

Canada Elections Act

short list of those who will be writing directly to the Chief Electoral Officer and the President of the Privy Council (Mr. Pinard) asking that this very severe anomaly by which tens of thousands of Canadians are deprived of their right to vote is remedied very quickly, so that before the next federal election those Canadians who have been disenfranchised will be allowed to vote and select the Government.

It would be my hope other Members in this House, Members of the Conservative Party, would come forward and advocate that this anomaly be corrected, and that Members of the Liberal Party would come forward and insist that the Chief Electoral Officer remove this problem. If that is not done in a fair, open and direct way, then it would appear the matter would have to be taken before the courts. The existing situation runs absolutely contrary to the democratic rights of Canadians. If the Government and Parliament of Canada cannot redress this very serious grievance, then I guess the last resort is the courts.

Many other nations, Mr. Speaker, provide that their citizens can vote no matter where they find themselves. If they can make their way to an embassy, they can vote. If they can make their way to a polling station within their country, they can vote. A strong commitment to democracy implies that we enforce to the extent possible the right of every citizen to vote.

Perhaps I should refrain from further remarks on this matter. The point has been made and I know the tolerance of the Chair has been magnificent, as well as that of my colleagues. But I would hope that at some point, maybe this afternoon, the Parliamentary Secretary to the President of the Privy Council (Mr. Smith) might find an opportunity to make a few remarks in response to the omissions in this Bill and in the Act, and indicate whether we might see the Government go forward to the Chief Electoral Officer and express some concern over the fact we have not addressed the problem of absentee voting properly, and that in fact tens of thousands of Canadians who could easily vote are not given the opportunity to do so. We need that amendment and possibly the Parliamentary Secretary might find an opportunity this afternoon to comment.

Mr. Jack Burghardt (Parliamentary Secretary to Minister of Communications): Mr. Speaker, I think before resuming debate on this particular motion by the Hon. Member for Cumberland-Colchester (Mr. Coates), and in light of the remarks we have just heard from the Hon. Member of the NDP, perhaps I should, with your permission, Mr. Speaker, read into the record just what Bill C-262 states so that there is no confusion on the part not only of Members in the House but those who will read *Hansard* and are perhaps watching this afternoon.

The Bill before us is an Act to amend the Canada Elections Act, Bill C-262, and it concerns public opinion polls during an election campaign. It says:

No person, company or corporation shall, after the issue of the writ for an election, and until the polls are closed, publish the result or purported result of a poll of the political opinions of electors in any electoral district in which an election is being held, whether such publication is by radio or television

broadcast, or by newspaper, news-sheet, poster, bill-board, handbill, or in any other manner.

• (1550)

The amendment goes on to state:

Any person, company or corporation that contravenes the provisions of this section and, in the case of a company or a corporation, any person responsible for the contravention thereof, is guilty of an illegal practice and of an offence against this Act.

Bill C-262 is an Act which, if adopted, would amend the Canada Elections Act in order to ban the publication of opinion poll results during a period which would start after the issuing of a writ for an election and last until the polls were closed. If adopted, the Bill would ban the publication of opinion poll results during the entire electoral campaign.

Your Honour knows that this is not the first time this particular subject has been debated before the House. Many other Bills along the same line have been brought before the House. As a matter of fact, a Bill to the same purpose, introduced by the Hon. Member for York-Peel (Mr. Stevens), was debated only two weeks ago. Prior to that time, other Hon. Members in the House, especially on the opposite side, had felt the same way as the Hon. Member for Cumberland-Colchester and had presented Bills in order to ban the publication of polls during election campaigns. During the present session alone, Private Members' time has already been used three times for this kind of Bill.

Mr. Munro (Esquimalt-Saanich): That shows how important it is.

Mr. Burghardt: The first time was on June 20, 1980, when the House debated Bill C-208, a Bill introduced by the Hon. Member for Athabasca (Mr. Shields). The second time was on November 26, 1981, when the House debated the Bill now before us for a second time, Bill C-262. The third time, as I mentioned earlier, was only two weeks ago when the House gave consideration to Bill C-555, sponsored by the Hon. Member for York-Peel.

Therefore, the House is asked by the Hon. Member for Cumberland-Colchester to debate such a Bill for the fourth time during the present session. Moreover, it is the seventh time since his election that the Hon. Member for Cumberland-Colchester has asked the House to debate this very topic. One may seriously wonder if all that could be said about this topic has not been exhausted. I suppose it shows that Hon. Members on the opposite side of the House are either unable to see the stupidity of such a proposal or they are simply obsessed by this particular question.

Mr. Lewycky: They wanted to hear your opinion, Jack.

Mr. Burghardt: Maybe that is it: a kind of fixation resulting from too many electoral defeats. Perhaps that is the reason. They were rejected at the polls by the electors so they are concerned about what the public opinion polls have to say during election time. They want to muzzle the news media and deny information to the people. Why do they want to do that now? We on this side do not seem to be very high in the