

The Decennial Electoral Redistribution, 2021-2023



**Briefing to the Canadian Study of
Parliament Group (CSPG)**

14 April 2023



Redécoupage
Circonscriptions fédérales

Redistribution
Federal Electoral Districts

Outline

- The Foundations of Electoral Redistribution
- The Representation Formula, October 2021
- The Representation Formula, July 2022
- Provincial Electoral Quotas under *EBRA*, July 2022
- Federal Electoral Quotients vs Provincial Electoral Quotas
- Timeline of the Decennial Electoral Redistribution I: Preliminary Steps
- Timeline of the Decennial Electoral Redistribution II: Readjusting the Electoral Districts
- Timeline of the Decennial Electoral Redistribution III: Drafting and Promulgating *Representation Orders*
- Role of Elections Canada in the Decennial Electoral Readjustment
- Role of the Independent Federal Electoral Boundaries Commissions I
- Role of the Independent Federal Electoral Boundaries Commissions II
- The Work of the Commissions, 2022-2023
- The Electoral Districts So Far in 2023

The Foundations of Electoral Redistribution

1. The Representation Formula in section 51(1) of the *Constitution Act, 1867*

- Determines the number of MPs, and thus seats, per province
- Relies on the Population Estimates of 1 July in the year of a decennial census
- Parliament amended this formula extensively in December 2011 and slightly in June 2022
- As of June 2022, we're on our 7th Formula
- October 2021: Alberta gained 3, British Columbia gained 1, Ontario gained 1, and Quebec lost 1. Total of 342.
- June 2022: Same, except that Quebec re-gained 1, bringing the total to 343.
- The territories each and separately get one MP and seat under s. 51(2)
- The CEO merely calculates how many MPs each province receives based on the Representation Formula that Parliament decides. This calculation is merely a mathematical operation over which the CEO exercises no discretionary authority.

2. The *Electoral Boundaries Readjustment Act (EBRA)*

- Determines how many people each MP represents in each province through the Electoral Quota
- Relies on the Population and Dwelling Counts of the Decennial Census, not the Estimates
- Outlines the criteria by which the Commissions establish new electoral districts and all timelines and steps in the process

The Representation Formula, October 2021

PROV	Pop. estimates July 1, 2011	Pop. estimates July 1, 2021	2011/2021 Growth rate	Initial allocation (Rule 1)	Senatorial Clause (51.A)	1985 Grandfather Clause (Rule 2)	Subtotal	Representation Rule (under Section 51.1 of the <i>Constitution Act, 1867</i>)						Total Seats	Seat gain/loss
								Applicability (Rule 4)	Population ratio	Seat ratio	Rule 3 (seats / pop.)	Rule 3 Allocation	Seat ratio after Rule 3		
NL	510 578	520 553	1.01954	5	1	1	7	yes	1.37%	2.08%	over	0	2.06%	7	0
PE	145 855	164 318	1.12658	2	2	0	4	yes	0.43%	1.19%	over	0	1.18%	4	0
NS	945 437	992 055	1.04931	9	1	1	11	yes	2.60%	3.26%	over	0	3.24%	11	0
NB	755 455	789 225	1.04470	7	3	0	10	yes	2.07%	2.97%	over	0	2.95%	10	0
QC	7 979 663	8 604 495	1.07830	71	0	4	75	yes	22.57%	22.26%	under	2	22.71%	77	-1
ON	13 372 996	14 826 276	1.10867	122	0	0	122	no				0	35.99%	122	1
MB	1 250 574	1 383 765	1.10650	12	0	2	14	yes	3.63%	4.15%	over	0	4.13%	14	0
SK	1 057 884	1 179 844	1.11529	10	0	4	14	yes	3.10%	4.15%	over	0	4.13%	14	0
AB	3 779 353	4 442 879	1.17557	37	0	0	37	no				0	10.91%	37	3
BC	4 573 321	5 214 805	1.14027	43	0	0	43	no				0	12.68%	43	1

Provinces Total Population	34 371 116	38 118 215		318	7	12	337							339	
Electoral Quotient 2012	111 166														
Avg. prov. growth rate			1,09647												
Electoral Quotient 2022	121 891														

