

Canada Elections Act

Your Honour or the House, later in dealing with motion No. 7. At that time I said I was only speaking about motion No. 5. If I may have a brief moment, I would like to try to persuade the house that motion No. 7 should be allowed to stand. Motion No. 7 would add a couple of paragraphs to clause 12. At page 15 of the bill section 13.4 of the act is opened up.

Clause 12 begins with the following:

Section 13.4 of the said Act is amended by adding thereto the following subsections:

Then subsections (4) and (5) are added, and all I am attempting to do is add subsections (6), (7) and (8).

My proposed subsection (6) says the following:

A return referred to in this section—

That section is opened up on page 15, line 30 of the bill, for it refers to section 13.4. All I am asking is that a return referred to in that section be accompanied by an affidavit of the chief agent attesting that all of the expenditures referred to in paragraphs 2(c) and (d) were made in respect of the activities of the party in its federal capacity. Subsection (2) is referred to in subsection (5) which is on page 16 of the bill. That reference can be found at line 18 of page 16, and subsection (2) is also referred to at line 37 of page 15. The subsection to which I am referring is already referred to.

The proposed subsection (7) in my motion No. 7 reads as follows:

Where an offence against this Act that is an offence by virtue of subsection (6) is committed by the chief agent of a registered party, the registered party is guilty of an offence against this Act and is liable upon summary conviction to a fine not exceeding double the amount that was expended on behalf of provincial, municipal or out of Canada political activity.

With regard to my proposed subsection (8), I know that in the last two years all the federal parties have got themselves into what I think is a mess. I do not think it was intended, but my proposed subsection (8) says that:

Section 7 shall come into force January 1, 1981.

This would give the parties three years to rearrange their affairs and get out of the mess.

The subsections to which I have referred are added to section 13.4. In Motion No. 5 there was a more difficult point which I had to get around because in that case we were dealing with subsection 13.3(1). That was called a subsection. In this case section 13.4 is to be amended, so a whole section has been opened up and not a subsection. I believe if Your Honour reads the quote which Your Honour read earlier when dealing with the hon. member for Trinity (Miss Nicholson), Your Honour would find that this talks about section and not subsection. Therefore, I think there is a considerable difference. In that case the motion opened up and specified a subsection. This motion deals with a section.

If Your Honour sees fit I intend to apply the speech I made on motion No. 5 to Motion No. 7, and I will sit down and let the matter go on division.

[Mr. Dick.]

Mr. Deputy Speaker: The hon. member really has made his speech on this amendment. I do not know how he can apply his remarks to the work of returning officers.

Mr. Dick: We are on motion No. 7.

Mr. Deputy Speaker: We are on motion No. 8. Motion No. 7 was ruled out of order.

Mr. Dick: With respect, Mr. Speaker, I was not allowed to speak on motion No. 7. I spoke on motion No. 5.

Mr. Deputy Speaker: Motions Nos. 5 and 7 are ruled out of order.

Mr. Dick: But there is a distinction because one refers to subsections.

Some hon. Members: Order!

Mr. Deputy Speaker: In his most recent remarks the hon. member did refer to motion No. 7, but I thought his main argument referred to motion No. 8. However, I must tell him that as far as motion No. 7 is concerned we almost have a double decision. It has been ruled out of order.

Mr. Dick: Mr. Speaker, on motion No. 8 I can say that the Chair is absolutely right that it has to be ruled out of order. I thought there might have been some predisposition on the part of the minister that we would move into a new era of politics, as has been done in the major provinces of Quebec, Ontario and British Columbia where the officials at the polls represent two different political interests. This clause is copied directly from one of the provincial acts and I know it would cause the Chief Electoral Officer and all his representatives in the ridings more trouble than any other section, but all I am doing is seeking unanimous consent. I would need to have it in this case. There is no doubt that it is absolutely out of order unless there is unanimous consent. I wonder if the minister would consider giving his consent on this matter.

Mr. Benjamin: Mr. Speaker, the members of my party would be willing to give their unanimous consent if Your Honour were disposed to ask the House for it. We would agree to allowing the motion to be debated and passed.

Mr. Deputy Speaker: The hon. member for Lanark-Renfrew-Carleton (Mr. Dick) has made a request for unanimous consent with regard to Motion No.—

An hon. Member: Number 7.

Mr. Deputy Speaker: No, motion No. 7 is out of order. We are dealing with motion No. 8. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Dick: The minister says no and again does not want to co-operate.

Motion No. 8 (Mr. Dick) ruled out of order.