ develop and maintain a business continuity program to ensure electoral events can be successfully delivered</li> </ul>
<p><b>Modernize electoral services</b></p> <p>Find new opportunities to enhance service and increase efficiency to meet the changing needs of our stakeholders.</p>	<ul style="list-style-type: none"> <li>▪ develop processes to enhance service, increase accessibility and encourage compliance</li> <li>▪ put voters' needs first when designing electoral programs, processes and services</li> <li>▪ enhance tools to support two-way communication with voters and political participants</li> <li>▪ seek continuous improvement and make recommendations for legislative change</li> <li>▪ ensure information systems are enhanced as appropriate and adapted to changing legislation</li> <li>▪ consider environmental impact of electoral events when designing processes and services</li> </ul>
<p><b>Improve accessibility and inclusivity</b></p> <p>Engage all eligible voters in the electoral process.</p>	<ul style="list-style-type: none"> <li>▪ communicate with voters through multiple channels to increase their knowledge of when, where and how to vote</li> <li>▪ increase accessibility to voting through stakeholder consultation, communication and partnerships with an emphasis on Indigenous communities</li> <li>▪ ensure administrative and physical barriers to participation are minimized</li> </ul>

<p><b>Build organizational capacity</b></p> <p>Build strength and resiliency by managing strategically, enhancing internal and external relationships and enabling employee development.</p>	<ul style="list-style-type: none"> <li>▪ encourage knowledge transfer and communication to facilitate cross-program collaboration and to grow our organizational capacity and resilience</li> <li>▪ engage in and nurture partnerships to fill gaps in our capacity and to support effective delivery</li> <li>▪ continuously improve our processes to ensure we use our resources wisely</li> <li>▪ maintain a resilient planning framework to ensure strategic projects are prioritized and well managed, and resources are allocated effectively</li> </ul>
<p><b>Protect electoral integrity</b></p> <p>Address challenges to democracy, trust and electoral integrity posed by cyber threats and other coordinated inauthentic behavior.</p>	<ul style="list-style-type: none"> <li>▪ adapt or introduce systems and processes to respond to threats to electoral integrity and ensure transparency and compliance are maintained</li> <li>▪ support political participants to understand their legislated requirements and promote compliance</li> <li>▪ ensure we have robust and effective complaints management, investigation, and enforcement practices</li> <li>▪ build and maintain trust in Elections BC as the province's non-partisan election administrator and authoritative source of information regarding B.C.'s electoral processes</li> <li>▪ develop and implement public education programs to build voter capacity to navigate this new environment</li> </ul>

## Appendix B: Political party registrations and deregistrations

As of March 31, 2021, there were 17 political parties registered in B.C.

The following political party registrations and deregistrations occurred between April 1, 2020 and March 31, 2021. During this period, there was a party name change and ballot name change as well.

### Registrations

- British Columbia Direct Democracy Party
- Dogwood Independence Party of BC

### Involuntary political party deregistrations

- British Columbia Excalibur Party
- British Columbia Party
- Cultural Action Party
- For British Columbia
- Unparty: The Consensus-Building Party
- BC Progressive Party

### Voluntary political party deregistrations

- The Platinum Party of Employers Who Think and Act to Increase Awareness
- The Vancouver Island Party

### Name change

- British Columbia Conservative Party changed its name to Conservative Party of British Columbia

### Ballot name change

- British Columbia Direct Democracy Party changed its ballot name to British Columbia Direct Democracy Party (was Direct Democracy Party)

## Appendix C: Constituency association registrations and deregistrations

As of March 31, 2021, there were three constituency associations registered in B.C.

The following constituency association registrations and deregistrations occurred between April 1, 2020 and March 31, 2021.

### Constituency association registrations

Wexit BC

- Peace River South Constituency Association Wexit BC

### Voluntary constituency association deregistrations

BC NDP

- Victoria-Beacon Hill Constituency Association BC NDP

## Appendix D: Orders of the Chief Electoral Officer

Section 280 of the *Election Act* provides the Chief Electoral Officer (CEO) with order-making authority to address emergencies, extraordinary circumstances and mistakes.

Out of necessity, and because of the unprecedented circumstances of administering an election during a global pandemic, the Chief Electoral Officer used their order-making powers under s. 280 to modify a number of legislated administrative procedures during the 2020 Provincial General Election. The modifications also addressed the expected shift in voter behavior toward the use of vote by mail due to the extended emergency conditions.

For details on the approximately 70 orders issued during the 2020 Provincial General Election, see our *October 24, 2020 Provincial General Election Report of the Chief Electoral Officer*.

The CEO issued the following Orders responding to reporting obligations at the start of the COVID-19 pandemic:



**EA-ORD002-2020***April 22, 2020*

In response to the COVID-19 pandemic and public health orders requiring social distancing, the filing date for the annual financial report by the BC Conservative Party was extended to June 1, 2020.

**EA-ORD003-2020***April 30, 2020*

In response to the COVID-19 pandemic and public health orders requiring social distancing, the filing date for the annual financial report by the BC Ecosocialists party was extended to May 8, 2020.

**EA-ORD004-2020***May 13, 2020*

In response to the continuing COVID-19 pandemic and public health orders requiring social distancing, the filing date for the annual financial report by the BC Ecosocialists party was further extended to June 1, 2020.

**EA-ORD001-2021***January 22, 2021*

Due to complications originating from the ongoing COVID-19 pandemic, a political party and the financial agents for three candidates were unable to file electoral financing reports (EFRs) for the 2020 Provincial General Election by the deadline of January 22, 2021. Due to complications related to family matters, the financial agents for two candidates were unable to file EFRs for the 2020 Provincial General Election by the deadline of January 22, 2021. The filing deadlines for the EFRs of the party and four candidates were extended to February 22, 2021, and the filing deadline for the EFR of one candidate was extended to February 16, 2021.

**EA-ORD002-2021***March 31, 2021*

The BC Progressive Party did not run candidates in the 2017 or 2020 provincial general elections and should have been deregistered on November 20, 2020. Due to a clerical error, the BC Progressive Party was not notified of their pending deregistration and, due to the same clerical error, the BC progressive Party, in error, remained registered. The BC Progressive Party was permitted to be deregistered effective November 20, 2020. The filing deadline for the deregistration report and the deadline for the transfer of funds will occur on October 1, 2021, and the three-year period for the disposition of assets of the BC Progressive Party began on March 31, 2021.

## Appendix E: Activities of the Chief Electoral Officer

### CEO speaking engagements

- Democracy Dialogues, Democratic Engagement Exchange and Ryerson University, (Elections in Uncertain Times), online via Zoom, April 30, 2020
- Appearance before the Standing Committee on Procedure and House Affairs, Government of Canada, (Conduct of an election during the COVID-19 pandemic), online via video link, November 3, 2020
- Election Working Group Ontario, (Running an election during a pandemic), online via Zoom, November 3, 2020
- British High Commission/Covid Ready Society: Scottish Government, (Conduct of an election during a pandemic), online via Microsoft Teams, November 30, 2020
- BC Legislative Internship Program (Role of Elections BC), BC Legislature, Victoria, BC, January 7, 2021
- Canadian Society for Election Official Training, (Conducting a provincial election in the time of COVID-19: the B.C. and Saskatchewan experiences), online via Zoom, February 17, 2021

### CEO event attendance

- Election Advisory Committee meeting, Chair, online via Skype, June 11, 2020
- Election Advisory Committee meeting, Chair, online via Skype, August 25, 2020
- Council on Governmental Ethics Laws annual conference, online via video link, December 1, 8 and 15, 2020
- Advisory Committee of Electoral Partners, online via Zoom, January 19-20, 2021
- Canada's Chief Electoral Officers and the Consortium on Electoral Democracy, Canadian Elections & the Impact of COVID-19, online via Zoom, March 11, 2021

## Appendix F: Reports of the Chief Electoral Officer

The following reports were tabled between April 1, 2020 and March 31, 2021:

- [Annual Report 2019/20 and Service Plan 2020/21-2022/23](#)
- [Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change – May 2020](#)

## Appendix G: Local by-elections and referenda (non-election assent voting)

Between April 1, 2020 and March 31, 2021, Elections BC administered the campaign financing provisions of the *Local Elections Campaign Financing Act* for 26 local by-elections and two referenda (non-election assent votes).

