



INFORMATION ON THE EFFECT OF THE NEW REPRESENTATION ORDER ON REGISTERED ASSOCIATIONS

GENERAL INFORMATION

The boundaries of the current 308 federal electoral districts are presently being revised. The 338 new districts will be described in a representation order, which **is expected** to be proclaimed in **September 2013**. The new boundaries will come into force on the day Parliament is dissolved for the first general election taking place at least seven months after the new representation order is proclaimed. That election is currently expected in October 2015.

As electoral district boundaries change, so will the registered associations that exist in respect of those districts. The *Canada Elections Act* (s. 403.22) and the *Electoral Boundaries Readjustment Act* (s. 25(3)) allow registered parties and their existing registered associations to adjust from the current 308 electoral districts to the future 338 electoral districts before the coming into force of the new representation order.

SUMMARY OF ASSOCIATIONS' OPTIONS

- A.** No change of district boundaries – no change to the status of an existing registered association: The association is automatically continued once the new representation order comes into force; it does not have to file any paperwork with Elections Canada.
- B.** Change of district boundaries – existing registered association files a notice of continuation with Elections Canada within the prescribed time limit: The registered association will continue for the new district once the new representation order comes into force.
- C.** Change of district boundaries – existing registered association fails to file a notice of continuation with Elections Canada within the prescribed time limit: The registered association will be automatically deregistered on the day the new representation order comes into force.
- D.** Association applies to register under the future boundaries: The association may be registered for a new district before the new representation order comes into force. Registration entails financial and administrative obligations: the association will have all of the rights and obligations of a registered association as set out in the *Canada Elections Act* even before the new representation order comes into force.

OPTION A:

NO CHANGE OF DISTRICT BOUNDARIES

Where the new representation order does not change the boundaries of an electoral district, a registered association for that district will be automatically continued. The association does not have to apply again. No paperwork is required.

OPTION B:

CHANGE OF DISTRICT BOUNDARIES – CONTINUATION

A registered association for an electoral district whose boundaries are changing can avoid deregistration by filing *General Form – Electoral District Association* (form EC 20383) with Elections Canada, stating under Section B that it will continue as the registered association for an electoral district described in the new representation order.

The chief executive officer of the association may file such a notice **after** the representation order is proclaimed. The form must be received at Elections Canada **before** the day on which the new representation order comes into force. If the next general election is held on the fixed election date of October 19, 2015, the filing deadline will likely fall in September 2015. The notice must be accompanied by the signed declaration and consent of the leader of the registered party with which the electoral district association is affiliated. It is thus imperative that registered associations consult with their registered party before filing a notice of continuation.

The official names of future electoral districts will be available once the new representation order is proclaimed. This information will be posted on the Elections Canada website at the time of the proclamation.

Any registered association that is continued under this process keeps the same rights, administrative obligations and financial obligations of a registered association under the legislation, without interruption. This option therefore provides a simple way for an existing association to seamlessly continue as the registered association for a new district, with minimal administrative work.

OPTION C: CHANGE OF DISTRICT BOUNDARIES – No CONTINUATION

Where the boundaries of an electoral district **are changing** under the new representation order, **even only slightly**, any registered association for the changed district will be **automatically deregistered** on the day on which the new representation order comes into force, unless a notice of continuation is filed (see Option B).

A deregistered association is required to file outstanding financial documents as well as a *Registered Association Financial Transactions Return* (form EC 20081) within six months after its deregistration.

If a registered association is deregistered because the boundaries of the electoral district have changed, it can dispose of its assets by transferring goods or funds to the registered party with which it is affiliated, or to any of the registered associations of that party, for up to six months after the deregistration, without such a transfer being considered a contribution.

OPTION D: ASSOCIATION APPLIES TO REGISTER UNDER FUTURE BOUNDARIES

If an association wishes to register for one of the future 338 electoral districts, it does not have to wait until the districts come into force on the dissolution of Parliament before a general election.

Rather, the chief executive officer of an association may file *General Form – Electoral District Association* (form EC 20383) with Elections Canada as soon as the new representation order is proclaimed (expected in September 2013), indicating under Section B that it wishes to register for a future district. The completed application must be accompanied by the signed declaration and consent of the leader of the registered party with which the electoral district association is affiliated.

Such a registration is effective immediately, even if the electoral district has not been formally created.

It is important to remember that registration entails administrative and financial obligations. Once the association is **registered**, it will have all of the rights and obligations of a registered association as set out in the *Canada Elections Act*, including the obligations to file the *Annual Statement of Registry Information* (form EC 20056 – due by May 31 every year), report changes to the information in the association's registry record within 30 days after changes occur, file the *Statement of Registered Association Assets and Liabilities* (form EC 20031 – due within six months of registration), and file the *Registered Association Financial Transactions Return* (form EC 20081 – due by May 31 every year).

QUESTIONS?

PLEASE CONTACT US IF YOU HAVE QUESTIONS.

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