

respect, that the existing new section 61.1 of the Canada Elections Act is much more clear and comprehensible than that proposed in Bill C-107. Of course, there are a number of good reasons why I say this, and if hon. members will bear with me I will attempt to elucidate.

At the outset may I say it is unfortunate that backbench MPs do not have available to them the plethora of experienced draftsmen who are available in government departments. And because we do not, Mr. Speaker, and because our other responsibilities as representatives of the people are indeed onerous, oftentimes we as members understandably fall short in our draftsmanship of other than government bills. To say this is not to do other than commend the hon. member for Rocky Mountain for his valiant attempts to present us with a text which is in all respects relevant.

Having thus complimented the sponsor of the bill, I must nevertheless submit that in considering it I have some difficulty in grasping clearly and concisely what the bill is about and how, if passed, other sections of the act to be amended may be affected. That is to day, our deliberations this afternoon require our concentrated focus on an orderly arrangement of the proposed amendments and demand that we should take into account those consequential amendments to the act as well as the main proposed amended section.

In the present case, in the bill before us I note that the existing new section 61.1 of the Canada Elections Act falls under a new division heading of "Election expenses, official agent and auditor of candidates." The foregoing is consistent with the subsequent sections of the Canada Elections Act and leaves no doubt but that new section 61.1 relates only to the subject of that division. However, the bill before us introduces, in draft proposed 61.1, an entirely new subsection (1) which purports to go far beyond matters dealing only with "Election expenses, official agent and auditor of candidates." Quite apart from the foregoing, the intended subsection, in my submission, deals with matters already contained in other parts of the Canada Elections Act as amended by the Election Expenses Act. Further, proposed new paragraph 61.1(1)(b) has no bearing whatsoever on any of the other subject matters contemplated in new section 61.1.

● (1650)

What I have said so far, Mr. Speaker, all with the greatest respect, relates to a weakness in the orderly drafting and arrangement of the subject matter of the proposal. I reiterate, however, that in the present case—

Mr. Yewchuk: Filibuster.

Mr. Stewart (Okanagan-Kootenay): I might have some part of my speech left over. There is much that is important which can be said another day. If I may to return to serious and relevant comments, in the present case the matter is vital as it leaves this reader in doubt as to the limits of the matter covered, and raises conflicts with other existing provisions of the Canada Elections Act as amended by the Election Expenses Act.

May I now refer to the subject matter covered by the amendments proposed in the bill. The obvious first point is that new subsection 70(4.1) of the Canada Elections Act

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as contained in section 11 of the Election Expenses Act already allows a provision for the Chief Electoral Officer to—

—appoint a commissioner whose duties, under the supervision of the Chief Electoral Officer, shall be to ensure that the provisions of this act in regard to election expenses are complied with and enforced.

Are we, then, to have two commissioners, one appointed by the Chief Electoral Officer and one appointed on the nomination of Mr. Speaker? If the answer is affirmative, then surely imponderable conflicts would arise as to the duties of the respective commissioners. The second point which stands out and requires clarification is the fact that a commissioner will be appointed—

—whose duties will be to see to the administration of this act.

The first point which arises is that the existing provisions of subsection 4(1) of the Canada Elections Act lay out the duties of the Chief Electoral Officer. I think it pertinent to quote that subsection, which reads:

(1) The Chief Electoral Officer shall

(a) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers fairness, impartiality and compliance with the provisions of this act;

(b) issue to election officers such instructions as from time to time he may deem necessary—

Mr. Deputy Speaker: Order, please. Earlier the Chair had indicated that for the following 60 minutes we would proceed with private members' business even though we were to begin private members' hour a few minutes ahead of the time provided under the Standing Order. Is it agreed that we consider private members' hour to have expired?

Mr. Baker: No, Mr. Speaker. My understanding of the order which you made was that the hour might begin prior to four o'clock, but there was nothing said about termination. I would not want to miss hearing the prepared research notes presently being read into the record in order to talk out a sound bill. I think the hon. member should be permitted to carry on for just a few more minutes reading into the record notes prepared by the research department of the Liberal Party.

Mr. Deputy Speaker: As I recall it, the expression I used was "for the next 60 minutes." However, I will be happy to hear the hon. member for Okanagan-Kootenay (Mr. Stewart) continuing until five o'clock, the regular time of adjournment.

Some hon. Members: Agreed.

Mr. Stewart (Okanagan-Kootenay): Mr. Speaker, I can well understand the remorse of the hon. member for Grenville-Carleton (Mr. Baker). If the hon. gentleman wishes to hear me out, I will give him full opportunity. Certainly I would not dispute any ruling of the Chair. I assure you, Mr. Speaker, that I spent hours in the preparation of this technical presentation. I ask the forbearance of my colleagues. If the hon. member for Grenville-Carleton wishes to hear me—

Mr. Baker: I do. We want to listen.