Disclosure statements for by-election and referenda participants are available on the Elections BC website. All participants in 2020/21's by-elections and referenda filed disclosure statements by the filing deadline.

The incremental costs to our organization of administering the campaign finance provisions for local by-elections and referenda are included in the ongoing budget of Elections BC.

### By-elections

Jurisdiction	General Voting Day	Filing deadline	Candidates	Elector Organizations	Third Party Sponsors	Late/non-filers
<b>Lytton</b>	2020-12-19	2021-03-19	3	0	0	0
<b>Victoria</b>	2020-12-12	2021-03-12	11	1	0	0
<b>Comox Valley School District (SD71)</b>	2020-12-12	2021-03-12	6	0	0	0
<b>Grand Forks</b>	2020-12-05	2021-03-05	2	0	0	0
<b>Cowichan Valley Regional District (Area H)</b>	2020-11-28	2021-02-26	2	0	0	0
<b>Rosland</b>	2020-11-28	2021-02-26	2	0	0	0
<b>Queen Charlotte</b>	2020-11-21	2021-02-19	3	0	0	0
<b>Sayward</b>	2020-11-21	2021-02-19	5	0	0	0
<b>Port Clements</b>	2020-11-14	2021-02-12	1	0	0	0
<b>Lake Cowichan</b>	2020-10-24	2021-01-22	5	0	0	0
<b>Dawson Creek</b>	2020-10-17	2021-01-15	5	0	0	0
<b>Smithers</b>	2020-10-17	2021-01-15	6	0	0	0
<b>Greenwood</b>	2020-10-10	2021-01-08	6	0	0	0

<b>Fort St. James</b>	2020-09-26	2020-12-29	2	0	0	0
<b>Arrow Lakes School District (SD10)</b>	2020-09-12	2020-12-11	4	0	0	0
<b>Arrow Lakes (SD10)</b>	2020-05-30	2020-08-28	0	0	0	0
<b>Dawson Creek</b>	2020-05-23	2020-08-21	0	0	0	0
<b>Lytton</b>	2020-04-25	2020-07-24	0	0	0	0
<b>Rossland</b>	2020-04-04	2020-07-03	3	0	0	0
<b>Victoria</b>	2020-04-04	2020-07-03	9	1	0	0
<b>Bulkley-Nechako Regional District</b>	2020-02-29	2020-05-29	2	0	0	0
<b>Zeballos</b>	2020-02-29	2020-05-29	1	0	0	0
<b>Tahsis</b>	2020-02-22	2020-05-22	3	0	0	0
<b>Squamish-Lillooet Regional District</b>	2020-02-15	2020-05-15	2	0	0	0
<b>Kootenay-Columbia School District (SD20)</b>	2020-01-25	2020-04-24	5	0	0	0
<b>Sea to Sky School District (SD48)</b>	2020-01-18	2020-04-17	3	0	0	0

## Referenda

Event name	General Voting Day	Filing deadline	Non-election assent vote advertising sponsors	Late/non-filers
<b>2020 Bowen Island Community Centre Non-election Assent Voting</b>	2020-09-12	2020-12-11	0	0
<b>Kamloops Centre for the Arts</b>	2020-04-04	2020-07-03	2	0

# Appendix H: Minutes of Election Advisory Committee meetings

## **Election Advisory Committee (EAC) Minutes**

June 11, 2020

10:00 a.m. - noon

Meeting conducted via conference call originating at the Office of the Chief Electoral Officer

### **PRESENT**

Committee Members (alphabetically by political party name)

- Jordan Reid, BC NDP
- Raj Sihota, BC NDP
- Emile Scheffel, British Columbia Liberal Party
- Sat Harwood, Green Party Political Association of British Columbia

Elections BC Staff

- Anton Boegman, Chief Electoral Officer (Chair)
- Charles Porter, Deputy Chief Electoral Officer, Electoral Finance and Operations
- Yvonne Koehn, Deputy Chief Electoral Officer, Corporate Services
- Jodi Cooke, Executive Director, Electoral Finance
- Aidan Brand, A/Director, Corporate Planning and Strategic Initiatives
- Dan Posey, Analyst, Executive Services
- Arlene Carlson, Executive Coordinator (minutes)

### **REGRETS**

- Paul Barbeau, British Columbia Liberal Party
- Andrew Brown, Green Party Political Association of British Columbia

### **GUESTS**

Office of the Information and Privacy Commissioner (OIPC)

- Michael McEvoy, Information and Privacy Commissioner for BC
- Jeannette Van Den Bulk, Deputy Commissioner for Policy, Adjudication, and Audit
- Christopher Gillespie, Senior Policy Analyst

Meeting commenced at 10:03 a.m.

## 1. Welcome and Introductions

Anton Boegman, Chief Electoral Officer (CEO), welcomed attendees, and asked participants to introduce themselves. He reviewed the agenda, and then described the role of the Election Advisory Committee (EAC) as established by sections 14 - 16 of the *Election Act*.

Anton noted that while not all agenda items today fall under the requirements of section 16, it is in the spirit of that section that Elections BC makes use of this Committee to engage more broadly on other aspects of political campaigning and election administration. He noted that the first and third agenda items fall under this broader consultation.

## 2. Political Campaign Activity Code of Practice Update

Anton noted that this is a voluntary code, modeled after similar codes in other Commonwealth jurisdictions. It is intended to promote best practices and fair play in political campaigning by clarifying information and campaigning rules under both the *Personal Information Protection Act* and the *Election Act*. It is an undertaking that has been strongly supported by both himself and the privacy commissioner, and reflects the reality that political campaigning is an area where the mandates of Elections BC and the Office of the Information and Privacy Commissioner touch.

The version of the code presented at the EAC meeting in September last year represented a first draft, and Anton thanked members for taking the time to provide feedback on it. The current version is considerably changed from that initial draft, and incorporates amendments to address several concerns that were raised.

*Anton turned the floor over to Michael McEvoy.*

Commissioner McEvoy noted that the code stems from the political parties investigation report which was released by the OIPC in 2019. He was pleased to note that all parties have implemented the recommendations in the report, with one small outstanding item. One main takeaway from the report is the key role that political parties play in our democratic system and their need to gather information to understand voters and effectively communicate with them. Commissioner McEvoy has been working with the Chief Electoral Officer to craft a code of practice that addresses how political parties handle personal information.

The purpose of the code is to instill trust in those who hold the public's personal data, and to determine how political parties can collect this information while still following privacy laws. Our aim was to be as concise and straightforward as possible, and to state party obligations as briefly as possible. The Commissioner and the Chief Electoral Officer had previously presented a draft outline of the code and invited feedback. Based on those meetings, it was determined that any approach should be principles based, voluntary, and would need to set out party and campaign responsibilities.

Presented today is a substantially different version for EAC members' review and feedback. We propose a two phase approach, where the code would be signed at both the central party level and at the candidate level. The signed documents would be held by Elections BC. The OIPC often says that, when it comes to an organization's commitment to protection of personal information, the commitment starts at the top. That emphasizes the importance of the leadership of the party signing the code. It indicates at the most senior level a commitment to the principles that extend inside and outside the writ period.

Michael opened the floor for feedback and comments, and stated that he is looking forward to gathering the parties' feedback on this process, including content, the sign-on process, and whether additional guidance is required.

