

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

ATTORNEY GENERAL OF ONTARIO

Appellant
(Respondent)

– and –

**WORKING FAMILIES COALITION (CANADA) INC., PATRICK DILLON,
PETER MACDONALD AND ONTARIO ENGLISH CATHOLIC TEACHERS’
ASSOCIATION, ELEMENTARY TEACHERS’ FEDERATION OF ONTARIO and
FELIPE PAREJA AND ONTARIO SECONDARY SCHOOL TEACHERS’
FEDERATION AND LESLIE WOLFE**

Respondents
(Appellants)

– and –

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ASSOCIATION and DAVID ASPER CENTRE FOR CONSTITUTIONAL RIGHTS**

Interveners

**FACTUM OF THE INTERVENER,
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(Pursuant to Rules 37 and 42 of the *Rules of the Supreme Court of Canada*, S.O.R./2002-156)

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PART I – OVERVIEW

1. The issue in this appeal is whether Bill 307’s amendments to the *Election Finances Act* (the “*EFA*”)¹ violate the informational element of a citizen’s right to vote under s. 3 of the *Canadian Charter of Rights and Freedoms* (the “*Charter*”).² Bill 307 re-enacted third-party spending limits that were declared invalid under s. 2(b) of the *Charter*, and invoked s. 33 to override ss. 2 and 7 to 15 and protect those spending limits from *Charter* review.³ The question in this appeal is whether limits on third party spending that are unconstitutional under s. 2(b) are also an unjustifiable violation of s. 3.

2. The CFE makes three submissions. First, the fundamental principles of democracy and democratic accountability are a cornerstone of the *Charter* and inform the interpretation of s. 3 in this appeal. Section 3’s entitlements must be vigilantly protected at all times, but especially when s. 2(b)’s rights of democratic participation and their vital role in the process of self-government are negated through a government’s reliance on the override.

3. Second, every citizen must have a genuine opportunity to participate in the governance of the country. Section 3’s guarantee of the right to vote extends to rights of meaningful participation, and includes a citizen’s right to cast an informed vote and a right of access to information that might influence their vote.⁴ Bill 307’s third party spending limits violate s. 3 because they restrict voter access to information that could influence their vote for a period of twelve months prior to the next fixed-date election.

4. Third, the test for breach under s. 3 is whether the government has undermined the right to vote.⁵ Criteria that address issues of justification must be excluded from s. 3 and considered only

¹ [R.S.O. 1990, chapter E.7.](#)

² *The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK)*, [1982, c 11.](#)

³ The predecessor legislation, [Bill 254](#), was declared invalid in *Working Families Ontario v. Ontario*, [2021 ONSC 4076](#) [*“Working Families P”*]. [Bill 307](#) re-enacted the legislation and [s. 53.1\(1\)](#) added a declaration that the law would operate notwithstanding [s. 2](#) and [s. 7](#) to [s. 15](#) of the *Charter*. [Bill 307, Protecting Elections and Defending Democracy Act, 2021, SO 2021, c. 31.](#)

⁴ *Figueroa v. Canada (Attorney General)*, [2003 SCC 37](#), [*“Figueroa”*] at [para. 54.](#)

⁵ *Figueroa*, [2003 SCC 37](#) at [para. 54.](#)

under s. 1, as the scope of s. 3 is not subject to countervailing interests or values. Limits on the right to cast an informed vote raise questions of justification that are subject to a standard of strict justification under s. 1 of the *Charter*.

PART II – STATEMENT OF ISSUES

5. The CFE’s submissions address issues raised in this appeal, as follows: (i) how the principle of democratic accountability and s. 33’s legislative override inform the interpretation of s. 3’s democratic rights; (ii) the scope of s. 3 and the right of every citizen to cast an informed vote; and (iii) the standard of breach under s. 3 and the importance of excluding countervailing interests and values from consideration in determining whether a government has violated the right to vote.

