

registered party, without authorization by the appropriate official agent, be guilty of an offence against the Act.

(d) We recommend that any candidate or any official agent of a candidate or of a registered party who authorizes election expenses otherwise than as permitted by the Act, be guilty of an offence against the Act and of a corrupt practice.

(e) We recommend that the penalty section complementary to the above offence sections contain a provision that, in addition to any other remedy permitted by law and to any penalty imposed by law, any political party, candidate or official agent may apply to the court for an injunction restraining such activity.

RECOMMENDATION 19

We recommend that the present requirement of Section 62(2) of the Canada Elections Act that the name, address and occupation of the official agent of each candidate be filed with the returning officer be retained and that the returning officer be obliged to forward such information to the Chief Electoral Officer.

RECOMMENDATION 20

We recommend that each candidate through his official agent be required to deliver to the returning officer his own audited report within three months after the successful candidate in his constituency has been declared elected.

COMMENT

(a) This extends the time by 30 days from the present requirement because of the necessity for audited reports.

(b) This recommendation does not require the creation of a new form. Our intention is that the auditor's report be part of the return of election expenses which comprises a group of statutory forms which each candidate and official agent is already required to file with the appropriate returning officer.

RECOMMENDATION 21

We recommend that each party through its official agent be required to deliver to the Chief Electoral Officer its own audited report within six months of the date the writs were made returnable.

COMMENT AND RECOMMENDATIONS 20 AND 21

The Committee considers that each audited report must be prepared and certified in the usual way by a chartered accountant or other licenced public accountant, and that the official agents of candidates and of the registered parties make available to their respective auditor all their vouchers, receipts, cheques and other pertinent documents for all receipts and disbursements.

RECOMMENDATION 22

We recommend that the Chief Electoral Officer be required to provide the official agent of each candidate a reasonable reimbursement of up to \$250 upon receipt of such audited report in payment of the costs for such auditing provided it is received within the time allowed.

COMMENT

Regarding those candidates who receive fewer votes than the required minimum, the public treasury recovers such reimbursement from the deposit.

PART VII. LIMITATIONS ON EXPENDITURES

The Barbeau Committee did not recommend any general limitations on expenditures by parties. However, your Committee considers that imposing limitations on candidate's expenditures would not be as effective if limitations were not also imposed on parties' expenditures. Therefore, the Committee considers that its proposal to limit candidates' expenditures is closely related to its proposal to limit parties' expenditures.

RECOMMENDATION 23

A) For Candidates

We recommend the adoption of the following upper limits on election expenses by any candidate at a general or by-election;

- (i) \$1.00 per elector to the first 15,000 electors; and
- (ii) 50 cents per elector from 15,001 electors to 25,000 electors; and
- (iii) 25 cents per elector over 25,000 electors.

We further recommend that the said limits in Schedule III electoral districts be increased by a total of 10 cents per elector.

B) For Parties

We recommend that any registered party be allowed to spend on election expenses a maximum of 30 cents per elector in the aggregate of the electoral districts in which that party has candidates.

We further recommend that this limitation be reviewed immediately after the first general election in which it has been in effect.

COMMENT

(a) Item IV.B of the Barbeau Committee Report is to impose *selective limits* on candidates, as follows:

- 1) 10 cents per elector on media, which is broadly defined to include television, radio, newspaper, periodical advertisements, direct mail, billboards, posters, brochures;
- 2) no payments to scrutineers, drivers, etc.; and
- 3) no other specific limitations for candidates.

(b) Section 379.2 of the Quebec Election Act establishes a *total limit* for candidates of:

- 1) 60 cents per elector to the first 10,000 electors; and