## Discussion Questions

- Question: Thinking back to September, we did send a written request for clarification after the meeting, seeking more information on definitions etc. Could you perhaps provide answers to those questions so that we can be fully informed in order to provide additional feedback on today's document.
- Answer: All parties have the right to communicate and collect information. The code itself is designed to be simple and straightforward, and to lay out the principles more than the descriptions. If it is not providing a sufficient level of detail, we will be happy to work on additional guidance to accompany the code. This guidance would be much more in depth than the code itself.
- Question 1) We have no objections under headings 3 and 5, and most of section 4 as well. Under heading 2 we have some significant questions around scope and definition. The first set of bullets touches on psychographic profiling, and reads that we would need to obtain specific consent for certain activities. While we want to agree to avoid terms of use that are complicated, the idea of obtaining explicit consent is a significant concern. For example, would we need to obtain it if we are simply changing the way a spreadsheet sorts or performing data analytics?
- Question 2) In the first numbered section under heading 2, point 1 says that the political participant agrees to “explain the nature, purpose and consequences of what the individual is consenting to”. What does that mean in practice.
- Question 3) In the second numbered section under heading 2, point 1 states that the party must use “clear and direct communication” I have some concerns around the practicality of this point. Who decides what constitutes clear and direct communication? Is it us or is it one of your offices?
- Question 4) Under heading 4, the 6th bullet states that parties commit to “retaining information only until the business and legal obligations for the collection purpose are complete”. I am interested in the rationale behind the use of the word “obligation” in this context.
- Answer to questions 1-4: We do not want a situation where people just tick the box without reading it, it is important to be using plain language detailing how the information will be used. Your point around analytics is well taken, we will take that away for further review. To the last point regarding the retention of information, parties gather information for a purpose and retain it as long as necessary. Every situation has its own context and the aim is for the public to understand that context. A code like this could fill a book, so we set the principles out and hope you will come back to us for guidance as necessary. I would re-emphasize that we tried to make the code concise and straightforward. If you would prefer more guidance, we can certainly provide that.
- Question: If I may elaborate on the data analytics question to explain a bit more with an example: because we know where someone lives, we may use that information when planning canvassing strategies. By directing parties to obtain consent, the onus is on the parties to enumerate and list the ways that voter data can be used. This is probably a main concern for us.
- Answer: This issue is worthy of further conversation offline between our two offices. We can consider how this information should be made available to the public and how it should be stated. Perhaps this could be available on websites telling the public what data is merged and how it is being used in a broad sense. We will continue to have those discussions.
- Comment: We have a concern that the term “psychographic profiling” is unnecessarily inflammatory, particularly without a definition, and that the use of this wording may have the effect of undermining voter trust.



- Comment: I am pleased to hear you state that parties have the right to communicate and collect information. I hope that the code can be edited to state that. It would show a balance of rights of both the political parties and the public, and would provide context.
- Question: The code is subject to oversight by both EBC and OIPC, how in practical terms would this work?
- Answer: We tried to synthesize the law as it concerns both offices, however we are very clear on who has jurisdiction on what issue. Our offices work closely together to ensure that a complainant is directed to the appropriate agency. This is nothing new, often a complaint is directed to another agency.
- Question: When it comes to individuals who withdraw their consent, in practical terms, once we erase that information how do we keep enough information on file to prove that we have deleted it? And, when that data comes back to us through the voter information update from Elections BC, how do we manage that?
- Answer: Each system differs, our agencies will not micro manage that process, how you notate it is a matter for you to decide. If it ever came back to us, we would simply ask you to produce the record of what happened with that data.
- Comment: To the extent there are some challenges, there is opportunity to clarify what is meant by certain words and add some definitions to clarify expectations. For example, the term psychographic has a slightly sinister connotation. In terms of specific comments, a key issue is, at what point do we need to get more consent when we tweak voter data? The concept of informed consent should be defined in the code. Heading 2, point 5 re: making consent an ongoing process seems more like something that informs the other five principles, rather than being a principle itself. What does that mean in practice? This needs clarification.

Michael noted that the code is meant to prevent a voter ticking a box on a website to receive information, and ending up on the donors list. While recognizing the importance of the need for parties to collect information and their right to the voters list, he also noted that the purpose of the Act is to protect their personal information. The rights of the individual must be balanced with the need of organizations.

- Question: Referring to heading 2, point 6 and the reference to being prepared to demonstrate compliance, when I look at that phrasing there are two interpretations of that. Could you clarify please?
- Answer: When a breach occurs, the OIPC looks at the specific complaint, and also looks at the overall system in place as well as the specific inventory of data.

Anton invited committee members to provide further feedback on the code of practice by letter or email.

### **3. Election Financing Regulation and Third Party Sponsor Disclosure Report Regulation**

Bill 43 – The *Election Amendment Act, 2019* - was passed with unanimous support from legislators and received Royal Assent on November 28, 2019. This Act implemented, almost in its entirety, the May 2018 Report on Recommendations for Legislative Change, tabled by Elections BC following the conclusion of the 41st Provincial General Election.

A major theme of Bill 43 is to enable greater flexibility in the legislation to meet evolving future needs of voters and other political stakeholders. This was done by specifying the replacement of a number of prescriptive sections of the Act with CEO regulations. In essence, rather than having the requirements specified in legislation they will be articulated in regulation. Further, to allow for some of the other changes to be implemented, some existing CEO regulations were also required to be amended. There are two amended regulations resulting from Bill 43 to be discussed today:

- Election Financing Regulation (B.C. Reg. 371/95)
- Third Party Sponsor Disclosure Report Regulation (431/99)

In addition to the changes required to these two regulations as a result of Bill 43, there are also new provisions in the Election Financing Regulation to restrict classes of expenses that are eligible to be claimed as reimbursable election expenses.

As discussed at the EAC meeting on Feb 5, 2020 and during the EAC consultation that began on March 16, the *Election Amendment Act, 2019* removed the requirement for the CEO to establish forms for financial disclosure requirements by regulation, and permitted the CEO to specify those forms instead. However, the CEO must continue to establish regulations that outline the information contained on financial reporting forms. This approach allows greater flexibility in form design moving forward.

In both regulations, the schedules of attached reporting forms have been removed, and replaced with a prescribed list of applicable expense and income classes by which the information must be reported.

Generally, the majority of the information contained in these regulations was previously identified in the regulated forms. Some additional classes of advertising have been identified in both regulations to provide greater transparency. These additional classes of advertising are consistent with the additional categories that were added to the Political Party and Constituency Association Financial Reports Regulation, the Leadership Contestant Financing Reports Regulation and the Nomination Contest Regulation that were presented to this Committee on February 5, 2020.

In addition to prescribing the classes of expenses and income, the Election Financing Regulation also establishes a new class of election expenses that would not be eligible for reimbursement for future elections.

Bill 3 – *Election Amendment Act, 2017* (which received Royal Assent on November 30, 2017) - added new requirements including the reimbursement of up to 50% of the value of eligible election expenses incurred. These reimbursements are to be paid by the CEO out of the Consolidated Revenue Fund to candidates and political parties that receive a sufficient percentage of the vote (candidates 10% of votes, party 10% in by-election or 5% province wide in a general election).

Currently, the *Election Act* establishes a limited list of expenses that are not eligible to be reimbursed, and provides the ability for the CEO to add by regulation additional classes of expenses that should not be eligible for reimbursement. Since reimbursements are paid from public funds, eligible election expenses should be limited to those that are reasonable and necessary for the purpose of running an election campaign. This change comes following a review of the election expense reimbursement practices by other Canadian electoral management bodies, and after administering expense reimbursements for two by- elections.

## Discussion Questions

- Question: Re: point 7 – election expenses not to be included for election expense limits - is this the full list or are these in addition to what is currently in the Act?
- Answer: These are in addition to the expenses currently listed in the Act. There have been no changes to the list of expenses that are not subject to the election expenses limit.
- Question: Re: point 8 - election expenses not to be reimbursed – the stated purpose is to limit items not essential to a campaign. Can you explain the rationale behind having fundraising, salaries and benefits on this list?
- Answer: We reviewed this issue with other electoral management bodies, and several other Canadian jurisdictions do not reimburse for fundraising activities. As the purpose of fundraising activities is to generate revenue, it does not seem necessary for the cost of that fundraising activity to be paid from public funds in addition to the revenue that is generated. Salaries and benefits are also not reimbursed in several other jurisdictions and this is our opinion also.
- Question: On the salaries and benefits question, I think we need more information around the equity of this reimbursement. Limiting salaries may have a chilling effect on the ability to recruit candidates from economically disadvantaged backgrounds. I would ask that EBC review this exclusion through an equity lens.
- Answer: We will review that provision.
- Question: Re: point 8B – excluding expenses incurred in day-to-day administration – can you give us a sense of how we might report for those who divide their time between campaigns and general administration. Can we divide their salary and report the campaign portion?
- Answer: Yes, campaigning is an election expense.