PART III – STATEMENT OF ARGUMENT

A. The fundamental principles of democracy and democratic accountability are the cornerstone of the Charter and inform the interpretation of s. 3’s democratic rights

6. *Working Families II* marks the first time that override legislation forms the backdrop to an interpretation of s. 3’s democratic rights.⁶ There is a symbiotic relationship between these provisions that requires vigorous enforcement of the right to vote, not only to protect s. 3’s democratic rights, but also to legitimize the use of s. 33. The text of the *Charter* grounds that relationship by explicitly linking the *Charter*’s democratic rights and s. 33’s override provision to the fundamental principles of democracy and democratic accountability.

7. Sections 4 and 5 of the *Charter* address these principles and ensure that political parties elected to power are accountable to the democratic community. Section 4 prohibits federal and provincial legislatures from continuing for more than five years, and s. 5 requires federal and provincial legislatures to have a sitting at least once every twelve months.⁷

8. Textual limits on the use of the legislative override demonstrate that the principle of democratic accountability is also the underlying assumption of s. 33. First, s. 33(1) sets a standard of transparency, requiring a “sufficiently express declaration of override” that can draw attention

⁶*Working Families Coalition (Canada) v. Ontario (Attorney General)*, [2023 ONCA 139](#) [“*Working Families IP*”].

⁷[Sections 4, 5, the Charter](#).

to a government’s decision to override *Charter* rights and promote public debate.⁸ Second, s. 33(3)’s sunset clause places a five-year expiration date on legislation that overrides *Charter* rights or freedoms.⁹ The five-year limits in s. 33(3) and s. 4 are harmonized to provide symmetrical protection to the principle of democratic accountability and ensure that a government must face the electorate pursuant to s. 4 before an override provision can be renewed.¹⁰

9. Third, the *Charter*’s democratic rights—and especially s. 3—are excluded from s. 33 to prevent the override being used to limit the right to vote and undermine the principle of democratic accountability. The legitimacy of s. 33 and its principle of democratic accountability are contingent on a robust interpretation of s. 3 that prohibits interference with the democratic process.¹¹ The *Charter*’s democratic rights must be vigorously enforced to protect the integrity of these core democratic functions.¹²

10. The Court of Appeal for Ontario decision in this appeal cited CFE’s submission that the symbiotic relationship between s. 33 and s. 3 “militates for a broad and robust interpretation of voting rights under s. 3 to ensure s. 33’s core principle of democratic accountability”, agreeing that the values of a free and democratic state, including democratic rights and accountability, lie at the core of s. 3.¹³

11. Section 3’s entitlements must be vigilantly protected at all times, but especially when s. 2(b)’s rights of democratic participation and their vital role in the process of self-government are subject to a legislative override under s. 33. Override legislation that undermines the integrity of the *Charter*’s democratic rights does not comply with s. 33’s principle of democratic

⁸ *Ford v. Quebec*, [1988] 2 SCR 712 at 743, 1988 CanLII 19 (SCC) at para. 35.

⁹ Section 33(3), *the Charter* (stating that a declaration under s. 33(1) shall cease to have effect five years after it comes into force or on such earlier date as may be specified).

¹⁰ Section 33(4), *the Charter* (providing that Parliament or a provincial legislature may re-enact an override declaration under s. 33(1)).

¹¹ Jamie Cameron, “The Text and the Ballot Box: Section 3, Section 33, and the Right to Cast an Informed Vote”, in Peter Biro, ed., *The Notwithstanding Clause and the Canadian Charter* (Canada: McGill-Queen’s University Press, 2024), 383.

¹² Cameron, “The Text and the Ballot Box”, 386.

¹³ *Working Families II*, 2023 ONCA 139, at paras. 58, 59 (emphasis added).

accountability. As Zwibel states, to ensure that s. 33 fulfills its function as a tool of democratic accountability, the *Charter*'s democratic rights should be understood expansively to ensure that the override is not used “to interfere with or undermine the electoral systems that form the foundation of our democracy.”¹⁴

B. Under s. 3 of the Charter, every citizen has the right to vote, the right to cast an informed vote, and a right of access to information that might influence their vote

12. The s. 3 issue in this appeal arises from earlier litigation invalidating Bill 254's third party spending limits under s. 2(b) and Bill 307's use of a s. 33 declaration to protect those provisions from s. 2(b) and other provisions of the *Charter*.¹⁵ As Bastarache J. indicated in *Thomson Newspapers v. Canada*, the right to vote and right to free expression may overlap, but each is distinct and must be given effect.¹⁶ In *Harper v. Canada*, Justice Bastarache added that the right to meaningful participation cannot be equated with the exercise of freedom of expression.¹⁷ Under Bill 307, the s. 2(b) rights of third parties and others are negated by the override, and the only issue in this appeal is whether legislative restrictions on third party political spending infringe s. 3's distinctive right to vote, and in particular, the right to cast an informed vote.

