Ontario Citizens’ Assembly

A Mixed Member Proportional model for all of Ontario

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ABSTRACT

This MMP model builds upon the Report of the Quebec Citizens’ Committee. It calculates proportionality on a province-wide basis and attributes seats to regional lists, achieving a relatively high degree of proportionality while adding only 27 list seats to the current 103-seat Legislature (20 per cent of 130 seats). It is simulated using results from the 1999 and 2003 elections, with 10 equal regions comprised of 13 seats each (10 or 11 single-member-district and 2 or 3 list seats), and maintains regional equality by attributing list seats to the parties’ highest averages using the per cent share of the vote (rather than total votes) in each region. The model also incorporates optional preferential voting in single-member districts to ensure that voters, not negotiators, decide who forms the government and the opposition. It obliges the parties to register their candidate selection rules to ensure that all nominations are transparent and democratic. It uses financing rules and vote thresholds to encourage province-wide party organizations as well as the creation of registered aboriginal parties for aboriginal candidates to run province-wide campaigns.

INTRODUCTION

The Ontario government’s proposed 60 per cent referendum threshold, including 50 per cent voter support in 65 or more of Ontario’s 107 single-member-district seats (Ontario 2006a), means that any electoral system proposed by the Citizens’ Assembly must be designed to attract a large majority of voters province-wide while ensuring that a majority in 42 or more ridings do not reject it. The Mixed Member Proportional (MMP) model set out in this paper attempts to combine these two seemingly divergent goals by providing a model designed to give its potential supporters many reasons to vote YES while persuading potential opponents not to vote NO. Its more positive elements might include calculating each party’s share of the vote province-wide, thereby providing a

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fairly high degree of proportionality, and attributing list seats equitably on the basis of regional lists. But the model also seeks to address at least four concerns that might lead a majority in 40 per cent of Ontario’s ridings to reject MMP: that it could cause the less-populated regions to lose political power to the larger urban centres; that it could take power away from the voters to decide which party becomes the government and which becomes the opposition, allowing party officials to negotiate coalitions after the polls have closed; that candidates on party lists under MMP seem to be chosen by party leaders and not the members; and that MMP could lead to the rise of fringe and extremist parties.

But designing an electoral system that gives prospective NO voters more reasons to stay home is not enough, on its own, for any proposal to exceed the 60 per cent vote threshold. An electoral system proposed by the Citizens’ Assembly’s must first be about giving the majority many positive reasons to rally behind a model that will arguably lead to real democratic change in the politics of Ontario and in the lives of all Ontarians. With these two challenges in mind, Part I of this paper sets out an MMP model using 10 equal regional districts—each comprised of not less than 10 and not more than 11 single-member districts—and 27 list seats—the same number of seats removed under 1996 legislation—for a total of 130 seats and 13 seats per region. Simulations of this model using the results of the 1999 and 2003 elections are set out in Schedules 5 and 6. The model attempts to ensure maximum proportionality with relatively few list seats by calculating these on a province-wide basis but attributing them to the parties on the basis of democratically-selected regional lists, in the order of the highest averages determined by dividing each party’s per cent vote in each region by the total number of seats it wins.
Assuming that the parties under MMP present separate lists for each regional district, the effect would be to direct the attribution of the party’s list seats first to those regions where the party had the least representation under the current system.\(^2\)

Part II examines the prospects for stable and effective governments and legislatures under MMP. To this end it examines the merits of a recent British proposal to combine MMP with Optional Preferential Voting (OPV) in single-member districts, as a way to promote direct voter participation in the selection of the government and opposition, rather than leaving these decisions to be negotiated after the election. By giving voters the option of ranking two or more of the candidates in single-member district elections, OPV would likely ensure that some MPPs would be elected with the support of voters whose first preference was for other, smaller parties. If these smaller parties also succeeded in electing MPPs on the party list, the dynamic in the Legislature would presumably allow for greater cooperation among at least some single-member-district and list MPPs in different parties, as a reflection of the voters’ preferences that elected the former, even if their leaders and whips were unable to reach common ground.

Part III examines the party-registration system in Ontario and the role of parties as self-regulating, private voluntary associations. It argues that the registered parties under MMP should be required to follow democratic procedures in candidate selection, and to file with Elections Ontario their respective rules and membership requirements governing

\(^2\) This is a modification of the classic d’Hondt method of using the parties’ total number of votes to attribute list seats. It is an attempt to reconcile the stated objective of the Quebec Citizens’ Committee that MMP should neither increase nor decrease the balance of regional interests (Quebec 2006a: 13), with Massicotte’s (2002: 48) observation that in Germany the use of regional party-vote totals for each region for the attribution of regional list seats (shared among the regions based on the total list seats allocated to each party nation-wide) has the effect of reducing the representation of those regions where the voter turnout is lower (i.e. eastern Germany) relative to other regions (i.e. western Germany).

\(^3\) This effect is maintained in the simulations with the addition of a rule that allows a party to keep its list seat in a region if it won no single-member-district seats there, even if another party’s “average” quotient
candidate selection, both as a measure to promote more transparent and accessible party
nominations and as a precondition for placing their parties’ names on the ballot. It also
suggests that any statutory requirement that the parties adopt democratic candidate-
selection procedures should be subject to the *Canadian Charter of Rights and Freedoms*.4

Part IV looks at the relationship between the electoral system and party
organizations, and suggests measures to encourage province-wide parties to campaign
and to run candidates in every single-member district—much as they do now—in the
event that MMP were adopted. Part V looks at the representation of women, minorities
and aboriginals under the present system, and examines ways in which MMP, combined
with measures such as changes to the parties’ candidate selection procedures and the
creation of registered aboriginal parties, could increase their numbers in the Legislature.

**PART I: A PROVINCE-WIDE LIST VOTE WITH REGIONAL LISTS**

The recent experience of a select committee of the Quebec legislature,5 which
held public hearings on a draft bill to change the province’s electoral system from FPTP
to MMP, reflects the culmination of nearly forty years of public debate on voting-system
reform in Quebec (Doody and Milner 2004). The *Report* of the Citizens’ Committee
(Quebec 2006a) provides a useful overview of the Canadian public’s expectations for
MMP, and suggests how MMP might be adapted to reflect the divergent interests of

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[Charter].
5 The *Select Committee to study the draft bill to replace the Election Act* [Select Committee] (Quebec
2006b) was comprised of 9 members of the National Assembly (5 Liberal, 3 PQ, 1 ADQ) and 8 citizens
[Citizens’ Committee] selected randomly under a process supervised by Quebec’s Director General of
Elections. The Citizens’ Committee sat as an integral part of the Select Committee during the public
Ontario, whose geographic and demographic profile is similar to neighbouring Quebec’s. The Quebec Draft Bill, introduced in December 2004, would modify the province’s electoral system by introducing a single-vote compensatory MMP model, based on 77 single-member district seats and 50 “district seats”, divided among 24 to 27 “regional districts”, for a total of 127 elected members. Each regional district would normally be comprised of two district seats—to be attributed to the parties proportionately in accordance with the d’Hondt method—and three single-member district seats—with possible exceptions to accommodate the less densely populated single-member districts of Ungava and the Magdalen Islands (Quebec 2006c: 25).

Most of the citizens appearing before the Select Committee argued that the relatively small number of district seats to be allotted within each regional district created a de facto vote threshold of between 15 to 17 per cent before a party could be assured of winning a district seat, and that a province-wide calculation of list seats would have been more appropriate in order to maximize proportionality (Quebec 2006a: 8-9, 12-13, 15, 18-19). Despite the government’s argument that single-vote MMP has been used successfully at the provincial level in Germany (Massicotte 2004: 45-52), the vast majority of citizens appearing before the Committee categorically rejected the single-vote model on the grounds that it did nothing to address the problem of strategic voting—and might even make it worse—by allowing the major parties to make use of voters’ strategic single-member district votes in the attribution of the district seats (Quebec 2006a: 9).

The hearings of the Quebec Select Committee suggest that a province-wide calculation of the parties’ list vote, combined with regional lists that neither increase nor

hearings held in the winter of 2006. It wrote its own Report (Quebec 2006a) and submitted it to the Select Committee, but did not otherwise take part in writing the Select Committee’s Report (Quebec 2006c).
decrease the existing balance of political interests between the regions, has the best chance of ensuring that a majority of citizens across Ontario will accept MMP. To this end, the Citizens’ Committee recommended an innovative model that attempts to combine province-wide calculation with regional lists while “maintaining the political weight of the regions”, in effect derogating from the usual (for MMP) principle of mathematical precision in the distribution of list seats in favour of a “reasonably proportional” distribution across the regions (2006: 13, 18). Thus, in theory at least, the model differs from MMP in countries like Germany that calculate the parties’ entitlement to list seats on the basis of their country-wide vote, which is then distributed to each party according to its relative performance in each region—meaning that the party’s list-seat entitlement might vary between the regions based on the voter turnout in each region.

The Citizens’ Committee model breaks down in practice, however, with regard to the criterion of maintaining the existing political balance between the regions. The Committee’s model would still rely on the relative weight of the parties’ vote in each region to determine the allocation of list seats between the regions, meaning that the more densely populated regions would still be allocated more list seats than the less populous ones. Despite statements about the need to “reinforce the sentiment of belonging to an existing democratic space” when establishing regional-district boundaries, what the

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6 Draft Bill, Election Act, 1st Sess., 37th Leg., Québec, 2004 [Draft Bill].
7 Quebec 2006a: 18. “[UNOFFICIAL TRANSLATION] The model that we propose involves a national [i.e. province-wide] compensation with an attribution of seats according to a regional compensatory distribution. In other words, the total number of compensatory seats to which each party would be entitled would first be fixed according to a [province-wide] basis, that is to say by taking into account the total of votes for a party. These seats would then be distributed between the regions (on the basis of regional lists) according to a formula that compensates the under-representation of seats in each region. In other words, the first compensatory seat of Party A would go to the region where the party was the most under-represented (relative to the votes expressed in the region and to the [single-member] ridings obtained [therefrom]) and where the list seats would be still available. The result of this model would be an attribution of seats that is very proportional at the [province-wide] level (relative to the total of votes expressed) and reasonably proportional at the regional level.” [original italic; underline added]
Committee seems to be proposing is the adoption of the principle of absolute voter equality for the regional districts (Quebec 2006a: 15-16). Absolute voter equality is a marked departure from the Canadian practice of legislating to allow for variances, among single-member districts, that take account of differences in demography, geography and population density. Furthermore, the Supreme Court of Canada has specifically rejected the principle of absolute voter equality as the basis for voting rights under the *Charter*, deciding instead that each voter has a right to “effective representation” within the confines of reasonable variances in voter population among electoral districts.\(^9\)

For these reasons, I have chosen an MMP model that calculates the parties’ list vote province-wide, attributes seats to the parties using regional lists, and strives to be neutral in its impact on the balance of regional interests. In contrast to the Citizens’ Committee approach, my model uses each party’s province-wide vote totals to determine the total number of list seats to which each party is entitled, then uses each party’s per cent share of the vote in each region to allocate the parties’ list seats from regional lists. To illustrate, I have divided the electoral map of Ontario into 10 regional districts, each of which is comprised of not less than 10 and not more than 11 single-member districts.\(^10\)

The 10 regional-district names are the same for the electoral maps based on 103 and 107 single-member district seats (Schedules 1 and 2)—the latter incorporating the boundary changes and additions that will apply to the 2007 provincial election—although the actual regional-district boundaries under MMP would likely be drawn by an independent electoral commission. Since the boundaries of each regional district are dependent on

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\(^8\) Note 2 *supra*.