Anton noted that he will be happy to receive any additional comments and questions by June 19.

## 4. Pandemic Contingency Planning

Anton provided the following verbal update on the work that is being done at Elections BC to plan for an election conducted during a pandemic:

This is a topic on which I wrote to your three parties during the last week of April. At that time, British Columbia was approximately four weeks into pandemic public health restrictions, and although we have all collectively helped to “flatten the curve”, it remains highly likely that the next by-election or election in B.C. will be administered during a phase of this pandemic.

As an election is an event in which millions of British Columbians participate, it is a high-risk event from a public health perspective. Many election processes will necessarily need to be adapted in order to keep voters and election workers safe, as well as to maintain the necessary accessibility to the ballot box and the overall integrity of the electoral process.

Which adaptations are essential will to some extent depend on the state of the pandemic in our province at the time of the electoral event, and on the public health guidance of the Provincial Health Officer. I have been and will continue to be in regular contact with that office to better understand public health directives, and how they may impact an electoral event, whether it is six, 12 or 18 months from now.

In my letter, I identified some of the initial high-level adaptations that we were considering. These included:

- Modification of processes to ensure physical distancing
- Provision of sanitation stations and protective equipment
- Expanded use of remote voting options such as vote-by-mail and telephone voting, especially for at risk-voters, and,
- More options for in-person early voting to reduce numbers on voting days

These initial adaptations were based on our understanding of the then public health environment, on discussions with other Canadian and international election management bodies, and a review of media and other reports on those few elections that had been held – with varying levels of success – during the pandemic. It goes without saying that the best approach, when public health risk is highest, is likely to defer or postpone an election. This was the case in Saskatchewan, for example, when a proposed spring election was deferred to the fall. When the public health risk is lower, however, it is possible to hold an election in a safe and accessible manner, and one in which voters do not have to choose between exercising their democratic franchise and protecting their health. These assumptions have formed the foundation of our contingency strategy.

Since the end of April, we have maintained our work on election contingency planning. We have continued to engage with other jurisdictions and the Provincial Health Officer, and have surveyed British Columbians to gain insight into how they perceive voting and working as an election official during a pandemic. We have used the framework of physical distancing, engineering controls, administrative controls and personal protective equipment, as a means of assessing our electoral processes, and identifying where adaptations are necessary for reducing COVID-19 transmission hazards. This is the same approach that has been used by B.C. organizations as part of the first phase of re-opening the province.

This framework has allowed us to develop a range of potential adaptations that can be applied to electoral office locations and voting places, as well as to the nomination, voting and counting processes in an election. I will review some of these adaptations now, and look forward to hearing your feedback. Over the coming months as we develop our plans in more detail, we will make sure to continue this consultation.

Physical distancing is a key control measure and based on the current provincial health office guidance includes:

- Maintaining two metre distance from other individuals and groups
- Maximum occupancy of spaces at 50% of standard fire code occupancy up to a maximum of 50 persons
- Five square metres of open space per person if possible
- Individuals not part of the same group to keep two metre separation, with a maximum group size of six

This has a direct impact on locations that may be used for offices and voting. Large open spaces such as school gyms and banquet halls are preferred to smaller locations like building lobbies or smaller rooms in community buildings. To mitigate potential accessibility issues this means that more days of early voting are likely, beyond the current provision for advance voting. It also means that efforts to manage line-ups are recommended including measures like assigning advance voting opportunities using the Where to Vote cards, and working to develop wait-time functionality for our voting information app. The set-up of voting places will be more spaced out, there will potentially be only one election official per station (this will be a key change if the election is conducted under 2017 rules), taped spacing marks like those used in grocery stores will be used, and the close interaction of scrutineers with election officials will need to be modified.

Physical distancing, especially for those in our population who are at higher-risk, also means that the use of remote voting options will increase. We have seen this in the U.S. and in other jurisdictions where requests for vote-by-mail packages have increased materially.

Where we have previously seen less than 1% of voters use vote-by-mail we should expect to see potentially 30-40% or more of all voters use this method. Certainly, this will be the default option for voting at assisted-living centres where previously voting teams would go room-to-room or bed-to-bed. Use of election official assisted telephone voting may also be the best approach for voters in acute care hospitals. These kind of adaptations will have significant infrastructure impacts for Elections BC to ensure there is sufficient capacity to meet this increased need. There may also be requirements to extend the period before final count to allow for complete processing of mail ballots including all of the integrity checks.

Depending on volumes, it may look more like the counting period for the recent referendum.

We are also moving forward with the development of our candidate nomination portal. This service is intended to allow candidates to submit nomination documents and pay nomination deposits online, and would allow parties to complete endorsements through the same secure portal. Use of the portal would of course also support physical distancing.

Engineering controls are the second measure in the framework. These controls are closely related to physical distancing, and are often solutions when physical distancing is not possible. Our considerations include:

- Large building footprints and volume – this supports distancing and air circulation to limit risk of indoor airborne contamination
- Preference for locations with at least a separate entrance and exit
- “Sneeze guards” at each voter service station (plexiglass or other material)
- Reserved locations outside voting places for curbside voting or ballot package drop-off
- Line-up spacing marks inside and outside offices and voting places, voter service flow marking in voting places
- Voter hand sanitization stations at entrance and exit to voting places
- Discard bins for used gloves/masks
- Laminated/plastic secrecy sleeves (needed for voting modernization) that can be sanitized between voters
- Possible provision of pens to any voter who needs one

Administrative controls are means to supplement distancing and engineering controls. They typically include process additions and associated communication products. Our considerations here are:

- Increased facility cleaning/sanitization before and after each voting day
- Frequent cleaning of high-touch materials and equipment (for example: pens, tabulators, secrecy screens, accessibility tools for voting, voting screens)
- Posters on surface touching etiquette, cough etiquette etc.
- No handling of voter ID documents by election officials
- Replacement of written declaration with oral declaration
- Allow use of voter's own pen – more likely an option if an election is held before October 2021 under the rules in place before Bill 43.
- Although some media have reported on elections where medical officials have taken voters' temperatures before permitting them to enter the voting place, that is not a recommendation of our Public Health Officer.

The last element of the framework is personal protective equipment (PPE). While this control measure is seen to be less effective than the others (especially distancing), it will be an important facet of elections in B.C. during a pandemic. As we finalize plans for the other protective measures I outlined earlier, we will seek advice on which election workers should be equipped with gloves, face masks and protective shields, and which protection standards should be used.

We are also considering whether it would be appropriate to procure sufficient supplies of medical-grade masks to be able to issue one to each voter presenting themselves at an in-person opportunity. This is an option being currently assessed by Elections Saskatchewan, where approximately 450,000 voters turned out at their last election. If we were to do this in B.C. however, it would increase the current procurement challenge for this equipment, requiring millions rather than thousands of masks.

A further note on PPE is that we are tapping into the provincial PPE procurement system to ensure that any supplies that we deploy in voting offices and locations meet the necessary performance standards.

We have also been involved in discussions with staff from the Ministry of Municipal Affairs and Housing regarding local by-elections and assent votes that were postponed due to the pandemic under a Ministerial Order. The conduct of these local electoral events, as well as the upcoming fall election in Saskatchewan, may provide helpful lessons learned as we refine our mitigation measures in preparation for a provincial by-election or general election.