13. It is well established that s. 3's democratic rights must be given a robust interpretation. In *Sauvé v. Canada*, Chief Justice McLachlin described the right to vote as the “cornerstone of democracy” and stated that a broad and purposeful interpretation is particularly critical because of s. 3's untrammelled language and exemption from s. 33.¹⁸ It is precisely when legislation threatens

¹⁴ Cara Faith Zwibel, “Section 3, the Right to Vote, and Democratic Accountability”, in Peter Biro, ed., *The Notwithstanding Clause and the Canadian Charter* (Canada: McGill-Queen's University Press, 2024), 374.

¹⁵ After *Working Families I*, [2021 ONSC 4076](#) invalidated Bill 254's spending limits, [Bill 307](#) re-enacted the legislation and added a declaration overriding [s. 2](#) and [s. 7](#) to [s. 15](#) of the *Charter*. [Section 53.1\(1\)](#), *Protecting Elections and Defending Democracy Act, 2021*, [SO 2021, c. 31](#)

¹⁶ *Thomson Newspapers v. Canada (Attorney General)*, [\[1998\] 1 SCR 877](#) [“*Thomson*”] at 935, [1998 CanLII 829 \(SCC\)](#) at para. 80.

¹⁷ *Harper v. Canada*, [2004 SCC 33](#) [“*Harper*”], at para. 67.

¹⁸ *Sauvé v. Canada (Chief Electoral Officer)*, [2002 SCC 68](#) [“*Sauvé*”] at para. 14. See also *Thomson*, [\[1998\] 1 SCR 877](#) at 935, [1998 CanLII 829 \(SCC\)](#) at para. 79 (stating that s. 3's immunity from s. 33 clearly places the guarantee “at the heart of our constitutional democracy”);

to undermine the foundation of participatory democracy that courts must vigilantly protect the integrity of the system.¹⁹

14. The right to cast a ballot is sacrosanct but does not exhaust the scope of the entitlement. In *Figueroa* the Court stated that s. 3’s rights are participatory in nature and have “an intrinsic value”.²⁰ That principle—of participation by the citizenry—affirms that the sovereign power in democracy resides in the people as a whole and each citizen must have the “*genuine opportunity*” to take part in the governance of the country.²¹ In interpreting the scope of the guarantee, *Figueroa* stated that the right of each citizen to participate in “the political life of the country” is the “central focus of s. 3” and, for that reason, the guarantee must extend beyond the “bare right to vote” to include rights of meaningful participation.²²

15. Section 3’s right to vote encompasses a bundle of entitlements that protects the right of meaningful participation in the electoral process, the right of effective representation, and the right to cast an informed vote.²³ *Figueroa* held that the right to play a meaningful role in the governance of the country is contingent on access to information that might influence a citizen’s views about an election and how to exercise their vote. As a result, s. 3 protects the right of each citizen to exercise the right to vote in a manner that accurately reflects his or her preferences, and that requires access to information about, among other things, a party, its platform, and its candidates.²⁴

16. The hallmark of Canada’s system of democracy is open dialogue and debate that promotes “an open society with the benefit of a broad range of ideas and opinions”.²⁵ A venerable jurisprudence prior to and throughout the *Charter*’s evolution has identified open discussion as a

and *Figueroa*, at [para. 30](#) (stating that in the absence of meaningful participation in the governance of the country, “ours would not be a true democracy”).

¹⁹ *Sauvé*, [2002 SCC 68](#) at para. 36.

²⁰ *Figueroa*, [2003 SCC 37](#) at [para. 29](#).