\(^10\) What is required for the model to work is that the boundaries of the regional districts be based not on population but on a more-or-less equal grouping of single-member districts. This means that the model incorporates the variances for the single-member districts into the boundaries of the regional districts.
those of 10 or 11 single-member districts, the composition and boundaries of the regional districts would change along with each redistribution of the boundaries of the single-member districts. Aside from the criterion of district magnitude based on the number of single-member districts, the boundary commissioners could also be asked to draw the regional-district boundaries in a manner that would facilitate regional meetings of party members, although, strictly speaking, this will always be relatively more difficult for less densely-populated regions.

To illustrate how my MMP model works, I have completed simulations using the results of the 1999 and 2003 Ontario elections (Schedules 1, 3, 4, 5 and 6), using the parties’ province-wide vote totals as if they were the result of a distinct list vote. The relatively low number of list seats in my model—27 out of 130, or about 21 per cent of the total—is deliberate and can be justified on two related public-policy grounds. First, it illustrates the effectiveness of a province-wide calculation of the list vote, achieving a result close to true proportionality with a comparatively small proportion of list seats. Second, the number 27 has both a political and a symbolic value because it is equal to the number of seats that were removed from the legislature under the Representation Act, 1996. It thus becomes possible to argue, politically at least, that my MMP model does not add any new seats but merely restores the 27 that were removed from the legislature 10 years ago, this time as list seats.11 It would probably also make it more difficult for opponents of MMP to direct their appeal to the public’s cynicism about politicians and

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11 Another advantage of adding 27 list seats to the 103 single-member-district seats in the simulations was that each of the 10 regions, whether comprised of 10 or 11 single member district seats and 2 or 3 list seats, was equal at 13 seats each. With the move to 107 single-member-district seats, however, it might be useful to consider increasing the number of list seats from 27 to 33, simply to keep each region’s total equal at 14.
legislators, effectively eliminating as an issue in the debate on whether to adopt MMP the requirement to increase the total number of elected members (Quebec 2006: 17-18).

The results of my simulation come very close to true proportionality for 1999 (Schedules 3 and 5), and only slightly less so for 2003 (Schedules 4 and 6) when the Liberals obtained nearly 50 per cent of the vote—and more single-member district seats than they were entitled to given their share of the vote—while the PCs obtained less than 40 per cent. The calculations use the Sainte-Laguë method (New Zealand 2006) to determine the province-wide entitlement to list seats. In the case of the simulations for the 2003 elections, I have provided for two hypotheses: one based on 27 list seats (Hypothesis A), the other based on the addition of 9 extra list seats (Hypothesis B), for a total of 36, in order to bring the opposition parties up to their per cent share of seats in the 130-seat Legislature (Schedules 4 and 6). In the latter case, the Liberal party would keep all of its single-member district seats even if, by virtue of its share of the vote, it was entitled to fewer seats. In a provincial Parliament comprised of 130 seats for 1999, the PCs have 60 (or 46.2 per cent) of the seats with 46.3 per cent of the vote (adjusted to remove the parties that fell below the 5 per cent threshold), the Liberals 53 (or 40.8 per cent) of the seats and 40.9 per cent of the vote (adjusted), and the NDP with 17 (or 13.1 per cent) of the seats and 12.9 per cent of the vote (adjusted) (see Schedules 1 and 3).

For 130 seats in 2003 (Hypothesis A), the Liberals have 72 (or 55.4 per cent) of the seats with 48.5 per cent of the vote (adjusted), the PCs 41 (or 31.5 per cent) of the seats with 36.2 per cent of the vote (adjusted), and the NDP have 17 (or 13.1 per cent) of the seats with 15.4 per cent of the vote (adjusted). For 139 seats in 2003 (Hypothesis B), the Liberals have 72 (now 51.8 per cent) of the seats with 48.5 per cent of the vote (adjusted), the PCs 47 (or 33.8 per cent) of the seats with 36.2 per cent of the vote...
(adjusted), and the NDP have 20 (or 14.4 per cent) of the seats with 15.4 per cent of the vote (adjusted) (see Schedules 1 and 4). Thus by adding extra seats for one Legislature only, in order to bring the parties’ share of 130 seats up to their share of the popular vote (Hypothesis B), the model is able to achieve a higher degree of proportionality than if no seats are added (Hypothesis A). Nevertheless, despite this advantage I prefer Hypothesis A to Hypothesis B because it would likely be easier to explain to voters and would allow its proponents to argue that the model does not add any new seats to the Legislature.

Schedules 5 and 6 set out the distribution of list seats among the ten regions for the 1999 and 2003 simulations respectively. In Step 1 of Schedules 5 and 6, the total number of votes for each party in each region is first determined, then divided by the total number of party votes above the 5 per cent threshold in the region, to arrive at the per cent share of the vote in the region for each party. In Step 2, each party’s per cent share of the vote is divided by the number of single-member-district seats elected by the party in the region (Schedule 1), plus 1 (the modified d’Hondt formula). Each party’s province-wide allocation of list seats (see Schedules 3 and 4 for 1999 and 2003 respectively) is then distributed among the regions in the order of the party’s highest averages, subject only to the rule that the maximum number of list seats for any party in any region is 3. Since the highest averages determined in Step 2 of Schedules 5 and 6 have been determined on the basis of each party’s per cent share of the popular vote rather than on the total number of votes, there is no advantage given to the regions that have a higher number of voters.

In Step 3 of Schedules 5 and 6, the parties’ regional distribution of list seats as determined in Step 2 is then allocated between the parties, subject to three rules. The first rule is that the “cap” or maximum number of seats per region is determined by adding the
total number of single-member-district and list seats province-wide and dividing by 10, rounding upwards if necessary. Second, if the maximum number of seats per region is exceeded following the allocation of the parties’ list seats as determined in Step 2, those list seats are allocated between the parties based on the order of the highest averages. If, as a result of a regional “cap”, a party’s list seat as determined in Step 2 cannot be allocated, that party’s list-seat allocation is transferred to the party’s next highest average in a region where the “cap” has not yet been reached. Third, if a party won no single-member-district seats in a region and was allocated a list seat there under Step 2, it keeps that seat even if another party’s average is higher. The result is a regional allocation of list seats based on a system of highest averages and clear rules. Although in some regions the effect is not always very proportional—notably where more than one list seat in a region has been reallocated due to regional “caps”—the distribution of the parties’ seats between the regions overall can be described as reasonably proportional, as well as being equitable in its treatment of parties that are under-represented in certain regions.

PART II: PARTY COOPERATION ON THE GROUND AND IN THE HOUSE

MMP has been criticized on the grounds that it shifts the power to select and to remove governments from voters at election time to party negotiators after the election, when coalitions or other arrangements are sometimes struck among two or more parties to ensure that the government has a majority in the legislature to implement its program. Seeking to forestall the type of protracted negotiations that followed New Zealand’s first MMP elections in 1996, the Independent Commission on the Voting System [Jenkins Commission] in the United Kingdom, in its 1998 Report, recommended the adoption of MMP for the House of Commons with a form of preferential voting—more commonly
known as the Alternative Vote (AV) but more accurately described in Jenkins’s case as Optional Preferential Voting (OPV)—in single-member districts. Jenkins writes:

126. Under our system, AV would have a number of positive features which persuade a majority of us that it would be superior to FPTP as a method of choosing constituency representatives. First, there will be many fewer ‘wasted votes’ in the constituency side of the election, and far more votes will potentially influence the result. This, we hope, will encourage turn-out and participation. Second, it would encourage serious candidates to pitch their appeal to a majority of their constituents, rather than just seeking to target a hard-core minority of the party faithful. This should lead to more inclusive politics than FPTP. Third, because second and subsequent preferences may count, it will discourage individual candidates from intemperate attacks on their rivals, since they will be hoping to gain their second votes and will not wish to alienate their supporters. This should contribute to the more consensual and less confrontational politics to which the majority of the public appear to aspire.

127. On top of these arguments, the use of AV has one other and crucial advantage. AV counters one important objection to electoral reform. This is the tendency to transfer power from voters to the subsequent deals of politicians. … New Zealand is an example of the potential disadvantage of using FPTP for constituency elections under a mixed system. For using FPTP means that each party in each constituency will seek to confront all others in order to maximise its own seats in the election, doing any necessary deals only after the polls have closed. By contrast, the use of AV in constituencies strongly militates against this.

To these four I would add a fifth argument that OPV in single-member-districts is consistent with the Canadian Charter value of freedom of expression. OPV would arguably enhance Ontarians’ freedom of expression by letting each voter choose whether to vote categorically for one candidate, or ordinally for two or more candidates, rather than being forced by law to make a single categorical choice, as voters in Canada are today when exercising their right to vote. OPV, in contrast to AV in elections to the federal Australian House of Representatives, does not introduce another element of compulsion into the electoral system whereby voters there are obliged to express a

12 Although Jenkins refers simply to “AV” in the text, it is clear from the sample ballot set out in Annex B of Vol. I that what AV refers to in the Report is actually OPV, as the words “Rank as many candidates as you wish” mean that voters are not obliged to mark a preference for each candidate.
preference for each candidate or else have their ballot rejected and none of their preferences counted. OPV merely allows voters to express (a) a single categorical preference, as voters do under FPTP, (b) preferences for two or more, but not all, candidates or (c) preferences for each candidate, in the order of the voter’s choice (Queensland 2002). Even when voters are free to order their preferences, however, studies have shown that most voters do not exercise this right. Thus if OPV in single-member districts were introduced as part of MMP elections in Ontario, its most radical impact would likely be on the level of collaboration between MPPs of different parties.

PART III: PARTIES AND CANDIDATE NOMINATIONS IN ONTARIO

Although Ontario is the only province where party names do not appear on the ballot, this does not mean that parties play any less of a role here than they do elsewhere. Even though political parties are not required by law to register, only registered parties have the right to apply to Elections Ontario for a partial reimbursement of their election expenses. Furthermore, candidates who do not have the support of a registered political party rarely meet the minimum threshold required for a partial reimbursement of their campaign expenses. Only when the nomination papers are filed does the candidate agree to submit to Elections Ontario a document stating that he or she is the registered party’s duly selected candidate, following which the candidate becomes eligible for a

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13 To facilitate the administration of OPV in combination with MMP, I would argue that only voters’ first preferences should be considered for the purpose of the vote thresholds described in Part IV.

14 Despite having the freedom to express more than one preference, 60 per cent of Queensland voters in the 2001 State elections, as surveyed by the Electoral Commission of Queensland, still expressed their preference using a single, categorical vote, the same way that Canadians are obliged to express their preference (Australianpolitics.com 2002).