Anton recognized that his comments contain a lot of information, and reminded Committee members it will be available in the meeting minutes. He also encouraged feedback on this subject.

## Discussion Questions

- Comment: Thanks for all the work your team has put into this. We appreciate all of the thought that has gone in to it.
- Question: Do you anticipate any kind of collaboration with the Provincial Health Officer on guidelines for political parties on safety precautions? Will EBC communicate this information to us or will you play an advisory role?
- Answer: Anton is in regular contact with the Deputy Provincial Health Officer, and only yesterday they discussed facilitating the opportunity of inviting either the Provincial Health Officer or her Deputy to an EAC meeting in the fall. They have offered to make a presentation and answer questions on how traditional campaigning will be impacted in the next election. They recognize that campaign activities are governed by provincial health directives and their guidance will be an important part of that.
- Comment: The more prescriptive the PHO can be in terms of what is allowed and what is not, the better adherence there will be at the local level.
- Question: If there is an effort to stagger voting days to reduce the number of people at a voting place, I'd like to express the hope that the participation data would include the date on which a voter has been directed to vote.
- Answer: We recognize that this is an important factor, we will look at that. Our goal is to reduce lineups while maintaining accessibility.
- Question: I'd just like to underscore (this was also sent in a letter to EBC recently) that we feel it is important to have expanded access to voting, like telephone voting, mail-in ballots, or increased poll locations. It should be managed so that every voter has the same access, and that all options are available and advertised to all voters.
- Answer: With our communications program we try to do a comprehensive job. We will do even more for this election because of the uncertainty during these times, and we will highlight all opportunities for all voters. As an example, if we distribute a province-wide enumeration letter, we could include all options for voting in the mail-out. We are considering options.
- Question: I have a different view of asking voters to vote on different days, I think that could be very confusing for voters. To alleviate confusion, I would encourage EBC to increase other opportunities rather than segment the dates.
- Answer: We are trying to understand best practices in other jurisdictions so we don't see massive line-ups. Our experience during the last election was that, even though there were six advance voting days, line-ups would still occur. We appreciate your concerns and continue to examine this.
- Question: Regarding the recruitment of EBC staff in polling locations, and I am thinking about vulnerable communities here, I hope EBC will focus on ensuring there are polling locations in those communities (such as First Nations communities) that are staffed by local people. This way, the community does not feel it is putting itself at risk by having people from outside the community working there.
- Answer: We agree. It has always been a principle of ours to recruit locally and we continue to adhere to that.

- Question: As it is unlikely there will be any knocking on doors, how can candidates collect signatures for nomination papers in a physically distanced way? Could this be done online?
- Answer: We have flagged this as an issue already, and we have no solution as yet. We will collaborate with the OIPC on this.
- Question: In terms of the planning, should we proceed on the assumption that we are going to go in to the next election with social distancing in place?
- Answer: Yes, that is a fundamental assumption. We have asked the Deputy Public Health Officer for projections, and while he indicated that there is a lot of work being done on the vaccine front, the population will likely not have sufficient immunity by next fall to rescind the distancing directive. All of our planning will be based on distancing first, and the use of PPE if distancing is not possible.
- Comment: To the extent there will be rules or guidance provided about how campaigns will be conducted, the sooner we have that information the better, so that we can begin training.
- Answer: Agreed, and as things change, we will have to adapt to what is appropriate to the circumstances. Where we have to vary from provisions in the *Election Act* due to a changed process, that will have to be done through an order of the CEO. We will try to put that guidance in clear format to be used as a training aid.

## 5. Closing Remarks

Anton thanked committee members for their comments, and asked that they provide any feedback on the two Regulations discussed today by June 19. He then thanked members for their time and adjourned the meeting at noon.



**Election Advisory Committee (EAC) Minutes**

25 August 2020

1:00 p.m. to 3:00 p.m.

Meeting conducted via conference call originating at the Office of the Chief Electoral Officer

**PRESENT**

Committee Members (alphabetically by political party name)

- Jordan Reid, BC NDP
- Raj Sihota, BC NDP
- Emile Scheffel, British Columbia Liberal Party
- Paul Barbeau, British Columbia Liberal Party
- Sat Harwood, Green Party Political Association of British Columbia
- Jonina Campbell, Green Party Political Association of British Columbia

Elections BC Staff

- Anton Boegman, Chief Electoral Officer (Chair)
- Charles Porter, Deputy Chief Electoral Officer, Electoral Finance and Operations
- Yvonne Koehn, Deputy Chief Electoral Officer, Corporate Services
- Jodi Cooke, Executive Director, Electoral Finance
- Deanna Chapman, Director, Provincial Electoral Finance
- Aidan Brand, Director, Corporate Planning and Strategic Initiatives
- Dan Posey, Analyst, Executive Services
- Arlene Carlson, Executive Coordinator (minutes)

**GUESTS**

Office of the Provincial Health Officer

- Dr. Bonnie Henry, Provincial Health Officer
- Dr. Brian Emerson, A/Deputy Provincial Health Officer

Meeting commenced at 3:10 p.m.

**1. Welcome and Introductions**

Anton Boegman, Chief Electoral Officer (CEO), welcomed committee members and guests, and asked participants to introduce themselves. He reviewed the agenda, and described the role of the Election Advisory Committee (EAC) as established by sections 14 - 16 of the *Election Act*. Anton noted that while not all agenda items today fall under the requirements of section 16, it is in the spirit of that section that Elections BC makes use of this Committee to engage more broadly on other aspects of political campaigning and election administration. He noted that the first and third agenda items fall under this broader consultation.

## 2. Public Health Guidelines for Campaigning during a Pandemic

Anton welcomed Dr. Henry and Dr. Emerson to the meeting, and noted that campaigning pre-COVID-19 typically included a number of activities that involve individuals coming in close contact with others: for example, hosting events such as rallies or fundraising functions, carrying out candidate nomination meetings, door-to-door canvassing or soliciting support from voters. Just as everyone has had to adjust behaviors during day-to-day activities, so too must campaigning activities be adjusted to minimize the risk of COVID-19 being transmitted to others through these activities. These adjustments must be made based on current public health requirements.

The discussion focused on three areas where campaigning would need to be modified to reduce the spread of COVID-19 and keep voters and campaign staff safe during an election:

- at campaign events,
- out in the community, and
- in campaign offices

Dr. Henry and Dr. Emerson commented on these three general areas as follows:

As with all other businesses, political parties should consider having teams put together a COVID-19 safety plan, which considers issues such as minimizing face-to-face interactions by finding alternative ways to accomplish objectives, such as meeting in small physically distanced groups. Be aware that there is heightened anxiety regarding in-person interactions. Some people will not take kindly to strangers knocking on their door. Be considerate and try to find alternative ways of communicating with voters.

The *Election Act* does not require that campaign offices be accessible to the public, so parties can consider finding other virtual ways to interact with voters.

If physical interactions must take place, recognize that all of the public health orders in place must be adhered to. Some examples include providing barriers (plexiglass screens), physical distancing, a maximum of 50 properly distanced people at any event (smaller spaces require a smaller number of participants), assigned seating, maintaining distance between groups, collecting contact information for inside and outside events, and holding events outside or virtually where possible. The plan should also consider how to react if someone in the campaign office is ill. These types of things should all be included in the safety plan.

Step one is to develop and submit a safety plan. The Provincial Health Office (PHO) can provide some guidance and is conducting ongoing discussions with the CEO on how we can have safe elections in BC.

If you do have an individual in one of your offices that contracts COVID-19, think through the response and how you would react to that scenario. It should be part of your safety plan and the PHO can provide guidance.

