

## Policy on Political Party Registration

Last updated: February 13, 2024

### 1. Effective date

This policy was approved by the Chief Electoral Officer (CEO) on February 13, 2024, and takes effect on March 22, 2024.

### 2. Purpose

The *Canada Elections Act* (the Act) gives the CEO, the head of Elections Canada, the authority to exercise the powers and perform the duties and functions that are necessary to administer the Act. The CEO exercises their power in alignment with the following principles of electoral integrity articulated in the [Electoral Integrity Framework](#): accessibility, fairness, independence, reliability, security, and transparency.

The purpose of this policy is to guide the decisions the CEO makes when registering and deregistering political parties, and to give Canadians a clear and transparent explanation of the agency's approach to registering political parties.

This policy guides the *Directive on the Triennial Review of Political Party Membership*.

### 3. Application

This policy applies to Elections Canada's activities that are related to registering political parties, maintaining a registry of political parties and deregistering political parties.

### 4. Objective

Elections Canada administers the regime, as outlined in the Act and according to the values described herein, in a way that allows that Canadians and eligible and registered political parties to understand how the political party registration system works.

### 5. Context

#### The role of political parties in elections

Political parties play a fundamental role in elections. Political parties work to gain popular support and represent their voters' interests in Parliament. As an extension of the right and freedom of Canadians to express their political beliefs, political parties promote ideas and policies that align with those political beliefs.

Parties play a fundamental role in financing and supporting candidates for office. Therefore, it is necessary to regulate political parties to achieve the objectives of transparency and fairness that are outlined in the Act.

#### Registration of political parties

In recognition of the important role of political parties, the Act allows registered parties to receive benefits, including access to public funding, issuing donor tax receipts, access to lists of electors

and having their party name on the ballots. The CEO is required to register a party if it meets the requirements outlined in the Act.

To promote transparency in election administration, and to make sure that only entities that meet the Act's definition of a political party have access to these benefits, parties are required to fulfill certain obligations. These obligations include updating their information and providing information on their financial transactions.

To make sure that parties meet these obligations, the CEO has the authority to deregister parties in cases specified in the Act.

### The Chief Electoral Officer's authority

Although the Act helps guide the CEO in exercising their authority, processes and procedures are needed to fill the gap between the Act and how it is administered.

This policy provides the framework for developing these processes and procedures. When implementing the law, the CEO must recognize that parties play an important role in the electoral process, including by protecting the right to be a candidate, as stated in section 3 of the *Canadian Charter of Rights and Freedoms*.

The Supreme Court of Canada recognizes that, while the *Canadian Charter of Rights and Freedoms* protects the benefits given to registered parties, such as public funding, the law must make sure that these benefits are given in a manner that protects the integrity of the political financing regime by making sure that they are only given to legitimate political actors.

## **6. Policy statement and requirements**

Consistent with its mandate under the Act and the objectives of the [Electoral Integrity Framework](#), Elections Canada upholds electoral integrity and preserves trust in the electoral process by registering, maintaining a registry of political parties and deregistering political parties in a way that is accessible, reliable, fair, secure, independent and transparent.

### **6.1 Accessibility**

Elections Canada registers parties that meet the conditions outlined in the Act to give Canadians access to competing parties; and the ability to freely and safely exercise their right to vote for a party that aligns with their political beliefs.

### **6.2 Fairness**

Elections Canada processes the documents related to registry for all political parties as outlined in the Act and applies consistent standards when assessing eligibility, regardless of the political party's platform.

Elections Canada treats all parties equitably when applying the Act.

### **6.3 Independence**

Elections Canada administers the political party registration system in accordance with the Act and independently from the government and partisan entities.

### **6.4 Reliability**

Elections Canada administers the political party registration process in a manner that is professional, predictable and consistent, and that allows applicant, eligible and registered political parties to understand the requirements of the political party registration system.

Elections Canada acts in a timely manner when administering the political party registration system, including when communicating with political parties or when referring matters to the Office of the Commissioner of Canada Elections.

### **6.5 Security**

Elections Canada verifies and keeps all documents related to the registration of political parties to protect the integrity of the political party registration system and make sure that only eligible parties can access benefits given to them by the Act.

Elections Canada refers potential offences to the Office of the Commissioner of Canada Elections in a timely manner.

### **6.6 Transparency**

Elections Canada communicates with political parties about required documents, deadlines and conditions for registering and maintaining party status, and takes reasonable steps to contact parties to ask for additional information when needed.

When a party fails to comply with the Act, Elections Canada lets them know what steps they must take in order to keep their status as a registered party. If they don't take the necessary steps to comply with the Act, they will be deregistered.

Elections Canada keeps a public up-to-date registry of political parties.

## **7. Roles and responsibilities**

For all roles and responsibilities related to Elections Canada's regulatory policy instruments, please refer to *Regulatory Policy Development and Management*.

## **8. Monitoring, evaluation and review**

This policy will be reviewed and updated upon the request of the CEO, who may be advised in this regard by the Deputy Chief Electoral Officer - Regulatory Affairs (DCEO-RA). The DCEO-RA is responsible for monitoring and evaluating this policy.

## **9. Inquiries**

Address any questions about this policy to: [politiqueregulatoire-regulatorypolicy@elections.ca](mailto:politiqueregulatoire-regulatorypolicy@elections.ca).