15 Election Finances Act, R.S.O. 1990, c. E-7, s. 44(1) (reimbursement of 20 per cent of the campaign expenses of candidates who receive at least 15 per cent of the vote in their district) and (6) (reimbursement
partial reimbursement of campaign expenses. However, registered parties remain private voluntary associations in terms of their internal candidate selection procedures.

Ontario’s election system provides a good example of the distinction between candidate selection, which is governed primarily by private party rules and procedures, and candidate nomination, which refers to the public, statute-enacted rules whereby candidates’ and (as the case may be) parties’ names are placed on the ballot (Ranney 1981: 75). Although the method chosen for placing party names on ballots applies only to candidate nominations, any model chosen for nominations ultimately affects the parties’ candidate selection procedures as well. At one extreme, candidate nominations at the federal level and in Saskatchewan, Quebec and the Atlantic provinces all require a letter from the party leader, or a person designated by the leader, stating that the candidate has been endorsed by the party, giving the leader a statutory veto over the parties’ candidate selection procedures without regard for party democracy. At the other extreme, New Zealand, with a party-registration system similar to Ontario’s, refers in its nomination process to the selection procedures set out in each party’s constitution, and requires an updated copy of that constitution to be filed with the electoral authority as a condition for that party’s registration. Under this model, the parties remain self-regulating entities but their candidate selection procedures become a matter of public record, which in theory should promote more transparency and openness for all prospective candidates. Other candidate-nomination models fall between these two types.

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of registered parties’ expenses in districts where the party receives at least 15 per cent of the vote [$0.05 \times (\text{No. of eligible voters in district(s) where the party receives at least 15 per cent})$] [Election Finances Act].

16 Electoral Act 1993 (N.Z.) S.N.Z. c. 87 (Reprinted as at 17 June 2005) [New Zealand Electoral Act], s. 71 [“Requirement for registered parties to follow democratic procedures in candidate selection”] and 71B [“Obligation to provide copy of party membership rules and candidate selection rules”] (Bennett 2002).
If the Citizens’ Assembly were to recommend that party names be placed on the ballot, a candidate-nomination model similar to New Zealand’s would present several advantages over the model used at the federal level. First, the New Zealand model would not require making changes to the existing system of party registration or to the parties’ legal status as private voluntary associations. Furthermore, the obligation of the Chief Election Officer to receive copies of the parties’ candidate selection and party membership rules under a New Zealand-type model would be analogous to the role the CEO already plays under the *Taxpayer Protection Act, 1999.*\(^{17}\) Second, since candidates in each district would be more clearly identified with a political party, voters would be better able to hold those candidates to account, whether for their party’s program, its candidate-selection procedures or its legislative or government record. Party names on ballots would also help voters to structure their choice, raising voters’ awareness of the number of registered-party candidates running in their district and allowing voters to better assess the quality of the parties’ respective platforms.

Third, by making public the candidate selection and party membership rules of all the registered parties, candidate selection and nomination as a whole would arguably be made more transparent, and open up the process to previously excluded groups such as women and minorities, thereby promoting stronger voter participation in the democratic process and making parties more effective in engaging the electorate. Fourth, the New Zealand candidate-nomination model would apply not only to list candidacies but also to candidate nominations in single-member-districts. Embedded within a proposal to adopt

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\(^{17}\) S.O. 1999, c. 7, Sched. A, s. 4. The CEO reviews the written statements of the party leaders to ensure that they contain “a clear, concise and unambiguous description of the proposed [tax] increase, the proposed new tax or the proposal to give an authority to tax,” (s. 4(2)) If the CEO decides that the statement is clear, it is submitted to the Clerk of the Assembly; if the CEO decides otherwise, it is returned to the party leader.
MMP, the model would presumably make it more difficult for opponents of reform to argue that candidate nominations under MMP would be less democratic than they are under the present system, and more difficult to argue that the status quo is the “least worst” option in terms of promoting party democracy. Lastly, while outside the scope of this paper, it is useful to note that a recent Supreme Court of Canada decision effectively overturning the actions of the Chief Electoral Officer of Canada in de-registering a political party also recognized the right of citizens to play a “meaningful role in the electoral process.”

Since all government action is subject to the Charter, the actions of the CEO, or the statutory requirement that party nominations be subject to democratic rules, or both, could in theory at least give rise to a cause of action under the Charter.

PART IV: ELECTORAL SYSTEMS AND PARTY ORGANIZATIONS

For most citizens, political parties are probably the most visible part of the electoral system. Electoral systems influence what political scientists call the “party system”, or the way in which parties organize themselves during and between elections (Duverger 1954). We can refer to an “Ontario party system” as including all the registered parties governed by the province’s electoral laws. Yet the possible adverse effects of electoral reform on the party system, from a citizen’s perspective, sometimes appear to be neglected or even ignored by some proponents of reform. Clearly, FPTP and MMP promote different types of party organizations, and any decision to switch to MMP would mean changes to the party system in Ontario. What kind of political party system might Ontarians expect under MMP? Is it possible to design an MMP system that would

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allow Ontarians to keep those aspects of the party system under FPTP that they like, while allowing more party types, and more proportionate representation, in the legislature under MMP? Such an exercise requires, first, identifying which elements of the party system under FPTP that Ontarians would like to keep and, second, thinking about ways in which the party system under MMP might be able to promote those same characteristics among new and more proportionate party types.

What aspects of the party system under FPTP do Ontarians value and would want to preserve under MMP? At least in the case of the three parties represented in the legislature, the Ontario party system can be said to promote the emergence of party organizations that seek to maximize their province-wide vote by nominating candidates and contesting seats in every district. Among the parties’ incentives to maximize their single-member district and province-wide votes simultaneously is a minimum 15 per cent vote threshold per riding, required under the Election Finances Act not only for a 20 per cent reimbursement of the riding candidate’s election expenses but also for the receipt by the registered party of a $0.05 subsidy for each eligible voter in the riding. The smaller registered parties whose candidates do not meet this minimum threshold are not entitled to the partial reimbursement or to the public funding. Beyond the normal partisan differences over policy and in the parties’ concentration of regional support, it can be said that the existence of a double 15 per cent vote threshold in Ontario works to the advantage of parties that avoid direct appeals to narrow regional or ideological factions and instead try to appeal to a broad electorate—simultaneously in single-member districts and in the province-wide campaign—because a party that appeals to a narrow faction to

19 Note 15 supra, ss. 44(1) and (6).
surpass the 15 per cent barrier in one or more single-member districts is unlikely to be able to achieve the same feat for a large number of candidates province-wide.

Minimum-vote thresholds are commonly used as a condition for the attribution of list seats under MMP in countries such as Germany (Sasse 1979: 73-74). A threshold based entirely on 5 per cent of the vote would likely discourage party organizations in Ontario from directing their appeal to geographically or ideologically narrow factions. The use of a 5 per cent minimum-vote threshold as a condition not only for the attribution of list seats, but also for the reimbursement of election expenses and the receipt of public funding, might also be an effective way to encourage registered parties under MMP to run province-wide campaigns and to nominate candidates in every single-member district. It might also be an effective way to encourage more women and minorities to become candidates (Quebec 2006a: 40). For example, by requiring parties to win at least 5 per cent of the province-wide vote—either in the party’s cumulative vote in all the single-member districts or in the party’s list vote—as a condition for the attribution of list seats, smaller parties in Ontario would have an incentive to run candidates in every single-member district and on the list—or at least not to neglect one vote at the expense of the other—thereby increasing voter choice. Furthermore, by linking subsidies and reimbursements to the lowest of either the single-member district vote or the list vote in each single-member district, the parties would be discouraged from concentrating all their resources on the list vote, like the Green and the Senior Citizens’ Unity parties in Scotland, which did not run candidates in single-member districts in the 2003 election (Lynch 2004: 152-53).

20 By contrast, Germany requires the winning of at least three single-member districts, or 5 per cent nationwide on the list vote, as a condition for the attribution of list seats (Sasse 1979:73; Massicotte 2002: 41-42).
PART V: QUOTIENTS FOR WOMEN, MINORITIES AND ABORIGINALS

The MMP model proposed in this paper uses a system of highest quotients calculated using the Sainte-Laguë method which, in simulations for the 1999 and 2003 elections, suggest that a list candidate of a registered party in Ontario could be elected to the legislature with as few as 33,000 votes province-wide, assuming that the party met the 5 per cent vote threshold. In the case of women and minority groups, the reduction in the threshold for the reimbursement of campaign expenses, from the present 15 per cent to 5 per cent, would likely further encourage more women and minority candidacies by reducing the financial risk of running for office. Other fiscal measures designed to help the parties defray the costs of holding regional-district candidate selection meetings, and to encourage the widest possible participation of women and minorities at these meetings, including the provision of on-site child care facilities, could also be considered. In the case of certain historically disadvantaged groups such as aboriginals, who make up less than 2 per cent (188 315 people) of the population of Ontario (Canada 2006), the 5 per cent vote threshold might in some cases pose an unreasonable barrier to the election of aboriginal candidates to the legislature. For this reason, the threshold could be set aside for any registered political party in Ontario whose rules respecting candidate selection, as submitted to the Chief Election Officer, provided for the nomination of aboriginal candidates only. 21 This rule would also seem to have the merit of being relatively simple to administer, requiring only that proof of aboriginal status be submitted to Elections

21 Any statutory provision allowing for membership in such a party to be restricted to aboriginals would not be appropriate, in my view, because the administration of such a provision would require that the Chief Election Officer be given the power to review the membership lists of private voluntary organizations. The New Zealand candidate-nomination model only gives the CEO power to review party membership rules.
Ontario at the time the candidate files his or her nomination papers. It might also be appropriate in the case of such registered aboriginal parties to adjust the campaign financing rules in order to encourage aboriginal candidates to conduct their campaigns province-wide, both on reserves and off, rather than in single-member districts.

