

*Canada Elections Act*

Canadian Forces to have those rights are teachers, as I mentioned earlier, and members of the administrative support staff in Canadian Forces schools. This exception was made in the House in 1977, when we amended the Act to include this group.

If passed, the Bill would eliminate a provision which I consider to be discriminatory, and which allows certain civilian electors to exercise their voting rights, while prohibiting others from doing so. According to my information, a large proportion of the individuals to be affected by this Bill are now eligible to vote, but only as dependants of a Canadian Forces elector. This is why, Mr. Speaker, my comments will be on matters of principle rather than on electoral accounting problems. It would be easy to argue that there are not 850 people—perhaps there are only 300. I did not go to the Canadian Forces bases to count them, so I am not going to concentrate on figures but on the principle involved.

To understand the injustice of the present situation, I think Hon. Members should imagine how they would feel if they were a doctor, for instance, who has left his province to practise his profession in Europe on a Canadian Forces base. He reads the Canadian Charter of Rights and Freedoms which became effective last spring, a document that has been given wide circulation by the Government. He notices Section 3 of the Charter, which reads as follows, and I quote:

Every citizen of Canada has the right to vote in an election of Members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

Our doctor says: Great! The Charter is absolutely clear, and I am a Canadian citizen. Even if I happen to be on a Canadian Forces base in Europe, surely I will have the right to vote. When general elections are called, he finds out that he, his wife and his daughter who is of voting age, do not have the right to vote, whatever the Charter says, because of the present wording of the legislation. Our doctor is not a member of the military, nor a teacher nor a dependant of a Canadian Forces elector. He is very disappointed, especially since both his military neighbour across the way and his next-door neighbour who happens to be a civilian teaching elementary school, can take advantage of the mechanisms provided under the Special Voting Rules and vote by mail in federal general elections.

I have heard three arguments which attempt to justify this discriminatory state of affairs. One was that the civilians who would stand to gain by this Bill had been abroad for a long time and, as a result, would have lost interest in Canadian politics. On the other hand, members of the Armed Forces and teachers are, in many cases, people who have been abroad for a number of years. But they have the right to vote.

In fact, that Canadians who stand to benefit from this Bill are still interested in voting was amply proven by the mail I received from these people at my office, and they are still interested in the political life of their country and in the Government because they are entitled to exercise their voting rights in general elections by casting a vote to show their

approval or disapproval of the Government's activities, and in a democracy like ours, it is essential that everyone be allowed to exercise his voting rights.

Another argument was that the people affected by my Bill were not subject to the Code of Service Discipline and were therefore excluded and thus subject to the laws of the country where they were living, not Canadian law. As a result, it would be impossible to prosecute them in case of any violations of the voting rules. I admit there is a problem, but it seems to me it could be overcome. For instance, Canadians working abroad for the Canadian Forces as civilian employees could be declared subject to the Code of Service Discipline but only for the purposes of the Canada Elections Act.

● (1720)

[English]

Third, there is the need for administrative arrangements to put this Bill into effect. Here again, I have received from the people to whom I have written various opinions with regard to the administrative difficulties at hand. I want to read the opinion given to me by the Minister of National Defence. His letter, dated December 6, 1982, is addressed to me, and reads as follows:

To extend the voting privileges beyond members of the Canadian Forces and career members of the Public Service of Canada would require the establishment of permanent lists of electors or continuous electoral rolls. At the moment, both the Department of National Defence and the Department of External Affairs maintain permanent lists of Canadian Forces and Public Service electors based on the information available on personnel departmental files; this information is not available in respect of locally engaged Canadians employed by this Department outside Canada.

The letter goes on:

Administratively it would be extremely difficult and, at times, impossible to maintain permanent and accurate lists of electors and also to ensure that they are afforded the opportunity of voting at federal general elections throughout the world.

**Miss MacDonald:** Australia does.

**Mr. Gauthier:** That is the opinion of the Minister of National Defence.

I wrote, as I said before, to the President of the Privy Council. His answer to me, dated November 18, 1982, reads, in part:

Your suggestion about the possibility of the civilian personnel office producing a list of its employees at the time of a federal election is a reasonable one, if this office keeps the personnel records of all public employees abroad. With the co-operation of the Defence Department, the votes of these employees could be forwarded in a similar manner to the votes of the members of the Armed Forces and their dependants.

As you can see, Mr. Speaker, there is a difference of opinion between these two Ministers. I want to come now to the Chief Electoral Officer's letter to whom I wrote on the same point asking the same question. His answer dated November 22, 1982, and it reads in part:

From an administrative point of view, I do not believe that such an undertaking would present any difficulty, providing the Department of National Defence is in a position to process the statements of ordinary residence of such employees,