The Representation Formula, July 2022

PROV	Pop. estimates July 1, 2011	Pop. estimates July 1, 2021	2011/2021 Growth rate	Initial allocation (Rule 1)	Senatorial Clause (51.A)	Grandfather Clause (Rule 2)	Subtotal	Representation Rule (under Section 51.1 of the <i>Constitution Act, 1867</i>)						Total Seats	Seat gain/loss
								Applicability (Rule 4)	Population ratio	Seat ratio	Rule 3 (seats / pop.)	Rule 3 Allocation	Seat ratio after Rule 3		
NL	510,578	520 553	1.01954	5	1	1	7	No	1.37%	2.08%	over	0	2.08%	7	0
PE	145,855	164 318	1.12658	2	2	0	4	No	0.43%	1.17%	over	0	1.17%	4	0
NS	945,437	992 055	1.04931	9	1	1	11	No	2.60%	3.21%	over	0	3.21%	11	0
NB	755,455	789 225	1.04470	7	3	0	10	No	2.07%	2.92%	over	0	2.92%	10	0
QC	7,979,663	8 604 495	1.07830	71	0	7	78	Yes	22.57%	22.74%	over	0	22.74%	78	0
ON	13,372,996	14 826 276	1.10867	122	0	0	122	No	38.90%	35.57%	under	0	35.57%	122	1
MB	1,250,574	1 383 765	1.10650	12	0	2	14	No	3.63%	4.08%	over	0	4.08%	14	0
SK	1,057,884	1 179 844	1.11529	10	0	4	14	No	3.10%	4.08%	over	0	4.08%	14	0
AB	3,779,353	4 442 879	1.17557	37	0	0	37	No	11.66%	10.79%	under	0	10.79%	37	3
BC	4,573,321	5 214 805	1.14027	43	0	0	43	No	13.68%	12.54%	under	0	12.54%	43	1

Provinces Total Population	34,371,116	38,118,215		318	7	12	337							340	
Electoral Quotient 2012	111,166														
Avg. prov. growth rate			1.09647												
Electoral Quotient 2022	121,891														

Provincial Electoral Quotas Under *EBRA*, July 2022

<u>The Decennial Census of 2021 and the Population of Canada</u>			
Province	Population	Number of MPs under the <i>Constitution Act, 1867</i>	Electoral Quota under the <i>Electoral Boundaries Readjustment Act</i>
Newfoundland and Labrador	510,550	7	72,936
Prince Edward Island	154,331	4	38,583
Nova Scotia	969,383	11	88,126
New Brunswick	775,610	10	77,561
Quebec	8,501,833	78	108,998
Ontario	14,223,942	122	116,590
Manitoba	1,342,153	14	95,868
Saskatchewan	1,132,505	14	80,893
Alberta	4,262,635	37	115,206
British Columbia	5,000,879	43	116,300
Yukon	40,232	1	n/a
Northwest Territories	41,070	1	n/a
Nunavut	36,858	1	n/a
Canada	36,991,981	343	n/a

Federal Electoral Quotient vs Provincial Electoral Quotas

- The Representation Formula in section 51(1) of the *Constitution Act, 1867*
 - Relies on the Population Estimates of 1 July in the year of a decennial census
- The *Electoral Boundaries Readjustment Act (EBRA)*
 - Relies on the Population and Dwelling Counts of the Decennial Census, not the Population Estimates
- Federal Electoral Quotient: 121,891
- Provincial Electoral Quotas vary from 38,583 to 116,590
 - Even Ontario falls below the Electoral Quotient of the Representation Formula
- The Estimates almost always come in higher than the Decennial Census
 - Builds room for growth into a system that lasts ten years
- Previous iterations of the Representation Formula also used the Census. Using the Estimates dates from 2011.

Timeline of the Decennial Electoral Redistribution I: Preliminary Steps

1. CEO calculations the number of MPs per province: 16 October 2021
 - s. 51(1) of *Constitution Act, 1867*
 - s. 12.1 and 14(1) of *EBRA*
2. Governor-in-Council establishes the independent Commissions: 1 November 2021
 - ss 3 to 8 of *EBRA*
3. Stats Can releases the Decennial Census of 2021: 9 February 2022
 - CEO sends these figures to the chair of each Commission
 - s 13 of *EBRA*
4. CEO re-calculates the number of MPs per province 9 July 2022
 - Parliament enacted a constitutional amendment to s. 51(1) of the *CA, 1867* in June 2022.
 - Only Quebec's total number of MPs changed, restored back up to 78.

Timeline of the Decennial Electoral Redistribution II: Readjusting the Electoral Districts

- | | |
|--|--------------------------------------|
| 5. Commissions publish their <i>Proposals</i> : | 27 April to 19 August 2022 |
| - s 14(2) of <i>EBRA</i> | |
| - published in the <i>Canada Gazette</i> | |
| 6. Commissions hold their public hearings: | 30 May to 8 November 2022 |
| - s 19 of <i>EBRA</i> | |
| - Must hold at least one | |
| - Notice published in the <i>Canada Gazette</i> and newspapers | |
| 7. Commissions publish their preliminary <i>Reports</i> : | 17 November 2022 to 10 February 2023 |
| - ss 20 and 21 of <i>EBRA</i> | |
| 8. MPs register their objections through PROC: | November 2022 to March 2023 |
| - s 22 of <i>EBRA</i> | |
| 9. Commissions consider MPs' objections and publish final <i>Reports</i> : | March to June 2023 (hopefully...) |
| - s 23 of <i>EBRA</i> | |

Timeline of the Decennial Electoral Redistribution III: Drafting and Promulgating the *Representation Orders*