CONCLUSION

This paper has proposed a Mixed Member Proportional model designed to correct what might be considered the worst flaws of the First-Past-the-Post system in Ontario—the discrepancy between the votes cast for a party and its share of the seats; the “winner takes all” approach which ensures that many party votes, especially in competitive three-way races, do not count province-wide; the under-representation of certain regions, and women and minorities, in the cabinet and caucuses of the government and the opposition. At the same time, the model seeks to anticipate and to address some of the objections to MMP that might be raised by its opponents—the concern that MMP might result in the relative loss of a region’s power or influence; the apparent loss of control by voters at election time over which parties will form the government and the opposition, in favour of negotiations between the parties after the election; the idea that MMP means more politicians to spend taxpayers’ money at Queen’s Park; the apparent control of list candidacies by party leaders rather than the party grassroots; the possible fragmentation of the party system and the emergence of new parties that might direct their appeal to narrow geographic, demographic or ideological interests. In simulations using the Sainte-Laguë method to determine the 130 highest quotients province-wide, based on 103 districts in 1999 and 2003, the model is able to achieve a relatively high degree of proportionality with a relatively low number of list seats. This should lower the threshold
for getting elected and encourage more women, minority and aboriginal candidacies. The addition of the same number of seats that were removed in 1996 makes it possible to argue, politically, that this model does not add but merely restores seats to the legislature. The boundaries of the regional districts, and the reasonably proportional method of distributing list seats among them, are designed to assuage concerns about regional equity by ensuring that the model neither increases nor decreases systematically the relative weight of each single-member district in the legislature, while almost guaranteeing that the government and the main opposition parties will each have elected members from every region of the province. Furthermore, the requirement that the parties’ candidate-selection procedures be democratic, combined with party-finance reforms, should assuage concerns about the party system under MMP, while Optional Preferential Voting in single-member districts might be explored as one way to ensure that voters retain control over the selection of the government and the opposition. The model thus represents a vision of Ontario democracy that seeks to preserve what works well, and to fix what arguably does not work, in a spirit of continuity and change.
SCHEDULE 1
PROPOSED REGIONAL DISTRICTS, REGIONAL-DISTRICT NAMES, AND REGIONAL DISTRIBUTION FOR 103 SINGLE-MEMBER DISTRICTS
(REPRESENTATION ORDER OF 1996)

I. ONTARIO NORTH (11 single-member districts)
Single-member district seats: 1999—Lib. 5, PC 2, NDP 4; 2003—Lib. 7, PC 1, NDP 3.

II. ONTARIO EAST (10 single-member districts)
Single-member district seats: 1999—Lib. 5, PC 5, NDP 0; 2003—Lib. 7, PC 3, NDP 0.
(1) Glengarry—Prescott—Russell [Lib./Lib.]; (2) Lanark—Carleton [PC/PC]; (3) Leeds—Grenville [PC/PC]; (4) Nepean—Carleton [PC/PC]; (5) Ottawa Centre [Lib./Lib.]; (6) Ottawa—Orléans (formerly called Carleton Gloucester) [PC/Lib.]; (7) Ottawa South [Lib./Lib.]; (8) Ottawa—Vanier [Lib./Lib.]; (9) Ottawa West—Nepean [PC/Lib.]; (10) Stormont—Dundas—Charlottetown [Lib./Lib.].

III. ONTARIO CENTRE EAST (10 single-member districts)
Single-member district seats: 1999—Lib. 4, PC 6, NDP 0; 2003—Lib. 5, PC 5, NDP 0.

IV. ONTARIO CENTRE (10 single-member districts)
Single-member district seats: 1999—Lib. 0, PC 10, NDP 0; 2003—Lib. 5, PC 5, NDP 0.
(1) Markham [PC/Lib.]; (2) Oak Ridges [PC/PC]; (3) Oshawa [PC/PC]; (4) Pickering—Ajax—Uxbridge [PC/Lib.]; (5) Scarborough East [PC/Lib.]; (6) Simcoe—Grey [PC/PC]; (7) Thornhill [PC/Lib.]; (8) Vaughan—Aurora [PC/Lib.]; (9) Whitby—Ajax [PC/PC]; (10) York North [PC/PC].

V. ONTARIO CENTRE WEST (10 single-member districts)
Single-member district seats: 1999—Lib. 0, PC 10, NDP 0; 2003—Lib. 8, PC 2, NDP 0.
(1) Bramalea—Gore—Malton [PC/Lib.]; (2) Brampton Centre [PC/Lib.]; (3) Brampton West—Mississauga [PC/Lib.]; (4) Bruce—Grey [PC/PC]; (5) Dufferin—Peel—Wellington—Grey [PC/PC]; (6) Mississauga Centre [PC/Lib.]; (7) Mississauga East [PC/Lib.]; (8) Mississauga South [PC/Lib.]; (9) Mississauga West [PC/Lib.]; (10) Oakville [PC/Lib.].
VI.  TORONTO SUBURBS  (10 single-member districts)
Single-member district seats: 1999—Lib. 5, PC 5, NDP 0; 2003—Lib. 10, PC 0, NDP 0.
(1) Don Valley East [Lib./Lib.]; (2) Etobicoke Centre [PC/Lib.]; (3) Etobicoke North [PC/Lib.]; (4) Scarborough—Agincourt [Lib./Lib.]; (5) Scarborough Centre [PC/Lib.];
(6) Scarborough—Rouge River [Lib./Lib.]; (7) Scarborough Southwest [PC/Lib.]; (8) Willowdale [PC/Lib.]; (9) York Centre [Lib./Lib.]; (10) York West [Lib./Lib.].

VII.  TORONTO DOWNTOWN  (11 single-member districts)
Single-member district seats: 1999—Lib. 6, PC 2, NDP 3; 2003—Lib. 8, PC 0, NDP 3.
(1) Beaches—East York [NDP/NDP]; (2) Davenport [Lib./Lib.]; (3) Don Valley West [PC/Lib.]; (4) Eglinton—Lawrence [Lib./Lib.]; (5) Etobicoke—Lakeshore [PC/Lib.]; (6) Parkdale—High Park [Lib./Lib.]; (7) St. Paul’s [Lib./Lib.]; (8) Toronto Centre—Rosedale [Lib./Lib.]; (9) Toronto Danforth (formerly called Broadview Greenwood) [NDP/NDP]; (10) Trinity Spadina [NDP/NDP]; (11) York South—Weston [Lib./Lib.].

VIII.  ONTARIO SOUTH EAST  (11 single-member districts)
(1) Ancaster—Dundas—Flamborough—Aldershot (formerly called Wentworth Burlington) [PC/Lib.]; (2) Burlington [PC/PC]; (3) Erie—Lincoln [PC/PC]; (4) Halton [PC/PC]; (5) Hamilton East [Lib./Lib.]; (6) Hamilton Mountain [Lib./Lib.]; (7) Hamilton West [NDP/Lib.]; (8) Niagara Centre [NDP/NDP]; (9) Niagara Falls [PC/Lib.]; (10) St. Catharines [Lib./Lib.]; (11) Stoney Creek [PC/Lib.].

IX.  ONTARIO SOUTH  (10 single-member districts)
Single-member district seats: 1999—Lib. 1, PC 9, NDP 0; 2003—Lib. 5, PC 5, NDP 0.

X.  ONTARIO SOUTH WEST  (10 single-member districts)
Single-member district seats: 1999—Lib. 6, PC 4, NDP 0; 2003—Lib. 10, PC 0, NDP 0.

Total for 103 single-member district seats:
1999—Lib. 35, PC 59, NDP 9 (PC majority)
2003—Lib. 72, PC 24, NDP 7 (Lib. majority)
SCHEDULE 2
PROPOSED REGIONAL DISTRICTS, REGIONAL-DISTRICT NAMES,
AND REGIONAL DISTRIBUTION FOR 107 SINGLE-MEMBER DISTRICTS
(REPRESENTATION ORDER OF 2003)

I. ONTARIO NORTH (11 single-member districts)
(1) Algoma—Manitoulin; (2) Kenora—Rainy River; (3) Nickel Belt; (4) Nipissing; (5)
Parry Sound—Muskoka; (6) Sault Ste. Marie; (7) Sudbury; (8) Thunder Bay—Atikokan;
(9) Thunder Bay—Superior North; (10) Timiskaming—Cochrane; (11) Timmins—James
Bay.

II. ONTARIO EAST (10 single-member districts)
(1) Glengarry—Prescott—Russell; (2) Lanark—Frontenac—Lennox and Addington
(3) Leeds—Grenville; (4) Nepean—Carleton; (5) Ottawa Centre; (6) Ottawa—Orléans;
(7) Ottawa South; (8) Ottawa—Vanier; (9) Ottawa West—Nepean; (10) Stormont—
Dundas—South Glengarry.

III. ONTARIO CENTRE EAST (11 single-member districts)
(1) Barrie (2) Durham (formerly called Clarington—Scugog—Uxbridge); (3)
Haliburton—Kawartha Lakes—Brock; (4) Kingston and the Islands; (5) Lanark—
Frontenac—Lennox and Addington; (6) Northumberland—Quinte West; (7)
Peterborough; (8) Prince Edward—Hastings; (9) Renfrew—Nipissing—Pembroke; (10)
Simcoe North; (11) York—Simcoe.

IV. ONTARIO CENTRE (11 single-member districts)
(1) Ajax—Pickering; (2) Markham—Unionville; (3) Newmarket—Aurora; (4) Oak
Ridges—Markham; (5) Oshawa; (6) Pickering—Scarborough East; (7) Richmond Hill;
(8) Simcoe—Grey; (9) Thornhill; (10) Vaughan; (11) Whitby—Oshawa.

V. ONTARIO CENTRE WEST (11 single-member districts)
(1) Bramalea—Gore—Malton; (2) Brampton Springdale; (3) Brampton West; (4)
Bruce—Grey—Owen Sound (formerly called Grey—Bruce—Owen Sound); (5)
Dufferin—Caledon; (6) Mississauga—Brampton South; (7) Mississauga East—
Cooksville; (8) Mississauga Erindale; (9) Mississauga South; (10); Mississauga—
Streetsville; (11) Oakville.

VI. TORONTO SUBURBS (11 single-member districts)
(1) Don Valley East; (2) Etobicoke Centre; (3) Etobicoke North; (4) Scarborough—
Agincourt; (5) Scarborough Centre; (6) Scarborough Guildwood; (7) Scarborough—
Rouge River; (8) Scarborough Southwest; (9) Willowdale; (10) York Centre; (11) York
West.

VII. TORONTO DOWNTOWN (11 single-member districts)
(1) Beaches—East York; (2) Davenport; (3) Don Valley West; (4) Eglinton—Lawrence;
(5) Etobicoke—Lakeshore; (6) Parkdale—High Park; (7) St. Paul’s; (8) Toronto Centre;
(9) Toronto Danforth; (10) Trinity Spadina; (11) York South—Weston.
VIII. ONTARIO SOUTH EAST (10 single-member districts)
(1) Ancaster—Dundas—Flamborough—Westdale; (2) Burlington; (3) Halton; (4) Hamilton Centre; (5) Hamilton East—Stoney Creek; (6) Hamilton Mountain; (7) Niagara Falls; (8) Niagara West—Glanbrook; (9) St. Catharines; (10) Welland.

IX. ONTARIO SOUTH (11 single-member districts)
(1) Brant; (2) Cambridge; (3) Guelph; (4) Haldimand—Norfolk; (5) Huron—Bruce; (6) Kitchener Centre; (7) Kitchener—Conestoga; (8) Kitchener—Waterloo; (9) Oxford; (10) Perth—Wellington; (11) Wellington—Halton Hills.

