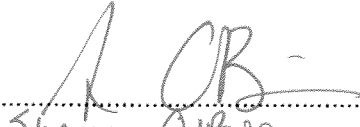


This is Exhibit"D".... referred to in
the affidavit ofJean-Pierre Kingsley.....
sworn before me, this 7th day of May
2013


.....
Shawn O'Brien
A Commissioner of Oaths, etc.



Elections Canada

Office of the Chief Electoral Officer
Bureau du directeur général des élections

Our file: 1906-110

March 18, 2013

Ms. Shaun O'Brien and Ms. Sharon Naipaul
Cavalluzzo Shilton McIntyre Cornish LLP
474 Bathurst Street
Suite 300
Toronto, ON
M5T 2S6

VIA FACSIMILE (416) 964-5895

Dear Ms. O'Brien and Ms. Naipaul:

Re: Frank v. Her Majesty the Queen

This is further to your letter of March 12, 2013 and my subsequent telephone conversation with Ms. Naipaul.

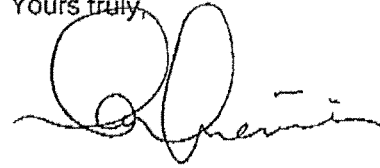
During my conversation with Ms. Naipaul, she confirmed that you are seeking information concerning any complaint received at Elections Canada about the very existence of the voting process found at Division 3 of Part 11 of the *Canada Elections Act* (the Act). These provisions of the Act allow electors who have resided outside the country for less than five years to vote by mail-in ballot, after a blank ballot is sent to them at the issuance of a writ for election.

We have reviewed our records from the 2011 general election to the present, and no complaint was identified about someone objecting to the fact that electors who have lived abroad for five years or less receive a ballot by mail and can vote from abroad. Further, officials responsible for the Special Voting Rules provisions of the Act at Elections Canada cannot recall such a complaint ever having been made.

Please note that the Chief Electoral Officer has recently decided that any information made available to one of the parties to this case would be offered to the other party as well. As such, we will be advising counsel for the Attorney General that, in response to a request made by counsel for the applicants, we were unable to identify any such complaint having been received at Elections Canada.

I trust the above is satisfactory.

Yours truly,

A handwritten signature in black ink, appearing to read 'Marc Chénier', written over a horizontal line.

Marc Chénier
Senior Counsel and
Director , Electoral Affairs