²¹ *Figueroa*, [2003 SCC 37](#) at [paras. 19](#), [26](#), and [29](#) (emphasis added).

²² *Figueroa*, [2003 SCC 37](#) at [para. 26](#).

²³ *Figueroa*, [2003 SCC 37](#) at [para. 29](#).

²⁴ *Figueroa*, [2003 SCC 37](#) at [para. 54](#).

²⁵ *Figueroa*, [2003 SCC 37](#) at [paras. 28](#) and [53](#).

foundation and the *sine qua non* of a functioning democracy.²⁶ A single but important example is the *Alberta Press Case*, where Chief Justice Duff stated that democratic institutions draw their efficacy from the “free public discussion of affairs, from criticism and answer and counter-criticism, from attack upon policy and administration and defence and counter-attack” and depend on “the freest and fullest analysis and examination from every point of view of political proposals”.²⁷ That principle is as timely under the *Charter* and in this appeal as it was in the decades before the *Charter* was enacted.

17. In *Harper v. Canada*, the Court affirmed that spending limits on third party electoral participation can undermine the informational element of the right to vote, but found no breach of s. 3.²⁸ It is critical to emphasize that the context in *Harper* was a federal election campaign and writ period of 50 days.²⁹ The Court noted that the spending limits did not apply prior to the writ period and found that there was no violation of s. 3’s right to cast an informed vote during an election campaign. In that setting, *Harper* held that spending limits in place during an electoral campaign did not prohibit third parties from conducting a “modest informational campaign”.³⁰

18. *Harper v. Canada* does not inform the question of breach in this appeal because the context of Bill 307 and the nature of the violation are fundamentally different. Bill 307’s third party spending limits restrict voter access to substantial information on matters of government accountability for a period of twelve months prior to the next election. Pursuant to the provincial

²⁶ See, e.g., *Reference re Secession of Quebec*, [1998] 2 SCR 217. The jurisprudence established the principle of free and open discussion, as a core element of democratic governance, prior to the *Charter*. See, e.g., *Reference re Alberta Legislation*, [1938] SCR 100; *Boucher v. The King*, [1951] SCR 265; *Saumur v. Québec (City)*, [1953] 2 SCR 299; and *Switzman v. Elbling*, [1957] SCR 285.

²⁷ *Reference re Alberta Legislation*, [1938] SCR 100, at 133.

²⁸ *Harper*, 2004 SCC 33 at paras. 73 and 74.

²⁹ Under the *Canada Elections Act*, the writ period can be no longer than 50 days. *Canada Elections Act*, SC 2000, c 9, s. 57(1.2)(c). The federal regime now regulates third party advertising for 2.5 months before the election writ. *Canada Elections Act*, SC 2000, c 9, s. 349.1(1).

³⁰ *Harper*, 2004 SCC 33 at para. 74. The Court explicitly noted that the spending limits at issue did not apply outside the period of the writ. *Harper*, 2004 SCC 33 at para. 112.

system of fixed-date elections, governments in Ontario hold office for a period of four years.³¹ Consequently, under Bill 307 spending limits that restrict voter access to information on a range of issues are in force for one-quarter, or 25%, of a government’s mandate—the entirety of its last year in office.³²

19. The right to vote is at the center of Canada’s system of democracy and democratic accountability. It must be vigilantly protected at all times. This is especially true where, as here, the voter’s right to cast an informed vote is infringed through restrictions on the s. 2(b) rights of third parties that are subject to a *Charter* override under Bill 307.

C. Section 3’s test for breach is whether the government has undermined the right to vote; criteria that address questions of justification are excluded from this test and must be considered under s. 1’s analysis of reasonable limits

20. The Court has consistently held that limits on rights of meaningful participation can only be addressed under s. 1, cautioning that an “overly narrow” definition of the right to vote would diminish the quality of Canadian democracy.³³ Under *Figueroa v. Canada*, the test for breach in every case is whether legislation undermines the meaningful participation of voters in the democratic process. The issue in this appeal is whether pre-election spending limits that restrict voter access to information on issues of government accountability undermine the right to cast an informed vote.³⁴

21. In determining whether the government has undermined this right and violated s. 3, courts can consider material factors; these factors include the scope of the restriction on voter access to information; the temporal proximity of limits to the next election; the timing and duration of limits; the nature of the information affected by limits; and the impact of limits on the right to cast an informed vote. The key question is whether the nature and gravity of the government’s limit on voter access to information undermines their right to cast an informed vote.