X. ONTARIO SOUTH WEST (10 single-member districts)
(1) Chatham—Kent—Essex; (2) Elgin—Middlesex—London; (3) Essex; (4) Lambton—Kent—Middlesex; (5) London Fanshawe; (6) London North Centre; (7) London West; (8) Sarnia—Lambton; (9) Windsor—Tecumseh; (10) Windsor West.
STEP 1—Take the total vote for each party that won more than 5 per cent of all votes in the 1999 election and divide each party’s vote by sequential odd numbers (1,3,5,7…) until the highest 130 quotients (one for each seat in the legislature) are obtained:

**PC:** 1,978,059 votes (46.3 per cent of the vote) divided by:

- \[\frac{117}{59} = 16,907\]
- \[\frac{119}{60} = 16,622\] (59 out of 130, or 46.2 per cent, of the seats)
- \[\frac{121}{61} = 16,348\]

**Liberal:** 1,751,472 votes (40.9 per cent of the vote) divided by:

- \[\frac{103}{52} = 17,005\]
- \[\frac{105}{53} = 16,681\] (53 out of 130, or 40.8 per cent, of the seats)
- \[\frac{107}{54} = 16,369\]

**NDP:** 551,009 votes\(^{22}\) (12.9 per cent of the vote) divided by:

- \[\frac{31}{16} = 17,775\]
- \[\frac{33}{17} = 16,697\] (17 out of 130, or 13.1 per cent, of the seats)
- \[\frac{35}{18} = 15,743\]

STEP 2—Calculate each party’s list-seat allocation:

**PC:** 60 quotients – 59 single-member district seats = 1 list seat.

**Liberal:** 53 quotients – 35 single-member district seats = 18 list seats.

**NDP:** 17 quotients – 9 single-member district seats = 8 list seats.

\(^{22}\) This is Elections Ontario’s official calculation of the total votes cast for N.D.P. candidates in the 1999 election. However, there is a difference of 202 votes when the totals for each of 103 N.D.P. candidates are added together (550,807 vs. 551,009). That discrepancy does not affect the calculations in this report.
SCHEDULE 4
SIMULATION OF THE 2003 ELECTION RESULTS USING THE SAINTE-LAGUÉ METHOD TO FIND THE HIGHEST 130 QUOTIENTS, AND CALCULATION OF EACH PARTY’S LIST-SEAT ALLOCATION, WITH AND WITHOUT EXTRA SEATS FOR THE 38TH LEGISLATURE ONLY

STEP 1—Take the total vote for each party that won more than 5 per cent of all votes in the 2003 election and divide each party’s vote by sequential odd numbers (1,3,5,7…) until the highest 130 quotients (one for each seat in the legislature) are obtained:

HYPOTHESIS A
130 SEATS—NO EXTRA SEATS

Liberal: The party won more seats (72 out of 130 or 55.4 per cent of the seats) than its share of the vote (2,090,001 votes or 48.5 per cent of the vote). It keeps all of these seats but is not entitled to any list seats. The number of quotients is reduced accordingly (130 – 72 = 58) and the highest 58 quotients are then determined for the other two parties.

PC: 1,559,181 votes (36.2 per cent of the vote) divided by:

...  
79 (40th) = 19,736.5  
81 (41st) = 19,249 (41 out of 58 quotients or 31.5 per cent of the 130 seats)  
83 (42nd) = 18,785

NDP: 660,730 votes (15.4 per cent of the vote) divided by:

...  
31 (16th) = 21,314  
33 (17th) = 20,022 (17 out of 58 quotients or 13.1 per cent of the 130 seats)  
35 (18th) = 18,878

STEP 2—Calculate each party’s list-seat allocation:

Liberal: 0 list seats.

PC: 41 quotients – 24 single-member district seats = 17 list seats.

NDP: 17 quotients – 7 single-member district seats = 10 list seats.
SCHEDULE 4 (CONTINUED)

HYPOTHESIS B
130 SEATS—WITH EXTRA SEATS FOR THE 38TH LEGISLATURE ONLY

Liberal: 2,090,001 votes (48.5 per cent of the vote) divided by:

\[
\begin{align*}
&\ldots \\
123 (62^{\text{nd}}) &= 16,992 \\
125 (63^{\text{rd}}) &= 16,720 \text{ (63 out of 130 quotients or 48.5 per cent of 130 seats)} \\
127 (64^{\text{th}}) &= 16,457 \\
\end{align*}
\]

PC: 1,559,181 votes (36.2 per cent of the vote) divided by:

\[
\begin{align*}
&\ldots \\
91 (46^{\text{th}}) &= 17,134 \\
93 (47^{\text{th}}) &= 16,765 \text{ (47 out of 130 quotients or 36.2 per cent of the 130 seats)} \\
95 (48^{\text{th}}) &= 16,412 \\
\end{align*}
\]

NDP: 660,730 votes (15.4 per cent of the vote) divided by:

\[
\begin{align*}
&\ldots \\
37 (19^{\text{th}}) &= 17,858 \\
39 (20^{\text{th}}) &= 16,942 \text{ (20 out of 130 quotients or 15.4 per cent of the 130 seats)} \\
41 (21^{\text{st}}) &= 16,115 \\
\end{align*}
\]

STEP 2—Calculate each party’s list-seat allocation and the total number of extra seats:

Liberal: 63 quotients – 72 single-member district seats = 0 list seats.

PC: 47 quotients – 24 single-member district seats = 23 list seats.

NDP: 20 quotients – 7 single-member district seats = 13 list seats.

Since the sum of the PC and NDP quotients and the Liberal single-member district seats is greater than 130 (47 + 20 + 72 = 139), nine list seats will be added for the life of the 38th legislature only.
SCHEDULE 5
CALCULATION OF EACH PARTY’S PER CENT SHARE OF VOTES BY REGION USING THE 1999 ELECTION RESULTS, AND ALLOCATION OF LIST SEATS AMONG REGIONS USING A MODIFIED D’HONDT FORMULA

STEP 1: Calculate each party’s 1999 per cent vote for each of the ten regional districts:

<table>
<thead>
<tr>
<th>I.</th>
<th>ONTARIO NORTH</th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
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</thead>
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<td></td>
<td>14299</td>
<td>8617</td>
<td>8780</td>
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<td>Algoma-Manitoulin [Lib.]:</td>
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<td></td>
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<td>Kenora-Rainy River [NDP]:</td>
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<td>14269</td>
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<td>Nickel Belt [NDP]:</td>
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<td>10359</td>
<td>14833</td>
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<td>Nipissing [PC]:</td>
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<td>5</td>
<td>Parry Sound-Muskoka [PC]:</td>
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<td>22967</td>
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<td>Sault Ste. Marie [NDP]:</td>
<td>10180</td>
<td>10477</td>
<td>15949</td>
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<td>Sudbury [Lib.]:</td>
<td>21732</td>
<td>10948</td>
<td>3891</td>
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<td>8</td>
<td>Thunder Bay-Atikokan [Lib.]:</td>
<td>20268</td>
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<td>Timiskaming-Cochrane [Lib.]:</td>
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<td>Timmins-James Bay [NDP]:</td>
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<td>TOTAL VOTES BY PARTY:</td>
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<td>TOTAL PARTY VOTE:</td>
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<td>PER CENT VOTES BY PARTY:</td>
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<td>TOTAL SEATS BY PARTY after Step 3:</td>
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<td>2 (2 + 0)</td>
<td>4 (4 + 0)</td>
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<td>PER CENT SEATS BY PARTY after Step 3:</td>
<td>53.85</td>
<td>15.39</td>
<td>30.77</td>
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<th>II.</th>
<th>ONTARIO EAST</th>
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<th>NDP</th>
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<td>24568</td>
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<td>Lanark-Carleton [PC]:</td>
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<td>31364</td>
<td>2713</td>
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<td>23390</td>
<td>2097</td>
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<td>Nepean-Carleton [PC]:</td>
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<td>31546</td>
<td>1647</td>
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<td>Ottawa Centre [Lib.]:</td>
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<td>15403</td>
<td>11977</td>
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<td>Ottawa-Orléans [PC]:</td>
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<td>24356</td>
<td>1195</td>
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<td>Ottawa South [Lib.]:</td>
<td>22707</td>
<td>19337</td>
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<td>Ottawa-Vanier [Lib.]:</td>
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<td>12605</td>
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<td>Ottawa West-Nepean [PC]:</td>
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<td>22834</td>
<td>7701</td>
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<td>Stormont-Dundas—Charlottenburgh [Lib.]:</td>
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<td>19635</td>
<td>2012</td>
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<td>TOTAL VOTES BY PARTY:</td>
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<td><strong>217834</strong></td>
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<td>TOTAL PARTY VOTE:</td>
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<td>PER CENT VOTES BY PARTY:</td>
<td>42.91</td>
<td>48.58</td>
<td>8.51</td>
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<td>TOTAL SEATS BY PARTY after Step 3:</td>
<td>7 (5 + 2)</td>
<td>5 (5 + 0)</td>
<td>1 (0 + 1)</td>
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<tr>
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<td>PER CENT SEATS BY PARTY after Step 3:</td>
<td>53.85</td>
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<td>(9) Whitby—Ajax [PC]:</td>
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<td>(4) Bruce—Grey [PC]:</td>
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<td>(8) Mississauga South [PC]:</td>
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<td>(10) Oakville [PC]:</td>
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### VI. TORONTO SUBURBS

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<td>(1) Don Valley East [Lib.]:</td>
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<td>(4) Scarborough—Agincourt [Lib.]:</td>
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<td>(8) Willowdale [PC]:</td>
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<td>(9) York Centre [Lib.]:</td>
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<td>(10) York West [Lib.]:</td>
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**TOTAL VOTES BY PARTY:** 174240, 154530, 41084  
**TOTAL PARTY VOTE:** 369854  
**PER CENT VOTES BY PARTY:** 47.11, 41.78, 11.11  
**TOTAL SEATS BY PARTY after Step 3:** 7 (5 + 2), 5 (5 + 0), 1 (0 + 1)  
**PER CENT SEATS BY PARTY after Step 3:** 53.85, 38.46, 7.69

### VII. TORONTO DOWNTOWN

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<td>(1) Beaches—East York [NDP]:</td>
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<td>(4) Eglinton—Lawrence [Lib.]:</td>
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<td>(5) Etobicoke—Lakeshore [PC]:</td>
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<td>(6) Parkdale—High Park [Lib.]:</td>
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<td>(7) St. Paul’s [Lib.]:</td>
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<td>(8) Toronto Centre—Rosedale [Lib.]:</td>
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<td>(10) Trinity Spadina [NDP]:</td>
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**TOTAL VOTES BY PARTY:** 184971, 145530, 93280  
**TOTAL PARTY VOTE:** 423754  
**PER CENT VOTES BY PARTY:** 43.65, 34.34, 22.01  
**TOTAL SEATS BY PARTY after Step 3:** 7 (6 + 1), 5 (2 + 1), 3 (3 + 0)  
**PER CENT SEATS BY PARTY after Step 3:** 53.85, 23.08, 23.08

### VIII. ONTARIO SOUTH EAST

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<td>(2) Burlington [PC]:</td>
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<td>(3) Erie—Lincoln [PC]:</td>
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**TOTAL VOTES BY PARTY:** 15843, 27466, 3990  
**TOTAL PARTY VOTE:** 43.65, 34.34, 22.01  
**PER CENT VOTES BY PARTY:** 43.65, 34.34, 22.01  
**TOTAL SEATS BY PARTY after Step 3:** 7 (6 + 1), 5 (2 + 1), 3 (3 + 0)  
**PER CENT SEATS BY PARTY after Step 3:** 53.85, 23.08, 23.08
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### IX. ONTARIO SOUTH

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### X. ONTARIO SOUTH WEST

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<td>London Fanshawe [PC]:</td>
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</table>
**STEP 2:** Divide each party’s regional per-cent vote share (**Step 1**) by the number of single-member district seats elected by the party in that region (**Schedule 1**), plus one. Each party’s province-wide allocation of list seats (**Schedule 3**) is then distributed among the regions in the order of the party’s “highest averages”, subject only to the rule that the maximum number of list seats for any party in any region is 3.

