

Hants, Nova Scotia, December 9, 1977; Westmount, Quebec, January 27, 1978; and Rosedale, Ontario, March 1, 1978.

On September 1, 1978, writs of election were issued for seven additional electoral districts, with polling day to be on the same day, October 16, 1978. The relevant dates with regard to those seven electoral districts are as follows: St. Boniface, Manitoba, the date of vacancy was March 23, 1978; the date of the warrant was April 3, 1978, rather quickly again, and the warrant was received by the Chief Electoral Officer on April 3 as well. For Humber-St. George's-St. Barbe, Newfoundland, the relevant dates were March 23, April 3, and April 3 respectively. Likewise for Parkdale, the relevant dates were March 23, April 4, and April 4; for Saint-Hyacinthe, Quebec, the date being April 21, and so on down through to Eglinton, Ontario, the date being May 2, 1978.

● (1740)

It can be seen from the above that in the case of the last of the 15 vacancies to occur, in Eglinton, in Ontario, the writ of election was issued almost exactly four months after the vacancy occurred, and the byelection was held approximately five and a half months after the seat became vacant.

It should also be pointed out that in the case of the last seven vacancies referred to earlier, the byelections were held within the absolute minimum amount of time after the writs were issued, namely, 45 days. The last seven writs were issued on September 1, 1978, and the byelections were held on October 16, 1978.

Even though seven of the byelections were held within the minimum possible time after the writs were issued, the minimum amount of time between the date of the vacancy and the date of the byelection, in the case of Eglinton, was approximately five and a half months. That again is still far too long for people to be without representation in this House.

Bill C-209 would reduce the length of time which an electoral district may remain without representation from an indeterminate time to a maximum of 135 days in the case of the death of a member of Parliament and a shorter time of a maximum of 90 days in other cases such as a vacancy occurring as a result of the resignation of a member or by his accepting an office under the Crown. Those time limits seem reasonable to me.

Therefore, Mr. Speaker, although there is always room for discussion of what precisely the limits on the discretion of the government in regard to the timing of byelections should be, I would like to indicate my support for the principle expressed in this bill put forward by the hon. member opposite.

Mr. Les Benjamin (Regina West): Mr. Speaker, I only want to rise briefly to support the bill of the hon. member for Crowfoot (Mr. Malone). I hope the government will accept it. We have had crazy situations occur in respect of byelections when vacancies resulted in this House. I remember that in 1971 almost six months elapsed, and finally a colleague of mine gave official notice to the Speaker of the vacancy. Then

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the government had six months more, or longer, to call the byelection.

Many of us have felt for a long time that when a vacancy occurs it should be the responsibility of the Speaker to give notice of the vacancy, because the Speaker and the administration of the House of Commons know when the pay allowances stop and a pension starts. That should be sufficient notice of the vacancy, and the Speaker could so advise the House. The government would then have a very limited period of time in which to call a byelection.

We agree with the legislation and hope the government will accept it so that it can proceed to the committee where, I am certain, it will be dealt with quickly. It can then come back here and become the law of the land. We will then no longer have those spectacles which have occurred in previous decades, resulting from the playing around with the calling of byelections to fill vacancies in this House. I agree with what both previous speakers have said. Every constituency in the country is entitled to representation full time in this Parliament. While I might feel that the length of time the hon. member's bill provides is a little bit too long, we will not argue over details. Let us get it done.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, I too would like to say a few words on Bill C-209. The sponsor of the bill, the hon. member for Crowfoot (Mr. Malone), has cited a number of precedents in other jurisdictions, giving examples of how it is done elsewhere. I want to respond quickly to one or two of the points he has made before addressing myself to the substance of the bill.

He cites what is the practice in the British system, and, while that certainly has some merit from his point of view, I would caution him about the British system where the calling of a byelection is automatic, with the result that there is no interference or decision required by the government of the day or the prime minister. Because of the automatic nature of the British proceeding it is possible for a member to be returned in a byelection, as ludicrous as it sounds, after the House has been dissolved. Indeed, that very circumstance happened in a most recent case where the Labour government fell and there was a member returned three days after the government had been defeated in the House and a date has been set for a new election. While he may see some merit in systems elsewhere, he should be aware of the weak points of those practices.

An hon. Member: We can fix that up in committee.

Mr. Simmons: I am sure we can fix it up in committee.

I find members of the NDP suddenly very co-operative. They are in a co-operative mood and are suddenly for something. They suddenly have a position on something, and that alone makes history in this particular chamber. I am not sure what it is they are for. They are for more talk in committee, and they are very good at that. They have often come down on both sides of things. I advise the hon. member for Crowfoot