Canada Elections Act

Motion No. 18 withdrawn.

Mr. Deputy Speaker: This brings us to the consideration of motion No. 3 appearing in the name of the hon. member for Lanark-Renfrew-Carleton (Mr. Dick). The Chair has indicated that the motion is defective from a procedural standpoint in that it introduces a new proposition into the bill. On this point, I wish to refer the hon. member to citation 203(3) which reads as follows:

An amendment setting forth a proposition dealing with a matter which is foreign to the proposition involved in the main motion is not relevant and cannot be moved.

The hon. member's motion attempts to modify the clause by giving a purpose or direction to the money, which is not provided by the clause under consideration or by the intent of the bill. I am ready to listen to the argument of the hon. member.

Mr. Paul Dick (Lanark-Renfrew-Carleton): Mr. Speaker, if I cannot rely on this motion being acceptable, at some stage I may ask the minister to act in the friendly and co-operative way in which the Standing Committee on Privileges and Elections has historically acted; that is, with consent and from a non-partisan point of view. I hope he will consent to there being discussion of this matter.

I am willing to have motions No. 3, 5 and 7 lumped together and dealt with at one time. They deal with slightly different aspects of the same thing. Your Honour has ruled motions Nos. 3 and 7 out of order as they introduce a new proposition to the bill. Your Honour stated that motion No. 5 goes beyond the scope of the bill and amends the parent act. They are all within clauses of the bill which are opened up. Your Honour read a citation to the hon. member for Trinity (Miss Nicholson) which refers to clauses. It does not refer to subclauses. There is a distinction, as we often refer to clauses and subclauses.

These motions were put down in my name because the government did not see fit to bring them in. There was all-party consideration in the Standing Committee on Privileges and Elections. I emphasize—all-party consideration. The Liberal party, the New Democratic Party and the Progressive Conservative party were there at that time, April 29, 1976.

I asked a number of questions in the House. The then government House leader said he wanted to amend the legislation in the way I had brought in the amendments. He said there was a private member's bill before the House that he wanted brought forward and discussed. That bill went forward to the Standing Committee on Privileges and Elections. At page 26 of issue No. 44 for Tuesday, April 13, the Chairman said:

The next is Mr. MacGuigan's bill, restricting expenditures obtained under the Canada Elections Act to the acitivity of that party in the federal field.

● (1632)

There was a brief discussion. Then he said: "Those in favour of the subject matter of Mr. MacGuigan's bill? Those opposed?" The subject matter of the bill was agreed to. In the

[Mr. Deputy Speaker.]

next publication, which contains the report of the Standing Committee on Privileges and Elections to the House, the following appears on page 7 of issue No. 45, dated April 29:

Your committee recommends that the government consider the advisability of introducing amendments to restrict expenditures obtained under the Canada Elections Act to the activities of the party in its federal capacity as referred to in Bill C-362.

So the committee did make a recommendation: it made an all-party, unanimous recommendation.

Mr. Deputy Speaker: Order. The hon. member is really debating the motion. I had hoped to receive argument from him as to its acceptability. However, he has at least given me an opportunity to examine the three motions to which he referred, Nos. 3, 5 and 7. I might be ready to reconsider my decision on motion No. 3, but I do not see any way in which I could do so with respect to motions Nos. 5 and 7.

Mr. Dick: I am sorry; I did not want to get into debate. I wanted to show that a recommendtion had been made and that it may have been overlooked in the bill which was put forward. That is why I put these motions down. I certainly made an attempt to bring them within the scope of our rules. Perhaps I will settle for No. 3 at this time.

Motion No. 3 would introduce certain additional words at line 32 on page 14. The clause is already there; we are definitely into a subclause in this case. The clause states:

(a) all money provided by an individual other than the candidate or by a corporation, trade union, unincorporated organization or association, whether as a loan, advance, deposit, contribution, gift or otherwise, shall be paid on his or its own behalf out of moneys to which he or it is beneficially entitled to a registered agent of the party—

My amendment would provide that such money—it is the same money we are talking about—shall be for the use of the party in its federal capacity only. I do not think this introduces a new topic, though as a matter of fact there is some doubt as to whether this topic is already covered in the bill. I would point out that this is an elections act for electing members to the federal House; we are registering federal parties at the office of the Chief Electoral Officer of Canada, and I am merely talking about using the funds for the benefit of the party at that level, though I may have spelled it out in more precise detail.

Mr. Deputy Speaker: I am glad the hon. member has addressed himself to motion No. 3. I allowed him to pursue his comments because I have been examining his request to reconsider my first opinion as to the acceptability of that motion. The hon. member is right in the sense that his amendment is directly related to the clause. It does, of course, bring in a new concept—and that was my preoccupation—the concept of limiting certain funds to federal activities, which was not in the bill. But I have come to the conclusion that since this a borderline case, I am ready to accept the motion and it can be put to the House.

Mr. Dick: Thank you, Mr. Speaker. I therefore move, seconded by hon. member for Edmonton Centre (Mr. Paproski):