



September 17, 2021

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Our File 2021-0460

**SENT VIA EMAIL** : info@mmf.mb.ca

David Chartrand, President  
Manitoba Métis Federation Inc.  
300-150 Henry Avenue  
Winnipeg, Manitoba R3B 0J7

Dear David Chartrand:

The Commissioner of Canada Elections, the independent officer responsible for ensuring compliance with, and enforcement of, the *Canada Elections Act* (Act), was recently made aware of the Manitoba Métis Federation's (MMF) "Get out to Vote Contest". The contest, which allows participants to enter into a draw for prizes in return for submitting photos of themselves attending the polls, was the subject of complaints to our Office.

Our Office undertook a review of the matter to determine whether the contest contravened the bribery provisions under Act. Subsection 282.7(1) of the Act is reproduced for your reference:

**Offering bribe**

282.7 (1) No person shall, during an election period, directly or indirectly, offer a bribe to influence an elector to vote or refrain from voting, or to vote or refrain from voting for a particular candidate or registered party, at the election.

In order for this provision to apply, one of the crucial elements of the offence is that there must be a corrupt intention on the part of the MMF. Our Office took into consideration that, although you have publicly indicated support for an LPC candidate, the MMF itself has remained non-partisan in its communications about the contest. Secondly, and importantly, we considered the overall context, including the fact that the MMF organized the contest in an effort to increase the Métis population's voter participation in the 44th general election. Taking these factors into consideration, it is our view that the MMF did not act with a corrupt intention by creating and publicizing its draw for prizes and that no offence has been committed under the Act. I would note, however, that if future communications from the MMF were to endorse or oppose specific candidates or political parties, the MMF would run the risk of contravening the Act.

Finally, given the nature of the contest, we did wish to draw your attention to the secrecy of the vote provision of the Act. It is an offence under section 281.8 of the Act to take a photograph of a marked ballot, and to distribute or show a photo of a marked ballot in any way, including on social media. Given the contest calls for photographs of participants attending the polls, we would advise

that participants be reminded of these rules to ensure compliance under the Act as the rules may unintentionally result in its participants contravening the secrecy of the vote provisions.

In light of the information outlined above, our file is now closed.

Yours truly,

*Mylène Gigou*

Mylène Gigou  
Senior Director, Enforcement