## Discussion Questions

- Question: This question is for both the doctors and Anton. Keeping in mind that no matter when the election is held, it will be conducted under COVID-19 restrictions, we are provided with addresses for voters that enable us to knock at their doors. Given that we will be seeking alternative methods to contact voters, EBC has collected other information such as email addresses and phone numbers. Has there been any consideration that political parties be provided with additional contact information for individuals on the voters list?
- Answer: EBC does not collect email or telephone numbers from ICBC. Additional information we have tends to be more event based, for example a voter may provide an email address or phone number and ask us to contact them. There are privacy considerations here as the voter has not consented to sharing this information. We would expect that within your contact databases you have collected contact information where voters have provided consent. This is not a conversation that we have had with the Information and Privacy Commissioner. We understand your challenges with communication during this time and I am willing to have that conversation with the Commissioner. My sense is that without consent we would not be able to provide phone and email contact information that has been given to Elections BC by voters. As well, we do not collect that information on an ongoing basis and there are limits to the accuracy of the information provided by voters.
- Question: Perhaps the Information and Privacy Commissioner could attend a future meeting as campaigning under the pandemic is an ongoing concern.
- Answer: We will follow up with the Commissioner.
- Comment: There was a new Regulation proposed at a previous meeting which does in fact allow EBC to collect the email addresses and mobile phone numbers of those registering to vote.
- Answer: Yes, the Voter Registration Regulation was updated to include that information. That collection is done to support the electronic distribution of Where to Vote (WTV) cards so that voters have a choice of how to receive their WTV information. The consent statement for this information indicates that it is collected for the purpose of voting, and will not be shared with political parties. That statement would need to be adjusted were the information to be shared further.

## At campaign events

Anton noted that the *Election Act* does not restrict the various kinds of events that campaigns can hold during the election for the purpose of gaining support or soliciting financial contributions.

For Elections BC, the requirements under the Act are:

- Campaign signs and other advertising promoting an event, such as internet advertising, must have the necessary authorization statements
- All income raised must be from permitted sources and collected in compliance with the Act
- All expenses must be incurred through the bank account by the financial agent and, depending on the nature of the expense, the amount may be subject to the spending limits
- All income and expenses must be reported in compliance with the Act, and,
- If the event is a specified fundraising function (i.e. is attended by the leader of a major political party, a parliamentary secretary or member of the Executive Council), the details of the event must be reported to Elections BC at least seven days prior to the event so that they can be published online.

There is nothing in the Act that prevents an event from being held virtually, provided that all other requirements are being met.

Dr. Henry and Dr. Emerson commented on campaign events. They suggested that we will be dealing with COVID-19 into the foreseeable future and even leading in to the next scheduled election. We are seeing transmission in larger groups, as well as at small indoor events such as meals. Things like fundraising dinners need to be thought through. The limit on gatherings of 50 people is really a maximum. If you are thinking of having indoor events where people are going to be in close contact for longer periods of time, then smaller numbers are better. For example, six to twelve people should be the maximum for a fundraising dinner. Assigned seating is also helpful, and of course no one who is ill should attend. Outdoor venues are preferable to inside venues. During the recent national leadership convention for the federal Conservative Party, we noticed that there are innovative ways to do this.

### Discussion Questions

- Question: Reading the recent order issued August 7 by the PHO on gatherings and events, in terms of the description of events, I don't see campaign events as a listed event. Do those on the call view this Order as applying to campaign events?
- Answer: Yes, the Order applies to political events, and to anything that gathers people together. The other limitation to consider could be the location of the event, for example if it is held in a restaurant or pub, additional requirements (like no dancing) would apply. As a result, election night parties will be subdued as well.
- Question: We have already seen this for parties on this call that Orders cover events fairly well and we will need to plan some events in alternative and virtual ways. The piece of campaigning that is hard to substitute is that face-to-face piece. This is going to be key for maximum safe voter participation. In that spirit, what are the odds that the PHO could issue formal public guidance under which door-to-door canvassing can be done safely? I think it is probably in everyone's interest to address this proactively rather than responding during the campaign period.
- Answer: That is a very good idea. What we have done with most industries is provide reviews for a plan. If you could come together as this committee and put together your suggestions, as you are the experts, we could help to review and provide guidance to a plan. We don't approve plans, but can weigh in on whether they meet the criteria. It is a good idea to have that for everyone to reference. There are a lot of concerns for people in apartments, condos and communal living facilities around communal spaces such as elevators, hallways etc. If you could agree on parameters, it would help to improve public confidence in the process.
- Comment: I would support this suggestion.
- Question: Can you provide an update on one activity we discussed at a previous meeting, where we have to be face-to-face in order to collect signatures on nomination papers. How might that be done in this context?
- Answer: EBC noted this question at the last meeting and we have looked into various options. It is acceptable under the legislation to accept nominator signatures electronically, and we are currently producing guidance on how this can be done. We are looking at allowing nomination papers to be signed electronically. This might involve receiving 75 nomination papers for each candidate.

- Question: I know that EBC is communicating with the Saskatchewan CEO. In Saskatchewan what is the relationship between their PHO and CEO working together for the fall election?
- Answer: Saskatchewan does not have an EAC, so when the premier announced the fall election, the CEO contacted their Chief Medical Health Officer. Together they have formed a committee that includes representatives of the political parties to establish discussions similar to those taking place with this Committee. Their goal is to ensure that the guidance of the public health official is reflected in how the election is administered. With regard to campaigning, the party representatives are speaking with the Chief Medical Health Officer directly, and Elections Saskatchewan does not have a role in that discussion.
- Comment: On the subject of door-to-door canvassing, I believe the Province of Saskatchewan has published some guidelines on door-to-door sales that may be relevant.

### In the community

Anton noted that a major component of election campaigning takes place out in the community. Traditionally this includes going door-to-door to speak with voters, standing on street corners, or attending election events in the community, such as town halls or candidate meetings.

The *Election Act* has a number of requirements in relation to community events including:

- Any materials distributed during the campaign period must contain an authorization statement.
- Individuals and organizations are prohibited from campaigning within 100 meters of all election offices and voting places while voting is being conducted.
- Candidates must appoint canvassers in writing for the purpose of distributing candidate information in residential properties.
- If individuals are canvassing in a strata or rental property, the strata or landlord is not permitted to deny access to a canvasser during the campaign period between 9 a.m. and 9 p.m. providing the canvasser provides government issued photo ID and a copy of their authorization. This is a recent change to the *Election Act*, and will be new for the next election. If other individuals or organizations attempt to canvass voters on a commercial basis, they must be registered as third party sponsors.

Anton invited Dr. Henry and Dr. Emerson to comment on public health guidelines that would impact campaigning in the community.

Dr. Emerson noted that the key thing to know is that different parts of communities have different sensitivities, and that being tuned in to that is a critical issue. Strangers approaching is an overall issue. Landlords and stratas can put in temporary restrictions in common areas around health and safety, and canvassers should be aware of these. This may prevent people from gathering or clustering in a common area. One of the challenges in particular is in First Nations communities. We have heard many times that they may be hesitant about people entering the community from outside. Being tuned in to the local epidemiology can help to raise awareness among workers.

## Discussion Questions

- Question: We brought this question forward at a previous meeting, what is being done by EBC in First Nations communities when they have indicated that strangers are not welcome? It is important to have local election workers. Has EBC done any further work on that?
- Answer: Yes, we have plans in place. We have always encouraged our District Electoral Officers (DEOs) to recruit from within the community, and this will not change for the next election. At-risk communities such as care homes have options available such as vote-by-mail. We have a meeting scheduled next week with the First Nations Leadership Council. It will afford us the opportunity to provide our initial thinking to council members and ask for their input on what options work for them. Following the meeting we will instruct our DEOs on their outreach efforts. Recruiting election officials from local communities is a major consideration and is part of our normal practice.

## In campaign offices

Anton reminded the group that the *Election Act* does not regulate the structure or layout of campaign offices. The only requirement is that all campaign office expenses must be incurred and reported in compliance with the Act, and that expenses incurred during the campaign period may be subject to the spending limit.

There is also nothing in the Act that requires a candidate or a political party to have a campaign office that is open to the public – although that may seem counterintuitive if an office has been set up to engage with the public. An office could, however, be established as a phone bank to canvass voters.

Anton invited Dr. Henry and Dr. Emerson to comment on public health guidelines that would impact campaign offices.