**Lib.** (18 highest averages by region in bold, maximum three highest averages per region)

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<th>Province</th>
<th>Per-cent</th>
<th>Region</th>
<th>Highest Average</th>
<th>Notes</th>
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<td>Ontario East</td>
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<td></td>
<td>7.15 (15th)</td>
<td>[5 + 1] = 7.15 (15th); [6 + 1] = 6.13 (21st).</td>
</tr>
<tr>
<td>Ontario Centre East</td>
<td>41.86</td>
<td></td>
<td>8.37 (11th)</td>
<td>[4 + 1] = 8.37 (11th); [5 + 1] = 6.98 (16th).</td>
</tr>
<tr>
<td>Ontario Centre</td>
<td>35.45</td>
<td></td>
<td>35.45 (2nd)</td>
<td>[0 + 1] = 35.45 (2nd); [1 + 1] = 17.72 (5th); [2 + 1] = 11.82 (8th).</td>
</tr>
<tr>
<td>Ontario Centre West</td>
<td>35.65</td>
<td></td>
<td>35.65 (1st)</td>
<td>[0 + 1] = 35.65 (1st); [1 + 1] = 17.81 (4th); [2 + 1] = 11.88 (7th).</td>
</tr>
<tr>
<td>Toronto Suburbs</td>
<td>47.11</td>
<td></td>
<td>7.85 (12th)</td>
<td>[5 + 1] = 7.85 (12th); [6 + 1] = 6.73 (17th).</td>
</tr>
<tr>
<td>Toronto Downtown</td>
<td>43.65</td>
<td></td>
<td>8.10</td>
<td>[6 + 1] = 8.10.</td>
</tr>
<tr>
<td>Ontario South East</td>
<td>37.16</td>
<td></td>
<td>9.29 (10th)</td>
<td>[3 + 1] = 9.29 (10th); [4 + 1] = 7.43 (13th).</td>
</tr>
<tr>
<td>Ontario South West</td>
<td>46.69</td>
<td></td>
<td>6.67 (18th)</td>
<td>[6 + 1] = 6.67 (18th).</td>
</tr>
</tbody>
</table>

**PC** (1 highest average by region in bold)

<table>
<thead>
<tr>
<th>Province</th>
<th>Per-cent</th>
<th>Region</th>
<th>Highest Average</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ontario Centre East</td>
<td>50.15</td>
<td></td>
<td>7.16</td>
<td>[6 + 1] = 7.16.</td>
</tr>
<tr>
<td>Ontario Centre</td>
<td>57.70</td>
<td></td>
<td>5.25</td>
<td>[10 + 1] = 5.25.</td>
</tr>
<tr>
<td>Ontario Centre West</td>
<td>58.19</td>
<td></td>
<td>11.45 (1st)</td>
<td>[10 + 1] = 11.45 (1st); [3 + 1] = 8.59 (3rd).</td>
</tr>
<tr>
<td>Toronto Downtown</td>
<td>34.34</td>
<td></td>
<td>8.59 (3rd)</td>
<td>[2 + 1] = 8.59 (3rd); [3 + 1] = 8.59 (3rd).</td>
</tr>
<tr>
<td>Ontario South</td>
<td>53.67</td>
<td></td>
<td>5.37</td>
<td>[9 + 1] = 5.37.</td>
</tr>
</tbody>
</table>
**NDP (8 highest averages by region in bold)**

<table>
<thead>
<tr>
<th>Region</th>
<th>Average</th>
<th>Calculation</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Ontario North</td>
<td>26.61</td>
<td>( \frac{4 + 1}{1} = 5.32 ) (12&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>II. Ontario East</td>
<td>8.51</td>
<td>( \frac{0 + 1}{1} = 8.51 ) (4&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>III. Ontario Centre East</td>
<td>8.00</td>
<td>( \frac{0 + 1}{1} = 8.00 ) (5&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>IV. Ontario Centre</td>
<td>6.85</td>
<td>( \frac{0 + 1}{1} = 6.85 ) (7&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>V. Ontario Centre West</td>
<td>6.16</td>
<td>( \frac{0 + 1}{1} = 6.16 ) (8&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>VI. Toronto Suburbs</td>
<td>11.11</td>
<td>( \frac{0 + 1}{1} = 11.11 ) (2&lt;sup&gt;nd&lt;/sup&gt;) (1 + 1) = 5.56 (9&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>VII. Toronto Downtown</td>
<td>22.01</td>
<td>( \frac{3 + 1}{1} = 5.50 ) (10&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>VIII. Ontario South East</td>
<td>16.41</td>
<td>( \frac{2 + 1}{1} = 5.47 ) (11&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>IX. Ontario South</td>
<td>8.92</td>
<td>( \frac{0 + 1}{1} = 8.92 ) (3&lt;sup&gt;rd&lt;/sup&gt;).</td>
<td></td>
</tr>
<tr>
<td>X. Ontario South West</td>
<td>15.91</td>
<td>( \frac{0 + 1}{1} = 15.91 ) (1&lt;sup&gt;st&lt;/sup&gt;) (1 + 1) = 7.96 (6&lt;sup&gt;th&lt;/sup&gt;).</td>
<td></td>
</tr>
</tbody>
</table>
STEP 3: The parties’ regional distribution of list seats as determined in Step 2 is then allocated between the parties based on the highest averages in each region, subject to the following rules:

Rule 1: The maximum number of seats per region is calculated by adding the total number of single-member district seats and list seats province-wide, and dividing by 10, as follows: $[27 + 103] \div 10 = 13$

Rule 2: If the maximum number of seats per region is exceeded following the allocation of the parties’ list seats as calculated in Step 2, the list seats are allocated between the parties in the order of the highest averages; any party whose seat cannot be allocated as a result of the regional maximum is allocated a list seat in the region where the party’s next highest average is found and where the maximum seats per region has not been reached.

Rule 3: Despite the higher averages of any other party’s list seats and the maximum number of seats per region described in Rule 2, a party that won no single-member seats in a region is allocated the highest-average list seat that was distributed to the party in that region as calculated in Step 2.

LIST SEAT TOTALS BY PARTY AND REGION, 1999 SIMULATION

<table>
<thead>
<tr>
<th>Region</th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Ontario North</td>
<td>2 (14th, 20th)*</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>II. Ontario East</td>
<td>2 (15th, 21st)*</td>
<td>0</td>
<td>1 (4th)</td>
</tr>
<tr>
<td>III. Ontario Centre East</td>
<td>2 (11th, 16th)</td>
<td>0</td>
<td>1 (5th)</td>
</tr>
<tr>
<td>IV. Ontario Centre</td>
<td>2 (2nd, 5th)23</td>
<td>0</td>
<td>1 (7th)**</td>
</tr>
<tr>
<td>V. Ontario Centre West</td>
<td>2 (1st, 4th)24</td>
<td>0</td>
<td>1 (8th)**</td>
</tr>
<tr>
<td>VI. Toronto Suburbs</td>
<td>2 (12th, 17th)</td>
<td>0</td>
<td>1 (2nd)</td>
</tr>
<tr>
<td>VII. Toronto Downtown</td>
<td>1 (19th)*</td>
<td>1 (1st)</td>
<td>0</td>
</tr>
<tr>
<td>VIII. Ontario South East</td>
<td>2 (10th, 13th)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>IX. Ontario South</td>
<td>2 (3rd, 6th)25</td>
<td>0</td>
<td>1 (3rd)**</td>
</tr>
<tr>
<td>X. Ontario South West</td>
<td>1 (18th)</td>
<td>0</td>
<td>2 (1st, 6th)</td>
</tr>
</tbody>
</table>

PROVINCE-WIDE TOTALS: 18 1 8

* One or more seats not calculated in Step 2 but allocated to this region in Step 3 by operation of Rules 2 and 3.

** Seat allocated in Step 2 but average is the lowest of four in Step 3: the party keeps the seat by operation of Rule 3.

23 The party’s third list seat for this region (8th highest average) was reallocated by Rules 2 and 3 to the next highest average where the maximum seats per region has not yet been reached (Ontario North, 20th).

24 The party’s third list seat for this region (7th highest average) was reallocated by Rules 2 and 3 to the next highest average where the maximum seats per region has not yet been reached (Toronto Downtown, 19th).

25 The party’s third list seat for this region (9th highest average) was reallocated by Rules 2 and 3 to the next highest average where the maximum seats per region has not yet been reached (Ontario East, 21st).
SCHEDULE 6
CALCULATION OF EACH PARTY’S PER CENT SHARE OF VOTES BY REGION USING THE 2003 ELECTION RESULTS, AND ALLOCATION OF LIST SEATS AMONG REGIONS USING A MODIFIED D’HONDT FORMULA

**STEP 1**: Calculate each party’s 2003 per cent vote for each of the ten regional districts:

<table>
<thead>
<tr>
<th>Region</th>
<th>Party</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algoma-Manitoulin</td>
<td>Lib.</td>
<td>14520</td>
</tr>
<tr>
<td>Kenora-Rainy River</td>
<td>NDP</td>
<td>6746</td>
</tr>
<tr>
<td>Nickel Belt</td>
<td>NDP</td>
<td>13759</td>
</tr>
<tr>
<td>Nipissing</td>
<td>Lib.</td>
<td>18003</td>
</tr>
<tr>
<td>Parry Sound-Muskoka</td>
<td>PC</td>
<td>13332</td>
</tr>
<tr>
<td>Sault Ste. Marie</td>
<td>Lib.</td>
<td>20050</td>
</tr>
<tr>
<td>Sudbury</td>
<td>Lib.</td>
<td>24631</td>
</tr>
<tr>
<td>Thunder Bay-Atikokan</td>
<td>Lib.</td>
<td>17735</td>
</tr>
<tr>
<td>Thunder Bay-Superior North</td>
<td>Lib.</td>
<td>21938</td>
</tr>
<tr>
<td>Timiskaming-Cochrane</td>
<td>Lib.</td>
<td>18499</td>
</tr>
<tr>
<td>Timmins-James Bay</td>
<td>NDP</td>
<td>12373</td>
</tr>
<tr>
<td>Glengarry-Prescott-Russell</td>
<td>Lib.</td>
<td>28956</td>
</tr>
<tr>
<td>Lanark-Carleton</td>
<td>PC</td>
<td>23466</td>
</tr>
<tr>
<td>Leeds-Grenville</td>
<td>PC</td>
<td>17667</td>
</tr>
<tr>
<td>Nepean-Carleton</td>
<td>PC</td>
<td>20878</td>
</tr>
<tr>
<td>Ottawa Centre</td>
<td>Lib.</td>
<td>22295</td>
</tr>
<tr>
<td>Ottawa-Orléans</td>
<td>Lib.</td>
<td>25300</td>
</tr>
<tr>
<td>Ottawa South</td>
<td>Lib.</td>
<td>24647</td>
</tr>
<tr>
<td>Ottawa-Vanier</td>
<td>Lib.</td>
<td>22188</td>
</tr>
<tr>
<td>Ottawa West-Nepean</td>
<td>Lib.</td>
<td>23127</td>
</tr>
<tr>
<td>Stormont-Dundas-Carleton</td>
<td>Lib.</td>
<td>19558</td>
</tr>
</tbody>
</table>

