

Canada Elections Act

It is a question, as the Hon. Member for Northumberland-Miramichi (Mr. Dionne) has suggested, of increasing the deposit from \$200 to \$2,000. This might be considered as a very large sum of money by almost any standard. Even though \$200 does not seem very much in this day and age, certainly \$200 at the time it was first put into the Elections Act was a considerable sum of money. I do not know the reason for its being put into the Act at that time. Perhaps it was for no other reason than to limit the number of people who would be running in elections, because there would not be that many people who could afford to put up \$200.

Why it has remained in the Elections Act all this period of time is something we will probably never know, but I think some changes should be made in the Elections Act. I am not so sure that what we have before us today, increasing it to \$2,000, is really the answer. I think the last Member who spoke had a very good idea when he suggested that it should be a percentage of the number of voters. This might be the way to handle it.

The Elections Act provides that at least 15 per cent of the voters must vote for a candidate or he will lose his deposit. Maybe for a percentage of voters to sign nomination papers would be a good thing in order to indicate the seriousness of the candidate. Also, to be able to get that number of people, say 500 or 1,000, to sign nomination papers might deter a number of candidates who really were not serious about running from in fact running. In the last election I ran in, I believe there were six of us in the running. Frankly, there were only what I considered to be three serious parties, the Conservative, the New Democratic and the Liberal. The other three, the Rhinoceros Party, the Communist Party of Canada and the Marxist-Leninist Party of Canada, were really not serious. They received about 150 votes among the three of them. That is not very many and I would say they were not serious candidates. They tended to take a lot of time from the legitimate candidates on the platform and they did not deal with any issues which were really of concern to most of the people in the constituency. According to Section 23 of the present Canada Elections Act, a candidate to be officially nominated must file with the Returning Officer a nomination paper signed by at least 25 members of the electoral district, and this number, of course, should be increased, as the Hon. Member previously indicated. I do not know whether it should be 500, but certainly there should be more than 25 electors supporting you and signing your paper if you are going to run.

• (1640)

The Canada Elections Act also states that the deposit is \$200, and you lose your deposit if you do not get 15 per cent of the votes. This is a very simply procedure, of course, and many, many candidates in the last election, and in the previous election also, did not get the required number of votes in order not to lose their deposits. According to the information I have in 1979 there were 1,427 candidates and of that number 757 lost their deposits. In the election of 1980, there were 1,504 candidates, and of that number 854 lost their deposits. You

can see, therefore, that at least half the number who run in an election are really not serious contenders. In my view, if you get less than 15 per cent of the vote, I do not believe you are a serious candidate.

Another aspect of this which should be considered is that Section 3 of the Canada Charter of Rights and Freedoms declares:

Every citizen of Canada has the right to vote—

Mr. Blackburn: I wonder, Mr. Speaker, if the Hon. Member would permit one brief question.

Mr. Robinson (Etobicoke-Lakeshore): Sure.

Mr. Blackburn: With respect to the \$200 deposit, and keeping in mind the Government's six and five program, would the Hon. Member agree that maybe we should increase that amount to \$212?

Mr. Robinson (Etobicoke-Lakeshore): That is a very good question, Mr. Speaker, but we do not have to implement the six and five program in the next election since we are not going to have one for some time. I would imagine that the six and five program would be long gone by that time?

I was referring, Mr. Speaker, to Section 3 of the Canada Charter of Rights and Freedoms which declares:

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.

Therefore, this right to be a candidate is now one of the fundamental democratic rights recognized by the supreme law of the land, and one may wonder if the present \$200 deposit is even constitutional. There is nothing in the Act which says that there must be a deposit, and at some stage this matter might be taken to the courts to determine if in fact we can even ask for a \$200 deposit from an individual so he can run in an election. As far as a \$2,000 deposit is concerned, as I said before, this seems like quite a large amount, and it is a question of whether it is actually reasonable or not. If we could consider the \$2,000 as a reasonable amount—and the courts might decide this—then that could be the amount or it could be somewhat greater or somewhat less. In any event, this whole question of reasonableness would have to be determined, and I would suggest that this certainly would not be included in the Charter of Rights.

There is an alternative which might be considered, and it might deter those candidates who are really not serious about actually running in an election. This, I suggest, is the whole question of bonding. We might ask that any candidate who wishes to run in an election must be bonded. I would suggest that the premium for the bond would be very small, only a few dollars. By the same token, it would not deter anyone from their fundamental democratic right to be able to run in an election. Therefore, my suggestion would be that, instead of setting a maximum amount of \$2,000 as a deposit, we consider that a bond be obtained. The person who is putting up a deposit in that case would not lose his \$2,000 as he would under the Bill before us.