Dr. Henry and Dr. Emerson noted that the key point to remember is that the workers will be assumed to be employees and therefore WorkSafeBC will require a workplace safety plan which will need to be reviewed by them. The key elements would be similar to a retail environment plan and should include such things as controlling numbers, placing barriers, physical distancing, providing virtual options, preventing those who are ill from attending, and availability of hand sanitizer. Booked appointments are helpful to minimize numbers in the space. For more information and guidance, committee members are encouraged to visit the WorkSafeBC website and click on COVID-19.

Dr. Emerson said that he looks forward to working with the group on the door-to-door piece. Any questions that committee members have for the PHO regarding campaigning and canvassing should be sent to EBC, who will forward them to the PHO for review and provide answers back to all committee members. He also noted that as other provinces provide them with information, he looks forward to bringing it back into this discussion.

Anton invited committee members to submit any questions they have to [Arlene.Carlson@elections.bc.ca](mailto:Arlene.Carlson@elections.bc.ca).

Anton thanked Dr. Henry and Dr. Emerson for providing their insight.

### 3. Electoral Purposes for Access to and Use of Personal Information Regulation

Anton presented the proposed amendment to the existing CEO Regulation, the Electoral Purposes for Access to and Use of Personal Information. This regulation is now being modified based on Elections BC's experience in how it has been interpreted by political stakeholders at all levels. The change reflected in this new version is intended to minimize any confusion for provincial stakeholders in relation to the requirements of Elections BC and the Office of the Information and Privacy Commissioner.

The specific change is in section 2(1) and includes the addition of a clause clarifying that the access to, and restrictions established on, the use of personal information for provincial, municipal or federal electoral purposes, only applies to that personal information where the Act requires or authorizes the disclosure, public inspection or other use of those records.

The *Personal Information Protection Act* (PIPA) applies to all information collected, used and disclosed by political parties, including information provided under the *Election Act*.

There are differences between the application of the *Election Act* for records that are required to be disclosed, and the other provisions of PIPA to information collected by political parties (for example, the collection of information with consent, or the collection of information from a public source).

The extent of this change helps to highlight:

- that only the narrow set of personal information required or authorized to be disclosed by the *Election Act* is subject to the electoral purposes authorization under s. 275 (3) (c), and
- that all other personal information collected, used and disclosed by political parties is subject to the other provisions of PIPA.

#### Discussion Questions

- Question: Could we have a practical example as to what will change?
- Answer: Yes, we can provide some plain language examples on our website.
- Question: Do I understand that this regulatory change would not impact the scope of information that we currently receive from EBC?
- Answer: The scope of information provided to political parties under the *Election Act* would not change.

Anton asked that members provide any feedback on the Regulation via email to [Arlene.Carlson@elections.bc.ca](mailto:Arlene.Carlson@elections.bc.ca) by Tuesday, September 1.

### 4. Update on Pandemic Election Protocols

Anton provided the following verbal update on the work that Elections BC has undertaken since the last EAC meeting to plan for an election conducted during a pandemic:

At the last meeting of the EAC I provided a detailed description of Elections BC's pandemic election contingency planning. This planning had been influenced by our research into approaches successfully used by other jurisdictions internationally, where elections had been held during the pandemic, as well as through our ongoing consultation with the Provincial Health Officer.

There were two key issues driving our planning. First, an election is a “high-touch” event in which millions of British Columbians participate. From a public health perspective in a pandemic, it is a high potential risk event. Both Dr. Henry and I believe that an election can be conducted safely in the pandemic, however many preventive measures will need to be put in place, and election processes will need to be adapted to keep voters and election workers safe. These adaptations are also necessary to maintain accessibility to voting processes during the pandemic, as well as to maintain the overall integrity of the electoral process.

Second, since the onset of the pandemic in our province some five months ago, it has become clear that it is not going away, and that it will be present in our society until a successful vaccine is developed and distributed province wide. Thus any election or by-election in B.C. within the next 14 months (and perhaps longer) will almost certainly be administered under some form of pandemic public health guidance. This reinforces that the adaptations being proposed are absolutely necessary.

Our planning used the framework of physical distancing, engineering controls, administrative controls and personal protective equipment as a means of assessing our electoral processes, and identifying where adaptations were necessary for reducing COVID-19 transmission hazards. This is the same approach that has been used by other B.C. organizations as part of all three phases of re-opening the province.

The adaptive protocols presented and discussed at the last EAC meeting have now been formalized in Elections BC’s safe voting place plans, which have been reviewed by the Safe Operations Working Group of the Provincial Health Officer.

Many of these adaptations have resulted in additional measures being put in place in voting places and electoral offices. Although different from what was done previously, the implementation of these new measures was straightforward as they were in areas not regulated by the *Election Act*. Rather some processes were re-engineered, training and reference material updated, and new supplies purchased. Examples of these types of adaptations include ensuring that voters are spaced a minimum of 2 metres apart throughout the voting process, adding sanitization stations and extra cleaning in voting places, and procuring portable acrylic barriers to be placed on voting tables between the election officials and voters. Some other adaptations, however, will require necessary variances from the *Election Act* in order to ensure voting place safety. The variances will be accomplished through Orders of the Chief Electoral Officer under s. 280 in response to the public health emergency and the extraordinary circumstances of the pandemic. Typically Orders are reactive; they are issued without external consultation in response to emerging circumstances during an election.

Because these Orders are intended to be proactive, I believe it is important that political parties are informed of these changes as early as possible, such that in the event of a by-election or early provincial election, there is clear understanding and communication about these specific adaptations.

Adaptations requiring variance from the Act through CEO Order can be categorized as those related to voting in a voting place, those related to alternative absentee voting (vote-by- mail), and those related to campaign finance and candidate representatives. Here is an overview of these adaptations.



## Voting in a voting place

These adaptations are necessary for two key reasons, reduced contact intensity and increased physical distancing.

Reducing contact intensity is critical to maintaining low public health risk by minimizing the requirements for election officials and voters to exchange materials and interact in close proximity. Adaptations in this category include:

- Removing the requirement for an advance voting certificate. Given use of the Voter Look-up tool in 2017 and the provision of advance voting turnout data to candidates and political parties through the secure download service, this certificate is now redundant.
- Removing the requirement for voters to sign the voting book. Election officials will now note which voters have voted after they affirm their eligibility.
- Replace other written declarations with oral declarations that voters will affirm.
- Having voters, rather than the election official, remove & discard the counterfoil from their ballot – this means the ballot can go straight into the ballot box after the voter marks it, rather than handing the ballot back to the election official first.
- Broadening the capacity for individuals to vouch for more than one voter in long-term care and acute care facilities (e.g. facility administrator vouching for the identity of care home residents). This will likely be very rarely used, but is necessary to preserve accessibility while also protecting these higher-risk voter populations.

Increased physical distancing in voting places is fundamental to reducing the potential for transmission of COVID-19. Distancing among voters can be accomplished through voting place planning and marking, as well as by spreading more voters out over all voting opportunities. Distancing among election officials, who come together from different households to work, is equally important but requires variance from the Act. Adaptations under physical distancing include:

- Reducing the number of election officials required at each voting station from a team of two seated side by side to a single election official. In all voting places there will remain a minimum of two election officials, including a supervisor. Not only will this enable better physical distancing, but it could also help mitigate the risk of recruiting election officials during the pandemic by reducing the numbers required.
- Adding an additional day of advance voting (seven days total, up from six). Alternative absentee voting with voting package (vote-by-mail)

One of the expected changes to voter behavior during a pandemic is a significantly increased demand to vote by mail. This has already been evidenced in pandemic elections in Australia and in this summer's recent primaries in the USA.

We conducted surveys in May and August to assess how voters felt about voting during the pandemic. Approximately 35% of voters said they would prefer to vote by mail, even given that voting places would have protective measures in place. In B.C. this could mean that as many as 800,000 voters may vote by mail in the next provincial election, dramatically more than past elections (typically around 6,500 voters vote by mail in a provincial election in B.C.). This in itself has significant consequences as, if this many voters do in fact vote by mail, their votes would not be counted until final count, which itself would need to be delayed to account for the significantly increased volume. Final count normally begins on the 13th day following General Voting Day (GVD), and lasts for up to three days. It is possible that final count may not be able to start until four weeks following GVD.