**TOTAL VOTES BY PARTY**: 181586 71945 96333
**TOTAL PARTY VOTE**: 349864
**PER CENT VOTES BY PARTY**: 51.90 20.56 27.53

<table>
<thead>
<tr>
<th>Region</th>
<th>Party</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algoma-Manitoulin</td>
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</tr>
<tr>
<td>Kenora-Rainy River</td>
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<td>6746</td>
</tr>
<tr>
<td>Nickel Belt</td>
<td>NDP</td>
<td>13759</td>
</tr>
<tr>
<td>Nipissing</td>
<td>Lib.</td>
<td>18003</td>
</tr>
<tr>
<td>Parry Sound-Muskoka</td>
<td>PC</td>
<td>13332</td>
</tr>
<tr>
<td>Sault Ste. Marie</td>
<td>Lib.</td>
<td>20050</td>
</tr>
<tr>
<td>Sudbury</td>
<td>Lib.</td>
<td>24631</td>
</tr>
<tr>
<td>Thunder Bay-Atikokan</td>
<td>Lib.</td>
<td>17735</td>
</tr>
<tr>
<td>Thunder Bay-Superior North</td>
<td>Lib.</td>
<td>21938</td>
</tr>
<tr>
<td>Timiskaming-Cochrane</td>
<td>Lib.</td>
<td>18499</td>
</tr>
<tr>
<td>Timmins-James Bay</td>
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</tr>
<tr>
<td>Glengarry-Prescott-Russell</td>
<td>Lib.</td>
<td>28956</td>
</tr>
<tr>
<td>Lanark-Carleton</td>
<td>PC</td>
<td>23466</td>
</tr>
<tr>
<td>Leeds-Grenville</td>
<td>PC</td>
<td>17667</td>
</tr>
<tr>
<td>Nepean-Carleton</td>
<td>PC</td>
<td>20878</td>
</tr>
<tr>
<td>Ottawa Centre</td>
<td>Lib.</td>
<td>22295</td>
</tr>
<tr>
<td>Ottawa-Orléans</td>
<td>Lib.</td>
<td>25300</td>
</tr>
<tr>
<td>Ottawa South</td>
<td>Lib.</td>
<td>24647</td>
</tr>
<tr>
<td>Ottawa-Vanier</td>
<td>Lib.</td>
<td>22188</td>
</tr>
<tr>
<td>Ottawa West-Nepean</td>
<td>Lib.</td>
<td>23127</td>
</tr>
<tr>
<td>Stormont-Dundas-Carleton</td>
<td>Lib.</td>
<td>19558</td>
</tr>
</tbody>
</table>

**TOTAL VOTES BY PARTY**: 228082 187162 43086
**TOTAL PARTY VOTE**: 458330
**PER CENT VOTES BY PARTY**: 49.76 40.84 9.40

**II. ONTARIO EAST**

<table>
<thead>
<tr>
<th>Region</th>
<th>Party</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glengarry-Prescott-Russell</td>
<td>Lib.</td>
<td>28956</td>
</tr>
<tr>
<td>Lanark-Carleton</td>
<td>PC</td>
<td>23466</td>
</tr>
<tr>
<td>Leeds-Grenville</td>
<td>PC</td>
<td>17667</td>
</tr>
<tr>
<td>Nepean-Carleton</td>
<td>PC</td>
<td>20878</td>
</tr>
<tr>
<td>Ottawa Centre</td>
<td>Lib.</td>
<td>22295</td>
</tr>
<tr>
<td>Ottawa-Orléans</td>
<td>Lib.</td>
<td>25300</td>
</tr>
<tr>
<td>Ottawa South</td>
<td>Lib.</td>
<td>24647</td>
</tr>
<tr>
<td>Ottawa-Vanier</td>
<td>Lib.</td>
<td>22188</td>
</tr>
<tr>
<td>Ottawa West-Nepean</td>
<td>Lib.</td>
<td>23127</td>
</tr>
<tr>
<td>Stormont-Dundas-Carleton</td>
<td>Lib.</td>
<td>19558</td>
</tr>
</tbody>
</table>

**TOTAL VOTES BY PARTY**: 228082 187162 43086
**TOTAL PARTY VOTE**: 458330
**PER CENT VOTES BY PARTY**: 49.76 40.84 9.40

**TOTAL SEATS BY PARTY after Step 3A**: 7 (7 + 0) 2 (1 + 1) 4 (3 + 1)
**TOTAL SEATS BY PARTY after Step 3B**: 7 (7 + 0) 3 (1 + 2) 4 (3 + 1)
**PER CENT SEATS BY PARTY after Step 3A**: 53.85 15.39 30.77
**PER CENT SEATS BY PARTY after Step 3B**: 50.00 21.43 28.58
### III. ONTARIO CENTRE EAST

<table>
<thead>
<tr>
<th></th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Barrie—Simcoe—Bradford [PC]:</td>
<td>21998</td>
<td>31529</td>
<td>5641</td>
</tr>
<tr>
<td>(2) Durham [PC]:</td>
<td>18590</td>
<td>23814</td>
<td>6274</td>
</tr>
<tr>
<td>(3) Haliburton—Victoria—Brock [PC]:</td>
<td>17171</td>
<td>24297</td>
<td>7884</td>
</tr>
<tr>
<td>(4) Hastings—Front.—Len. and Ad. [Lib.]:</td>
<td>21548</td>
<td>13709</td>
<td>4286</td>
</tr>
<tr>
<td>(5) Kingston and the Islands [Lib.]:</td>
<td>28877</td>
<td>9640</td>
<td>5514</td>
</tr>
<tr>
<td>(6) Northumberland [Lib.]:</td>
<td>20382</td>
<td>17816</td>
<td>5210</td>
</tr>
<tr>
<td>(7) Peterborough [Lib.]:</td>
<td>24626</td>
<td>18418</td>
<td>9796</td>
</tr>
<tr>
<td>(8) Prince Edward—Hastings [Lib.]:</td>
<td>22937</td>
<td>12800</td>
<td>3377</td>
</tr>
<tr>
<td>(9) Renfrew—Nipissing—Pembroke [PC]:</td>
<td>18629</td>
<td>19274</td>
<td>5092</td>
</tr>
<tr>
<td>(10) Simcoe North [PC]:</td>
<td>19713</td>
<td>23393</td>
<td>5515</td>
</tr>
<tr>
<td><strong>TOTAL VOTES BY PARTY:</strong></td>
<td><strong>214471</strong></td>
<td><strong>194690</strong></td>
<td><strong>58589</strong></td>
</tr>
<tr>
<td><strong>TOTAL PARTY VOTE:</strong></td>
<td><strong>467750</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PER CENT VOTES BY PARTY:</strong></td>
<td><strong>45.85</strong></td>
<td><strong>41.62</strong></td>
<td><strong>12.53</strong></td>
</tr>
<tr>
<td><strong>TOTAL SEATS BY PARTY after Step 3A:</strong></td>
<td><strong>5 (5 + 0)</strong></td>
<td><strong>7 (5 + 2)</strong></td>
<td><strong>1 (0 + 1)</strong></td>
</tr>
<tr>
<td><strong>TOTAL SEATS BY PARTY after Step 3B:</strong></td>
<td><strong>5 (5 + 0)</strong></td>
<td><strong>7 (5 + 2)</strong></td>
<td><strong>2 (0 + 2)</strong></td>
</tr>
<tr>
<td><strong>PER CENT SEATS BY PARTY after Step 3A:</strong></td>
<td><strong>38.46</strong></td>
<td><strong>53.85</strong></td>
<td><strong>7.69</strong></td>
</tr>
<tr>
<td><strong>PER CENT SEATS BY PARTY after Step 3B:</strong></td>
<td><strong>35.71</strong></td>
<td><strong>50.00</strong></td>
<td><strong>14.29</strong></td>
</tr>
</tbody>
</table>

### IV. ONTARIO CENTRE

<table>
<thead>
<tr>
<th></th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Markham [Lib.]:</td>
<td>27253</td>
<td>21257</td>
<td>2679</td>
</tr>
<tr>
<td>(2) Oak Ridges [PC]:</td>
<td>30126</td>
<td>32647</td>
<td>4464</td>
</tr>
<tr>
<td>(3) Oshawa [PC]:</td>
<td>9383</td>
<td>14566</td>
<td>13547</td>
</tr>
<tr>
<td>(4) Pickering—Ajax—Uxbridge [Lib.]:</td>
<td>24970</td>
<td>23960</td>
<td>3690</td>
</tr>
<tr>
<td>(5) Scarborough East [Lib.]:</td>
<td>21798</td>
<td>14323</td>
<td>5250</td>
</tr>
<tr>
<td>(6) Simcoe—Grey [PC]:</td>
<td>17505</td>
<td>26114</td>
<td>5032</td>
</tr>
<tr>
<td>(7) Thornhill [Lib.]:</td>
<td>21419</td>
<td>20623</td>
<td>2616</td>
</tr>
<tr>
<td>(8) Vaughan—Aurora [Lib.]:</td>
<td>36928</td>
<td>21744</td>
<td>4697</td>
</tr>
<tr>
<td>(9) Whitby—Ajax [PC]:</td>
<td>22593</td>
<td>27240</td>
<td>5155</td>
</tr>
<tr>
<td>(10) York North [PC]:</td>
<td>21054</td>
<td>24517</td>
<td>4029</td>
</tr>
<tr>
<td><strong>TOTAL VOTES BY PARTY:</strong></td>
<td><strong>233029</strong></td>
<td><strong>226991</strong></td>
<td><strong>51159</strong></td>
</tr>
<tr>
<td><strong>TOTAL PARTY VOTE:</strong></td>
<td><strong>511179</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PER CENT VOTES BY PARTY:</strong></td>
<td><strong>45.59</strong></td>
<td><strong>44.41</strong></td>
<td><strong>10.01</strong></td>
</tr>
<tr>
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### V. ONTARIO CENTRE WEST

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PER CENT SEATS BY PARTY after Step 3B: 57.14 21.43 21.43

VIII. ONTARIO SOUTH EAST

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IX. ONTARIO SOUTH 26

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26 After the addition of nine extra seats for the 38th Legislature in Hypothesis B of Step 3, this region had the lowest of ten highest averages among the ten regions and thus remained at 13 (instead of 14) seats in total.
### X. ONTARIO SOUTH WEST

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**STEP 2:** Divide each party’s regional per-cent vote share (Step 1) by the number of single-member district seats elected by the party in that region (Schedule 1), plus one. Each party’s province-wide allocation of list seats (Schedule 3) is then distributed among the regions to the “highest averages”, subject only to the rule that the maximum number of list seats for any party in any region is 3.