³¹ *Election Statute Law Amendment Act*, [S.O. 2016, c. 33](#), s. 7.

³² *Election Statute Law Amendment Act*, [S.O. 2016, c. 33](#), s. 7.

³³ *Frank v. Canada (Attorney General)*, [2019 SCC 1](#) [“*Frank*”], at [para. 27](#) (per Iacobucci J.).

³⁴ *Figueroa*, [2003 SCC 37](#) at [para. 54](#) (asking whether the legislation “undermines” the right of each citizen to information that might influence their decision to cast an informed vote).

22. In *Figueroa*, the Court held that the definition of s. 3 and scope of its entitlement are not subject to balancing, and that countervailing values have no place in the interpretation and definition of the right.³⁵ As the Court explained, the purpose of s. 3 is not to protect the values or objectives that might be found in the electoral process, but to protect the right of each citizen to play a meaningful role in the process.³⁶ Justice Iacobucci’s majority opinion in *Figueroa* addressed the issue squarely, holding that the government cannot violate s. 3’s democratic rights to advance other values without justifying the infringement under s. 1.³⁷

23. The test for breach of s. 3 excludes criteria that raise issues of justification. Incorporating such criteria into the interpretation of the right is wrong in principle, because it narrows the scope of entitlement and blurs the concepts of breach and justification. Doing so is also problematic because it impermissibly shifts the s. 1 burden on government to the rights holder, who is then required to address the reasonableness of limits to establish a breach. In *Working Families II*, the Court of Appeal for Ontario erred in applying the egalitarian model and two proxies from *Harper v. Canada* to determine whether Bill 307 violates the right to vote.³⁸

24. First, the egalitarian model played a prominent role in determining the constitutionality of third party spending limits under s. 2(b), but only as an element of justification in the s. 1 analysis of reasonable limits.³⁹ Under this jurisprudence, the egalitarian model provides a clear example of the countervailing interests and democratic benefits that *Figueroa* excluded from consideration under s. 3. Whether limits on voter access to information that address and promote egalitarian values are permissible does not raise a question of breach under s. 3, but of justification under s. 1. Under the Court’s established jurisprudence, the egalitarian model can only be addressed under s. 1.

25. Second, the Court of Appeal’s reliance in *Working Families II* on two “proxies” from *Harper v. Canada*—careful tailoring and a “modest informational campaign”—also applied s. 1

³⁵ *Figueroa*, [2003 SCC 37](#) at [para. 36](#).

³⁶ *Figueroa*, [2003 SCC 37](#) at [para. 36](#).

³⁷ *Figueroa*, [2003 SCC 37](#) at [para. 31](#).

³⁸ *Working Families II*, [2023 ONCA 139](#) at [para. 93](#) (“modest informational campaign”) and [paras. 87-92](#) (“careful tailoring”).

³⁹ *Harper*, [2004 SCC 33](#); *Libman v. Québec*, [\[1997\] 3 SCR 569](#).

criteria in interpreting s. 3. In discussing and applying the first proxy of careful tailoring, the Court of Appeal for Ontario stated that the burden of showing “an absence of careful tailoring” was on the rights holder, and not the Attorney General.⁴⁰ This proxy is wrong in principle because it overtly and impermissibly places an onus on the rights holder to disprove under s. 3 what the government is required to demonstrate under s. 1, which is the proportionality of spending limits.

26. *Harper’s* second proxy of a modest informational campaign addressed spending limits during the prescribed writ period of an election campaign. By contrast, Bill 307’s third party spending limits are in place for twelve months prior to the next election and, as such, are not comparable to temporal limits that apply during a campaign. In addition, this proxy is justificatory in nature because the issue is whether spending limits prevent third parties from being able to conduct a modest informational campaign.⁴¹ In other words, the question is whether limits that do not preclude a modest campaign satisfy the requirements of minimal impairment and proportionality. Under a proper analysis of breach under s. 3, this proxy cannot in principle be applied to reduce the scope of the entitlement and can only be considered under s. 1. The proxy of a campaign does not address the circumstances of spending limits that restrict third party spending and voter access to information for a period of twelve months prior to an election.

