

ELECTION EXPENSES ACT

REASON FOR FAILURE TO CLOSE LOOPHOLE PERMITTING FUNDS TO GO TO PROVINCIAL PARTIES

Mr. Paul Dick (Lanark-Renfrew-Carleton): Mr. Speaker, I wish to direct my question to the President of the Privy Council. On December 6, 1974, page 1111 of *Hansard* I directed a question to the then President of the Privy Council, the hon. member for Eglinton, with regard to the Election Expenses Act. I pointed out that provincial party affiliates of federal parties were reaping the benefits through a loophole in that act and money taken off of federal tax payable was being taken down to provincial levels to fight provincial election campaigns. At that time the then President of the Privy Council said that they were very interested in closing that loophole and that private members' bill in the name of the hon. member for Windsor-Walkerville would, he hoped, be debated very soon. The same recommendation was made in the report of the Standing Committee on Privileges and Elections on April 29 of last year. Why was that loophole not included in Bill C-5 presently before the committee? Why is there no provision included to cut off that loophole?

Hon. Allan J. MacEachen (President of the Privy Council): To be frank with the hon. member, Mr. Speaker, at the moment I am not aware of the reason that particular amendment has not been proposed. Presumably any loophole that may exist in the law can be in practice closed by the operation of the national political parties and the candidates for whom collections are made. I suggest to the hon. member that this is a matter which might be considered in the committee because the bill is now before that committee. It might be a matter for consideration. Certainly, I will give it some thought and consider whether it would be necessary and desirable to move an amendment to bring this objective about if it does constitute a real problem.

Mr. Dick: Mr. Speaker, there was a private members' bill to cover this loophole and it was requested by the Standing Committee on Privileges and Elections in their report of April 29 of last year that the government provide for this. The bill presently before the committee is silent on this. We cannot introduce an amendment of a provision which has not even been opened up in the government legislation before us. Will the President of the Privy Council take the necessary steps as quickly as possible to refer that subject matter or an amendment to Bill C-5 so that it can be considered at the same time?

Mr. MacEachen: Mr. Speaker, I will consider the representations made by the hon. member and whether at this stage it would be desirable to bring in an amendment, either by consent or otherwise in the committee, or have it done in another way. I still believe it is a loophole that can be closed by the national parties operating as they see fit in the management of collected funds.

Oral Questions

ADMINISTRATION OF JUSTICE

DISALLOWANCE OF BILL BY YUKON COMMISSIONER—REQUEST FOR REFERENCE TO LAW OFFICERS

Mr. Erik Nielsen (Yukon): Mr. Speaker, I have been trying to direct a question to the Minister of Northern Affairs for some time. He appears again to be out answering the telephone. In his absence, I will direct my question to the Minister of Justice. Will the minister consult with his colleague with regard to the action of the minister in instructing his commissioner in the Yukon to disallow a bill to amend the inquiries ordinance there, which appears to be directly contrary to Section 20(2) of the Yukon Act which requires the Governor in Council to make such a decision? I ask the Minister of Justice to take up the matter with his colleague and refer it to the law officers of the Crown in the hope that that highly unconstitutional action will be rectified immediately.

Hon. Ron Basford (Minister of Justice): Mr. Speaker, I will be very happy to consult with my colleague along those lines, although I would presume that my colleague and the commissioner acted on the basis of legal advice.

POSSIBILITY OF REFERENDUM ON CAPITAL PUNISHMENT

Mr. W. C. Scott (Victoria-Haliburton): Mr. Speaker, my question is for the Prime Minister. It deals with petitions that are being circulated to him and members of this House by Ontario municipalities regarding the issue of capital punishment. Now that the Prime Minister has modified his position in respect of the use of a referendum, will he take into consideration the wishes of the countless municipalities who have contacted him on this important matter?

Right Hon. P. E. Trudeau (Prime Minister): I believe I made it quite clear in the House when I answered questions on the proposed referendum that it would not be used in our mind to settle this kind of question, but would merely be used in a way that would deal with constitutional questions and the national unity question.

CAPITAL PUNISHMENT—REQUEST THAT VIEW OF ONTARIO POLICE ASSOCIATION BE CONSIDERED

Mr. W. C. Scott (Victoria-Haliburton): Knowing of the minister's interest in this important matter, will he assure the House that he will give serious consideration to the views of the Ontario Police Association who over the past weekend overwhelmingly indicated their support for the return of capital punishment?

Hon. Ron Basford (Minister of Justice): Obviously, Mr. Speaker, I will give it very serious consideration but obviously the vote of this House, and my personal vote on the matter, indicate that I do not agree with that position.