**PC** (Hypothesis A: 17 highest averages by region in bold; Hypothesis B: 23 highest averages with extra seats underlined; maximum three highest averages per region)

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<td></td>
<td>( \frac{41.62}{7+1} )</td>
<td>5.20</td>
</tr>
<tr>
<td>Ontario Centre</td>
<td>44.41</td>
<td>( \frac{44.41}{5+1} )</td>
<td>7.40</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{44.41}{6+1} )</td>
<td>6.34</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{44.41}{7+1} )</td>
<td>5.55</td>
</tr>
<tr>
<td>Ontario Centre West</td>
<td>45.41</td>
<td>( \frac{45.41}{2+1} )</td>
<td>15.14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{45.41}{3+1} )</td>
<td>11.35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{45.41}{4+1} )</td>
<td>9.08</td>
</tr>
<tr>
<td>Toronto Suburbs</td>
<td>31.79</td>
<td>( \frac{31.79}{0+1} )</td>
<td>31.79</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{31.79}{1+1} )</td>
<td>15.90</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{31.79}{2+1} )</td>
<td>10.60</td>
</tr>
<tr>
<td>Toronto Downtown</td>
<td>23.56</td>
<td>( \frac{23.56}{0+1} )</td>
<td>23.56</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{23.56}{1+1} )</td>
<td>11.78</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{23.56}{2+1} )</td>
<td>7.85</td>
</tr>
<tr>
<td>Ontario South East</td>
<td>35.40</td>
<td>( \frac{35.40}{3+1} )</td>
<td>8.85</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{35.40}{4+1} )</td>
<td>7.08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{35.40}{5+1} )</td>
<td>5.90</td>
</tr>
<tr>
<td>Ontario South</td>
<td>42.95</td>
<td>( \frac{42.95}{5+1} )</td>
<td>7.16</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{42.95}{6+1} )</td>
<td>6.14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{42.95}{7+1} )</td>
<td>5.37</td>
</tr>
<tr>
<td>Ontario South West</td>
<td>28.14</td>
<td>( \frac{28.14}{0+1} )</td>
<td>28.14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{28.14}{1+1} )</td>
<td>14.07</td>
</tr>
<tr>
<td></td>
<td></td>
<td>( \frac{28.14}{2+1} )</td>
<td>9.38</td>
</tr>
</tbody>
</table>
**NDP** (Hypothesis A: 10 highest averages by region in bold; Hypothesis B: 13 highest averages with extra seats underlined; maximum three highest averages per region)

| Region                        | Average | \[
|------------------------------|---------|---------|
| I. Ontario North             | 27.53   | [3 + 1] = 6.88 (10<sup>th</sup>);
|                             |         | [4 + 1] = 5.51 (16<sup>th</sup>);
| II. Ontario East             | 9.40    | [0 + 1] = 9.40 (7<sup>th</sup>);
|                             |         | [1 + 1] = 4.70 (20<sup>th</sup>);
| III. Ontario Centre East     | 12.53   | [0 + 1] = 12.53 (3<sup>rd</sup>);
|                             |         | [1 + 1] = 6.27 (14<sup>th</sup>);
| IV. Ontario Centre           | 10.01   | [0 + 1] = 10.01 (5<sup>th</sup>);
|                             |         | [1 + 1] = 5.01 (19<sup>th</sup>);
| V. Ontario Centre West       | 8.92    | [0 + 1] = 8.92 (9<sup>th</sup>);
| VI. Toronto Suburbs          | 10.10   | [0 + 1] = 10.10 (4<sup>th</sup>);
|                             |         | [1 + 1] = 5.05 (18<sup>th</sup>);
| VII. Toronto Downtown        | 26.36   | [3 + 1] = 6.59 (12<sup>th</sup>);
|                             |         | [4 + 1] = 5.27 (17<sup>th</sup>);
| VIII. Ontario South East     | 18.70   | [1 + 1] = 9.35 (8<sup>th</sup>);
|                             |         | [2 + 1] = 6.23 (15<sup>th</sup>);
|                             |         | [3 + 1] = 4.68 (21<sup>st</sup>);
| IX. Ontario South            | 13.04   | [0 + 1] = 13.04 (2<sup>nd</sup>);
|                             |         | [1 + 1] = 6.52 (13<sup>th</sup>);
| X. Ontario South West        | 19.93   | [0 + 1] = 19.93 (1<sup>st</sup>);
|                             |         | [1 + 1] = 9.97 (6<sup>th</sup>);
|                             |         | [2 + 1] = 6.64 (11<sup>th</sup>);

**STEP 3:** The parties’ regional distribution of list seats as determined in Step 2 is then allocated between the parties based on the highest averages in each region, subject to the following rules:

**Rule 1:** The maximum number of seats per region is calculated by adding the total number of single-member district seats and list seats province-wide, and dividing by 10. If extra seats are added to that Legislature, these are added to the total, divided by 10 and rounded up to the nearest whole number.

\[
[27 + 103] \div 10 = 13 \\
[27 + 103 + 9] \div 10 = 13.9 > 14
\]

**Rule 2:** If the maximum number of seats per region is exceeded following the allocation of the parties’ list seats as calculated in Step 2, the list seats are allocated between the parties in the order of the highest averages; any party whose seat cannot be allocated as a result of the regional maximum is allocated a list seat in the region where the party’s next highest average is found and where the maximum seats per region has not been reached.

**Rule 3:** Despite the higher averages of any other party’s list seats and the maximum number of seats per region described in Rule 2, a party that won no single-member seats in a region is allocated the highest-average list seat that was distributed to the party in that region as calculated in Step 2.
LIST SEAT TOTALS BY PARTY AND REGION, 2003 SIMULATION (HYP. A)

<table>
<thead>
<tr>
<th>Region</th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Ontario North</td>
<td>0</td>
<td>1 (10&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (10&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>II. Ontario East</td>
<td>0</td>
<td>2 (11&lt;sup&gt;th&lt;/sup&gt;, 15&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (7&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>III. Ontario Centre East</td>
<td>0</td>
<td>2 (26&lt;sup&gt;th&lt;/sup&gt;, 25&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (3&lt;sup&gt;rd&lt;/sup&gt;)</td>
</tr>
<tr>
<td>IV. Ontario Centre</td>
<td>0</td>
<td>2 (17&lt;sup&gt;th&lt;/sup&gt;, 23&lt;sup&gt;rd&lt;/sup&gt;)</td>
<td>1 (5&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>V. Ontario Centre West</td>
<td>0</td>
<td>2 (5&lt;sup&gt;th&lt;/sup&gt;, 8&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (9&lt;sup&gt;th&lt;/sup&gt;) **</td>
</tr>
<tr>
<td>VI. Toronto Suburbs</td>
<td>0</td>
<td>2 (1&lt;sup&gt;st&lt;/sup&gt;, 4&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (4&lt;sup&gt;th&lt;/sup&gt;) **</td>
</tr>
<tr>
<td>VII. Toronto Downtown</td>
<td>0</td>
<td>2 (3&lt;sup&gt;rd&lt;/sup&gt;, 7&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>VIII. Ontario South East</td>
<td>0</td>
<td>1 (14&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (8&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>IX. Ontario South</td>
<td>0</td>
<td>1 (18&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>2 (2&lt;sup&gt;nd&lt;/sup&gt;, 13&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>X. Ontario South West</td>
<td>0</td>
<td>2 (2&lt;sup&gt;nd&lt;/sup&gt;, 6&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>1 (1&lt;sup&gt;st&lt;/sup&gt;)</td>
</tr>
</tbody>
</table>

**PROVINCE-WIDE TOTALS:** 0 17 10

* One or more seats not calculated in Step 2 but allocated to this region in Step 3 by operation of Rules 2 and 3.

** Seat allocated in Step 2 but average is the lowest of four in Step 3: the party keeps the seat by operation of Rule 3.

EXTRA LIST SEATS BY PARTY AND REGION, 2003 SIMULATION (HYP. B)

<table>
<thead>
<tr>
<th>Region</th>
<th>Lib.</th>
<th>PC</th>
<th>NDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Ontario North</td>
<td>0</td>
<td>1 (21&lt;sup&gt;st&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>II. Ontario East</td>
<td>0</td>
<td>1 (25&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>III. Ontario Centre East</td>
<td>0</td>
<td>0</td>
<td>1 (14&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>IV. Ontario Centre</td>
<td>0</td>
<td>0</td>
<td>1 (19&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
<tr>
<td>V. Ontario Centre West</td>
<td>0</td>
<td>1 (13&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>VI. Toronto Suburbs</td>
<td>0</td>
<td>1 (9&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>VII. Toronto Downtown</td>
<td>0</td>
<td>1 (16&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>VIII. Ontario South East</td>
<td>0</td>
<td>1 (19&lt;sup&gt;th&lt;/sup&gt;)</td>
<td>0</td>
</tr>
<tr>
<td>IX. Ontario South</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>X. Ontario South West</td>
<td>0</td>
<td>0</td>
<td>1 (6&lt;sup&gt;th&lt;/sup&gt;)</td>
</tr>
</tbody>
</table>

**PROVINCE-WIDE TOTALS:** 0 6 3

---

27 Although the NDP’s 14<sup>th</sup> (6.27) is greater than the PCs’ 25<sup>th</sup> (5.95), the NDP has no seats left to allocate.
28 The party’s third list seat for this region (13<sup>th</sup> highest average) was reallocated by Rules 2 and 3 to the next highest average where the maximum seats per region has not yet been reached (Ontario Centre, 23<sup>rd</sup>).
29 The party’s third list seat for this region (9<sup>th</sup> highest average) was reallocated by Rules 2 and 3 to the next highest average where the maximum seats per region has not yet been reached (Ontario South, 18<sup>th</sup>).
30 The party’s third list seat for this region (16<sup>th</sup> highest average) was reallocated by Rule 2 to the next highest average where the maximum seats per region has not yet been reached (Ontario Centre East, 25<sup>th</sup>).
31 The party’s third list seat for this region (12<sup>th</sup> highest average) was reallocated by Rule 2 to the next highest average where the maximum seats per region has not yet been reached (Ontario Centre East, 20<sup>th</sup>).
32 The party’s second list seat for this region (6<sup>th</sup> highest average) was reallocated by Rule 2 to the next highest average where the maximum seats per region has not yet been reached (Ontario South, 13<sup>th</sup>).
33 Although the PCs’ 27<sup>th</sup> (5.55) is greater than the NDP’s 19<sup>th</sup> (5.01), the PCs have no seats left to allocate.
34 Neither the PCs nor the NDP have any extra seats left to allocate. Hence Ontario South is the only region with 13 instead of 14 seats under Hypothesis B (139 seats total).
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