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Election Act

ONTARIO REGULATION 82/06

No Amendments

citizens' assembly on electoral reform

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the [Table of Regulations – Legislative History Overview](#).

This is the English version of a bilingual regulation.

Definition

1. In this Regulation,

“assembly” means the Citizens’ Assembly on Electoral Reform assembled in accordance with this Regulation. O. Reg. 82/06, s. 1.

Duty of Minister

2. The Minister shall assemble a representative body of electors, to be known as the Citizens’ Assembly on Electoral Reform, in accordance with subsection 17.8 (1) of the Act and with this Regulation. O. Reg. 82/06, s. 2.

Terms of reference

3. (1) The assembly,

(a) shall assess Ontario’s current electoral system and different electoral systems; and

(b) shall recommend whether Ontario should retain its current electoral system or adopt a different one. O. Reg. 82/06, s. 3 (1).

(2) Without restricting the generality of clause (1) (a), in assessing electoral systems the assembly shall consider the principles and characteristics listed in Table 1. O. Reg.

82/06, s. 3 (2).

(3) Subsection (2) does not prevent the assembly from considering any other principle or characteristic it considers relevant. O. Reg. 82/06, s. 3 (3).

(4) Any different electoral system whose adoption the assembly recommends,

(a) shall be described clearly and in detail; and

(b) shall be consistent with the Constitution of Canada. O. Reg. 82/06, s. 3 (4).

(5) The assembly shall consult with a broad cross-section of Ontarians. O. Reg. 82/06, s. 3 (5).

(6) Without restricting the generality of subsection (5), the assembly may consult with,

(a) members of the former Select Committee on Electoral Reform, which delivered its report on November 29, 2005; and

(b) three members of the Ontario Association of Former Parliamentarians, each of whom is nominated by that association to represent one of the three recognized political parties in the Legislative Assembly. O. Reg. 82/06, s. 3 (6).

(7) The assembly shall give members of the public the opportunity to make written and oral submissions. O. Reg. 82/06, s. 3 (7).

(8) The assembly shall complete its work and submit a report in English and French containing its recommendations to the Minister on or before May 15, 2007. O. Reg. 82/06, s. 3 (8).

Members and alternates

4. (1) The assembly shall consist of 104 members, as follows:

1. A chair appointed by the Lieutenant Governor in Council.

2. One member from each of Ontario's 103 electoral districts. O. Reg. 82/06, s. 4 (1).

(2) 52 of the members described in paragraph 2 of subsection (1) shall be female and 51 shall be male. O. Reg. 82/06, s. 4 (2).

(3) One member shall be a person who identifies himself or herself as an Aboriginal

person, that is, a person who is a North American Indian, Metis or Inuit. O. Reg. 82/06, s. 4 (3).

(4) For each electoral district, there shall be a first alternate and a second alternate, of the same sex as the member from that electoral district. O. Reg. 82/06, s. 4 (4).

(5) A person may not be a member or alternate,

(a) if he or she is,

(i) a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada,

(ii) an elected member of a municipal government, including a board under the *Education Act*,

(iii) an officer of a party, constituency association or electoral district association that is registered under the *Election Finances Act* or the *Canada Elections Act*, or

(iv) a candidate of a party that is registered under the *Election Finances Act* or the *Canada Elections Act*;

(b) if he or she holds an appointment made by the Lieutenant Governor in Council, other than under this Regulation, or by the Governor in Council; or

(c) if he or she has been convicted of contravening the *Election Act*, the *Election Finances Act*, the *Municipal Elections Act, 1996* or any similar Act of Canada or of another province or territory. O. Reg. 82/06, s. 4 (5).

Duty of Chief Election Officer

5. The Chief Election Officer shall provide the list and personal information to the Minister under paragraph 6 of section 17.9 of the Act on or before July 14, 2006. O. Reg. 82/06, s. 5.

Alternates and replacement of members from electoral districts

6. (1) The replacement of members of the assembly described in paragraph 2 of subsection 4 (1) by alternates from the same electoral districts is governed by the following rules:

1. Before the assembly's first meeting, if the Minister becomes aware that a member is unable to participate for any reason, the vacancy shall be

filled.

2. During or after the assembly's first meeting but before it begins public consultations, if a member withdraws, dies or is expelled, the vacancy shall be filled, but only if the total number of members has fallen to 76 or fewer.

3. After the assembly begins public consultations, if a member withdraws, dies or is expelled, the vacancy shall not be filled.

4. When a vacancy is filled, the first alternate (or the second alternate, if the first is not available) becomes the member of the assembly from the relevant electoral district. O. Reg. 82/06, s. 6 (1).

(2) A member, other than the chair, may be expelled for cause by the vote of two-thirds of the members of the assembly who are present and voting. O. Reg. 82/06, s. 6 (2).

Duties of chair

7. The chair,

- (a) shall oversee and facilitate the work of the assembly;
- (b) shall ensure that the members of the assembly are provided with appropriate educational resources;
- (c) may choose from the other members of the assembly up to three deputy chairs to assist him or her;
- (d) shall prepare rules of procedure for approval by the assembly;
- (e) shall preside over meetings of the assembly; and
- (f) shall promptly advise the Minister whenever a vacancy arises during or after the assembly's first meeting. O. Reg. 82/06, s. 7.

Proceedings of assembly

8. (1) The assembly's decisions shall be made by a vote of the majority of the members present. O. Reg. 82/06, s. 8 (1).

(2) The chair shall not vote, except to break a tie. O. Reg. 82/06, s. 8 (2).

(3) Meetings of the whole assembly shall be open to the public, but meetings of smaller subgroups need not be. O. Reg. 82/06, s. 8 (3).

(4) A person with a disability who is entitled to attend a meeting is entitled, on request, to have the meeting conducted so as to be accessible to him or her. O. Reg. 82/06, s. 8 (4).

(5) Simultaneous interpretation between French and English shall be made available, on request, for members and for the public at meetings of the whole assembly and at meetings of smaller subgroups. O. Reg. 82/06, s. 8 (5).

(6) The assembly's publications shall be made available in French and English. O. Reg. 82/06, s. 8 (6).

(7) A person with a disability is entitled, on request, to have access to any or all of the assembly's publications in an alternative format. O. Reg. 82/06, s. 8 (7).

[table 1](#)

Principle	Characteristics
Legitimacy	The electoral system should have the confidence of Ontarians and reflect their values.
Fairness of representation	The Legislative Assembly should reflect the population of Ontario in accordance with demographic representation, proportionality and representation by population, among other factors.
Voter choice	The electoral system should promote voter choice in terms of quantity and quality of options available to voters.
Effective parties	Political parties should be able to structure public debate, mobilize and engage the electorate, and develop policy alternatives.
Stable and effective government	The electoral system should contribute to continuity of government, and governments should be able to develop and implement their agendas and take decisive action when required.
Effective parliament	The Legislative Assembly should include a government and opposition, and should be able to perform its parliamentary functions successfully.
Stronger voter participation	Ontario's electoral system should promote voter participation as well as engagement with the broader democratic process.
Accountability	Ontario voters should be able to identify decision-makers and hold them to account.

O. Reg. 82/06, Table 1.

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