10. CEO prepares draft of *Representation Orders* August 2023
 - s. 24 of *EBRA*
 - One for Quebec and one for the other nine because of the constitutional amendment from June 2022. Normally, there would only be one.
 - Contains the legal and geographic descriptions of all 343 ridings, from the Commissions' final *Reports* (plus the three territories).
11. Governor-in-Council promulgates the *Representation Orders*: September 2023
 - s 25 of *EBRA*
12. The *Representation Orders* enter into force 7 months later: April 2024
 - s 25 of *EBRA*
 - Any general election held at least 7 months later falls under the new *Representation Orders*; any held before, under the previous RO from 2013.
13. CEO prepares official maps of new electoral districts September 2023 – April 2024
 - s 28 of *EBRA*
 - Works with NRCan to make maps of all electoral districts, individually and by province

Role of Elections Canada in the Decennial Electoral Readjustment

- Parliament enacts, and Elections Canada administers.
- Elections Canada acts as an intermediary throughout the decennial electoral redistribution between the independent Federal Electoral Boundaries Commissions for the ten provinces and the Speaker of the House of Commons, as well as with respect to Statistics Canada, Natural Resources Canada, *Canada Gazette*, etc.
- Elections Canada provides administrative and technical support to the independent Commissions
- The independent Federal Electoral Boundaries Commissions then decide how to establish the boundaries of electoral districts within each province, following the rules under *EBRA*.

Role of the Independent Federal Electoral Boundaries Commissions I

- Each Commission consists of a chair appointed by the chief justice of the province and two members appointed by the Speaker of the House of Commons.
 1. Proposes a new electoral map
 2. Consults with Canadians through public hearings and invites written submissions
 3. Considers feedback on its *Proposal* and submits a preliminary *Report* to the House of Commons
 4. Considers objections from members of the House of Commons
 5. Prepares a final *Report* establishing the names and boundaries of the electoral boundaries.
- Commissions consider comments from Canadians and objections from MPs and then make the final decisions themselves.

Role of the Independent Federal Electoral Boundaries Commissions II

- *EBRA* gives Commissions broad discretion, and the ten *Reports* from 2022 show varying approaches and rationales.
- Section 15(1) of *EBRA* outlines “Rules” by which the Commissions “shall” establish electoral districts in each province.
- Electoral Quota = population of province / number of MPs
- The population of each district remains “as closely as reasonably possible” to the electoral quota. (s.15(1)(a)), ideally 0% variance but up to $\pm 25\%$ variance.
- But Commissions must take into consideration: (s.15(1)(b))
 - communities of interest
 - communities of identity
 - the historical pattern of an electoral district
 - and a manageable geographic size for districts in sparsely populated rural and northern regions
- Section 15(2) outlines “departure from rules” which the Commissions “may” take for the following reasons:
 - “to respect the community of interest [...] or identity in or the historical pattern of” a riding
 - “to maintain a manageable geographic size” of “sparsely populated, rural or northern regions”
- Commissions can push beyond $\pm 25\%$ variance “in circumstances viewed by the commission as being extraordinary”

The Work of the Commissions, 2022-2023

Commission	Publishing the Proposal	Holding Public Hearings	Submitting the Preliminary Report	Number of Objections	PROC Publishes Its Studies of the Objections
Newfoundland & Labrador	28 June 2022	15 August to 16 September 2022	7 December 2022	0	8 February 2023
Prince Edward Island	2 May 2022	7 to 9 June 2022	29 November 2022	0	8 February 2023
Nova Scotia	27 April 2022	30 May to 27 June 2022	17 November 2022	4	20 March 2023
New Brunswick	16 June 2022	7 to 29 September 2022	30 November 2022	3	20 March 2023
Quebec	29 July 2022	6 September to 13 October 2022	1 February 2023	18	
Ontario	19 August 2022	26 September to 8 November 2022	10 February 2023	23	
Manitoba	16 June 2022	7 to 22 September 2022	6 December 2022	2	20 March 2023
Saskatchewan	9 May 2022	20 June to 14 July 2022	6 December 2022	3	20 March 2023
Alberta	10 June 2022	6 September to 14 October 2022	2 February 2023	5	
British Columbia	2 May 2022	6 June to 28 September 2022	8 February 2023	16	

- The Commissions for Nova Scotia, New Brunswick, Manitoba, and Saskatchewan are finalising their addenda for the disposition of objections.
- The *Reports* for Newfoundland & Labrador and Prince Edward Island registered no objections.
- PROC should soon table its studies on the objections for Quebec and Alberta, and then – hopefully – complete its studies for British Columbia and Ontario

The Electoral Districts So Far in 2023

- In 2022, the Commissions for Newfoundland and Labrador, Ontario, and Saskatchewan invoked the Exceptional Circumstances Clause in section 15(2) on a total of 5 ridings, which diverge by more than negative 25% of their provinces' electoral quotas.
 - Labrador
 - Kenora – Kiiwetinoong
 - Thunder Bay – Rainy River
 - Thunder Bay – Superior North
 - Desnethé—Missinippi—Churchill River
- Overall, 48 of 343 electoral districts remained intact in the preliminary *Reports*.
 - 1 in Labrador, 1 in Nova Scotia, 24 in Quebec, 15 in Ontario, 1 in Alberta, & 3 in British Columbia
 - This could change once the Commissions finish their disposition of objections in response to PROC

Thank You!



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