

(Updated 2023-07-04)

Changes in Electoral Boundaries and Impacts on Registered District Associations

In preparation for the 2024 Provincial General Election

Purpose

The Electoral Boundaries and Representation Commission recommended new electoral boundaries in its final report dated March 12, 2023. The purpose of this memo is to outline the impact of these new electoral boundaries on registered district associations in the province. This information is particularly important with a provincial general election scheduled for Monday, October 21, 2024.

Report of the Electoral Boundaries and Representation Commission

The Final Report of the Electoral Boundaries and Representation Commission, including maps of the 49 new electoral districts, is available on its website:

<https://www2.gnb.ca/content/gnb/en/corporate/promo/boundaries-representation-commission.html>.

This information may also be found under “Related Links” on the Elections New Brunswick website at <https://electionsnb.ca/content/enb/en.html>.

Making a regulation

The next step is for the government to make¹ a regulation under the *Electoral Boundaries and Representation Act*. This regulation will prescribe the boundary description and the name for each electoral district. The government will post the regulation on its website when it has completed this process. (Note that Elections NB does not know the timeframe for the completion of this process.)

Registering new district associations

Once the government makes the regulation, registered political parties may begin to organize district associations under the new electoral boundaries. This process includes:

- organizing and electing executive officers;
- appointing an official representative, i.e., the person who will be responsible for all financial activities of the association; and
- applying for registration with Elections NB² using the form provided at <https://www.electionsnb.ca/content/dam/enb/pdf/forms/P-04-821-application-for-registration-of-a-district-association-and-appointment-of-official-representative-2022-03-11.pdf>.

Following registration, a registered district association may open a new bank account. It must follow all the requirements of the *Political Process Financing Act*, including submitting a financial return for the calendar year of its registration.

Co-existence during transition period

Both existing and new registered district associations may co-exist during the transition period that begins with the making of the regulation and ends when the Legislative Assembly is next dissolved. Dissolution of the Legislative Assembly is expected to occur on Thursday, September 19, 2024.³

Cancellation of registration of existing registered district associations

An existing registered district association may continue with its financial activities until its registration is cancelled. Cancellation of registration may occur either (1) on the request of the party Leader, or (2) on dissolution of the Legislative Assembly.

The application for cancellation of registration is provided on the Elections NB website:

¹ *Electoral Boundaries and Representation Act*, s.20(1)

² *Elections Act*, s.4.1

³ *Elections Act*, s.13(2)(b); *Legislative Assembly Act*, s.3(4)(b)

<https://www.electionsnb.ca/content/dam/enb/pdf/forms/P-04-825-cancellation-district-association-2022-03-11.pdf>.

Prior to the party Leader requesting cancellation of registration, a registered district association will need to:

- transfer its funds to its registered political party or to one or more new registered district associations; and
- close all bank accounts.

After the application for cancellation of registration has been submitted, the district association's official representative should promptly submit an annual financial return for that calendar year.

If registration of a district association is cancelled on dissolution of the Legislative Assembly, any funds remaining with the association at that time are forfeited. The funds must be remitted to Elections NB with a cheque or other order of payment made payable to the Minister of Finance and Treasury Board.⁴ The bank account must then be closed, and the association's official representative should promptly submit an annual financial return for that calendar year.

If a registered district association has not wound up its finances and its registration has not been cancelled before the dissolution of the Legislative Assembly, the Chief Electoral Officer will immediately notify the district association in writing of the intention to cancel the association's registration within ten days.⁵ The district association will have ten days to transfer its remaining funds to its registered political party or to one or more new registered district associations.

Only after the expiration of this ten-day period will the Chief Electoral Officer cancel the registration of the district association and any of its remaining funds will have to be remitted to Elections NB.

Distribution of funds

Nothing in the *Political Process Financing Act* prescribes any basis for calculating the distribution of funds of a registered district association on cancellation of its registration. A registered political party and its associations may come to a mutual agreement on how they wish to distribute funds to new registered district associations.

Elections NB will not be providing any distribution formula based on the number of electors registered in existing versus new electoral districts. There would be no correlation between any

⁴ *Political Process Financing Act*, s.30(1)

⁵ *Elections Act*, s.143(1)

such formula and the actual financial support provided by supporters to registered district associations.

As legal owner of its funds, each existing registered district association may decide whether to distribute those funds to its registered political party or to specific new registered district associations.