A number of alternative absentee voting provisions would need to be adapted to effectively respond to these exceptional circumstances and the potentially massive increase in vote-by-mail. These include:

- Removing the eligibility requirements for alternative absentee voting. This is a formal recognition of the de facto approach of Elections BC since 2009. It is essentially “no excuse” alternative absentee voting and will provide additional flexibility for voters to request vote-by-mail packages and vote at the office of the District Electoral Officer throughout the voting period, supporting physical distancing.
- Revising some voting package materials for vote-by-mail. The demand for vote-by-mail packages is anticipated to increase dramatically due to the pandemic. Vote-by-mail packages will use larger write-in ballots, and ordinary ballots following the close of nominations, to permit assembling and distributing high volumes of vote-by-mail packages. To help process received packages, the secrecy envelope will be replaced with a secrecy sleeve (as in the 2018 referendum) and, to encourage physical distancing by voters, the witness signature requirement on certification envelopes for vote-by-mail will be replaced with a space for voters to record their date of birth, which will act as a shared secret to confirm the voter’s identity.
- Replacing vote-by-mail requirements with mail-in voting requirements based on the *Election Amendment Act, 2019*; The provisions of this Act provide greater flexibility to the administration of vote-by-mail. This includes the capacity for voters to request replacement packages, and the aforementioned use of ordinary ballots for this voting opportunity following the close of nominations.
- Allowing completed packages to be returned to locations specified by the CEO and permit the receiving steps for completed packages to continue during preparations for final count. These adaptations provide greater flexibility for voters while also encouraging physical distancing. For completed vote-by-mail packages returned prior to the close of voting, permitting the receiving steps required by the *Election Act* to continue during the preparations for final count will provide greater flexibility to address the expected volumes (these steps are normally done immediately on the receipt of the voting package).
- Permitting some vote-by-mail certification envelope screening to begin prior to the close of voting. This includes steps like confirming voter eligibility and will enable greater flexibility to respond to the volume of vote-by-mail packages expected to be processed, as well as potentially shortening the time required to prepare for final count. For campaign financing, we will be adapting the provisions to make non-branded personal protective equipment, and other preventative measures necessary during the pandemic, not subject to expense spending limits. In these exceptional times it is important to ensure safe campaigning, and this change will make sure that measures intended to preserve public health and protect campaign staff, volunteers and members of the public do not adversely impact funds available to campaign.

For candidate representatives, the adaptation reinforces the physical distancing requirement in voting places, while allowing the maximum number of voters into voting places as space constraints allow. We intend to place limits on the number of candidate representatives in voting places, similar to current provisions under special voting in B.C., as well as changing some typical practices.

During voting, each voting place will have a minimum of two candidate representatives allowed to be present (excluding runners who will be picking up copies of bingo sheets on voting days). If space permits, up to one representative per candidate will be allowed, and for very large voting places there will be opportunities for increased candidate representative presence. As with the current rules related to special voting, the selection of candidate representatives will be by agreement between candidates, or by lot. The decision to allow additional representatives will be made by district electoral officers and will allow them to respond to the unique local circumstances.

During counting after the close of voting, each candidate will be allowed up to one representative per ballot box being counted.

In terms of changes to practices, representatives will not be permitted behind the rigid acrylic sneeze guards, and must adhere to voting place safety requirements including wearing masks and maintaining two metre distancing.

This adaptation is based on current requirements for special voting, and mirrors a new variance put in place in Saskatchewan for their upcoming fall election.

Anton invited questions and comments from committee members, and reminded them that they will receive a draft copy of the meeting minutes by the end of this week.

### Discussion Questions

- Comment: In the context of limits on candidate representatives and the increase in vote-by-mail, Elections Saskatchewan will be providing daily updates of mail-in ballots, I would like to request that EBC adopt a similar policy so we know who has voted.
- Answer: If there is a substantive increase in vote-by-mail ballots, that type of information would be akin to information we currently provide on advance voters. We will follow up with Elections Saskatchewan to see what they are doing and the rationale behind it. We will also review what may be possible in B.C.
- Question: How is EBC preparing for the increase in mail-in ballots, how will you decide how many will be printed? What does it look like from your end and how many are you planning to print in addition to the usual amount?
- Answer: We have researched the experiences in other jurisdictions, and conducted two surveys of voters to understand potential interest in voting by mail. The average of the two surveys shows that 35% of voters are interested in vote by mail. We are planning for up to eight hundred thousand requests. Vote-by-mail packages will have to include write-in ballots prior to the close of nominations. After the close of nominations, we will shift to printing and including ordinary ballots in these packages. Late in the election period, it may become impractical to get vote-by-mail packages out in time for them to be returned to us. In such cases voters will be given direction on where to go to vote in person. We are trying to design the vote-by-mail materials to reduce waste, so that most of them could still be used at a future time. Because vote-by-mail is a request based system, we are working with the Ministry of Citizens' Services to increase our call centre capacity. During a past general election, vote-by-mail packages were put together manually, but here we are looking at reusing and leveraging processes learned from the provincial vote-by-mail referenda.
- Question. Will you be using postage paid envelopes?
- Answer: Yes, return envelopes within Canada are postage paid. Packages sent to international destinations do not have postage paid return envelopes.
- Question: If my understanding of vote-by-mail is correct, any eligible voter who requests a package will get one? Will this entail a formalization of the process by CEO order? When will the order come forward?
- Answer: Correct. The Orders are being worked on now, but will only come into effect if/when an election is called.

- Question: Regarding receiving of vote-by-mail packages, a completed package has to be received by the end of the writ period, is that correct?
- Answer: No, the package must be received prior to the close of voting on General Voting Day. We are looking for expanded opportunities for returning packages via other channels as well as through the mail system. For example, voters could drop off a package at a voting location or DEO office.
- Question: Regarding telephone voting and the potential to expand it, will EBC expand this option to include all voters?
- Answer: No, this option would be reserved for high-risk voter groups and those with significant accessibility challenges. We are working on eligibility criteria for telephone voting which could include care homes, acute care hospitals, deployed military, First Nations. We simply do not have the infrastructure to support this method for all voters and our systems would be overwhelmed by calls. Australia developed this model for use by sight- impaired voters. During the pandemic elections in New South Wales in April, their telephone call centres were overwhelmed, mostly by voters who were not eligible to use that option. It is not an automated system, and is more complicated than it appears, requiring two election officials to process each voter and maintain the secrecy of the ballot. The universally accessible remote voting option is vote-by-mail.
- Question: If vouching is expanded, will it be expanded to other at risk groups who may not be in medical settings?
- Answer: We know this is potentially an issue in residential care homes and hospital settings where voters may not have access to their ID, and we are looking at it carefully. The current requirements for voter ID are as flexible as possible, and we conduct extensive outreach to ensure that voters can have the identification they need (for example, a prescription bottle would be accepted). While I believe we already have a flexible model, your point is well taken, and we will explore other areas where the lack of ID may be a barrier.
- Follow up Question: I am thinking specifically of temporary shelters during the pandemic and hoping they will be taken into consideration, as well as enfranchisement within First Nations communities.
- Answer: We welcome receiving any information around these other aspects and communities, and our team will look into these.
- Question: Regarding the variances proposed for removing the requirement for voters to sign the voting book, would a similar Order work for the nomination paperwork?
- Answer: That is a good question. When we approached this, we got a legal opinion, but didn't think an Order would be necessary given that we already had an option already permissible under the Act. There may be a more efficient model and we will have another look at that issue.

## 5. Closing Remarks

Anton Boegman thanked members for their comments and asked that they provide any feedback on the Regulation discussed by September 1.

The meeting was adjourned at 3:05 p.m.



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