27. Under s. 1, a violation of s. 3 is subject to a strict standard of justification. In *Frank v. Canada (Attorney General)*, Chief Justice Wagner confirmed the key s. 1 principle that intrusions on s. 3, “this core democratic right”, are to be reviewed “on the basis of a stringent justification standard”.⁴²

28. To summarize, the scope of s. 3 is not restricted by countervailing interests, values, or factors that might justify limits on the right to cast an informed vote. The Court of Appeal for Ontario’s application of the egalitarian model and *Harper* proxies under s. 3 departed from Supreme Court jurisprudence emphasizing that justificatory criteria cannot be considered under s. 3. That approach respects the distinction between breach and justification, including the

⁴⁰ *Working Families II*, [2023 ONCA 139](#), [para. 89](#) (stating that the onus was not on the Attorney General to demonstrate that the restrictions were “carefully tailored”) (emphasis added).

⁴¹ *Harper*, [2004 SCC 33](#), at para. 74.

⁴² *Frank*, [2019 SCC 1](#) at [para. 25](#).

respective onuses of proof under ss. 3 and 1, and protects the integrity of the right to vote—the cornerstone of democracy and the principle of democratic accountability. As stated, the question to be answered in every case is whether the government has undermined s. 3’s rights of participation. In this appeal the issue is whether Bill 307’s limits on third party political spending for the final twelve months of a government’s mandate violate the right to cast an informed vote and the right to information that might influence their vote.

D. Conclusion

29. In this appeal, the issue is whether Bill 307’s limits on third party political spending for the final twelve months of a government’s mandate violate the right to cast an informed vote and the right to information that might influence that vote. As stated, the question to be answered in every case is whether the government has undermined s. 3’s rights of participation. Under the framework of interpretation submitted by the CFE, Bill 307 violates s. 3 of the *Charter* and the government’s infringement of the right to cast an informed vote must be justified under s. 1’s analysis of reasonable limits.

PART IV – SUBMISSIONS ON COSTS

30. The CFE seeks no costs and asks that no costs be awarded against it.

PART V – ORDER

31. The CFE takes no position on the disposition of the appeal.

PART VI – SUBMISSIONS ON PUBLICATION

N/A


ALL OF WHICH IS RESPECTFULLY SUBMITTED this 1st day of May 2024.

Per:



**Laura M. Wagner | Alicia Krausewitz |
Jamie Cameron | Christopher D. Bredt**
Counsel for the Intervener,
Centre for Free Expression

Per:



Nadia Effendi
Agent for the Intervener,
Centre for Free Expression

PART VII – AUTHORITIES

Caselaw

No.	Authority	Paragraph Reference
1.	<i>Boucher v. The King</i> , [1951] SCR 265	16
2.	<i>Figueroa v. Canada (Attorney General)</i> , 2003 SCC 37	14, 15, 20, 22, 24
3.	<i>Ford v. Quebec</i> , [1988] 2 SCR 712	8
4.	<i>Frank v. Canada (Attorney General)</i> , 2019 SCC 1	20, 27
5.	<i>Harper v. Canada</i> , 2004 SCC 33	12, 17, 18, 23-26, 28
6.	<i>Libman v. Québec</i> , [1997] 3 SCR 569	24
7.	<i>Reference re Alberta Legislation</i> , [1938] SCR 100	16
8.	<i>Reference re Secession of Quebec</i> , [1998] 2 SCR 217	16
9.	<i>Saumur v. Québec (City)</i> , [1953] 2 SCR 299	16
10.	<i>Sauvé v. Canada (Chief Electoral Officer)</i> , 2002 SCC 68	13
11.	<i>Switzman v. Elbling</i> , [1957] SCR 285	16
12.	<i>Thomson Newspapers v. Canada (Attorney General)</i> , [1998] 1 SCR 877	12, 13
13.	<i>Working Families Coalition (Canada) v. Ontario (Attorney General)</i> , 2023 ONCA 139	6, 10, 23 ,25
14.	<i>Working Families Ontario v. Ontario</i> , 2021 ONSC 4076	1, 12

Secondary Sources

No.	Secondary Source	Paragraph Reference
1.	Cara Faith Zwibel, “Section 3, the Right to Vote, and Democratic Accountability”, in Peter Biro, ed., <i>The Notwithstanding Clause and the Canadian Charter</i> (Canada: McGill-Queen’s University Press, 2024), 374	11
2.	Jamie Cameron, “The Text and the Ballot Box: Section 3, Section 33, and the Right to Cast an Informed Vote”, in Peter Biro, ed., <i>The Notwithstanding Clause and the Canadian Charter</i> (Canada: McGill-Queen’s University Press, 2024), 383 and 386	11, 12

Statutes, Regulations, Rules, etc.

No.	Statute, Regulation, Rule, etc.	Section, Rule, Etc.
1.	<i>Canada Elections Act</i> , SC 2000, c9	s. 57(1.2)(c) s. 349.1(1)
	<i>Loi électorale du Canada</i> , LC 2000, c 9	s. 57(1.2)(c) s. 349.1(1)
2.	<i>Election Finances Act</i> , RSO 1990, c E.7	Generally
	<i>Loi sur le financement des élections</i> , LRO 1990, c E.7	En général
3.	<i>Protecting Elections and Defending Democracy Act</i> , 2021, SO 2021, c.31	Generally s. 53.1(1)
	<i>Loi modifiant la Loi sur le financement des élections</i> , LO 2021, c 31	En général s. 53.1(1)
4.	<i>The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK)</i> , 1982, c 11	s. 2 ss. 4 and 5 s.7 to s. 15 s. 33(1), s. 33(3) s. 33(4)

No.	Statute, Regulation, Rule, etc.	Section, Rule, Etc.
	<i>Loi constitutionnelle de 1982, Annexe B de la Loi de 1982 sur le Canada (R-U), 1982, c 11</i>	s. 2 ss. 4 et 5 s.7 to s. 15 s. 33(1), s. 33(3) s. 33(4)

PART VII – STATUTES, REGULATIONS, ETC.

Election Statute Law Amendment Act, [S.O. 2016, c.33](#), s.7

<p><i>Election Statute Law Amendment Act, S.O. 2016, c.33, s.7</i></p>	<p>Loi visant à modifier certaines lois en ce qui concerne les élections provinciales, LO 2016, c 3, s. 7</p>
<p>7. Subsection 9 (2) of the Act is repealed and the following substituted:</p> <p>First Thursday in June</p> <p>(2) Subject to the powers of the Lieutenant Governor referred to in subsection (1), general elections shall be held on the first Thursday in June in the fourth calendar year following polling day in the most recent general election</p>	<p>7. Le paragraphe 9 (2) de la Loi est abrogé et remplacé par ce qui suit :</p> <p>Premier jeudi de juin</p> <p>(2) Sous réserve des pouvoirs du lieutenant-gouverneur visés au paragraphe (1), des élections générales sont tenues le premier jeudi de juin de la quatrième année civile qui suit le jour du scrutin de la dernière élection générale.</p>

Protecting Elections and Defending Democracy Act, [2021, SO 2021, c.31](#), s.53(1)

<p><i>Protecting Elections and Defending Democracy Act, 2021, SO 2021, c.31, s.53.1</i></p>	<p>Loi modifiant la Loi sur le financement des élections, LO 2021, c 31 s. 53.1</p>
<p>Application of Charter and Human Rights Code</p> <p>53.1 (1) Pursuant to subsection 33 (1) of the Canadian Charter of Rights and Freedoms, this Act is declared to operate notwithstanding sections 2 and 7 to 15 of the Canadian Charter of Rights and Freedoms.</p>	<p>Application de la Charte et du Code des droits de la personne</p> <p>53.1 (1) Conformément au paragraphe 33 (1) de la Charte canadienne des droits et libertés, la présente loi est déclarée avoir effet indépendamment des articles 2 et 7 à 15 de la Charte.</p>