

Canada Elections Act

Eachen), seconded by Miss Bégin, moves that Bill C-5 be amended as follows:

Motion No. 13.

That Bill C-5, to amend the Canada Elections Act, be amended in Clause 40 by adding immediately after line 21 at page 44 the following new subclause:

"(3) The Chief Electoral Officer shall, as soon as is reasonably practicable after receipt by him of all returns in respect of election expenses required by section 63 of the *Canada Elections Act* to be transmitted to him in relation to the first general election to which section 61.1 of that Act applies, make a report to the Speaker of the House of Commons relating to the election expenses of candidates, and that report shall stand referred to the Standing Committee of the House of Commons on Privileges and Elections for consideration of the appropriateness of the limitation of election expenses of candidates provided in section 61.1 of the *Canada Elections Act*."

Mr. Cafik: Mr. Speaker, before commenting specifically on the bill I note that every time unanimous consent is sought and I have withheld, it has been drawn to the attention of the House. That does not embarrass me in the very least. The fact of the matter is in terms of co-operation I think all hon. members who would be honest with themselves would agree that in passing this bill through the committee no one could have been more co-operative than I. I have taken many steps in order to deal with this bill in a way that suits the disposition of the committee. This particular amendment in motion No. 13 is a further reflection of that disposition.

The motion provides that the Chief Electoral Officer, when making a report on election expenses of candidates at the first general election to which the amended Canada Election Act applies, that the Election Expenses Act contain such a provision to do the same thing in respect of candidates as it does in respect to parties. It is an amendment to make the provisions symmetrical and obtain a report from the Chief Electoral Officer as to the adequacy of the provisions of electoral levels for both parties and candidates.

Mr. Deputy Speaker: Is the House ready for the question?

Motion No. 13 (Mr. MacEachen), agreed to.

Mr. Deputy Speaker: The House is now scheduled to consider motion No. 15, on which there is hesitation by the Chair because this motion also goes beyond the scope of the bill as it attempts to amend the parent act. The hon. minister admits that this is so, but also requests the consent of the House to proceed with the motion.

● (2112)

Mr. Dick: Mr. Speaker, this matter was not dealt with fully in committee. It was discussed on one occasion by one member who did not come back to the committee. I have gone through all the proceedings. It was not indicated in any of the minutes that the minister was requested to come back with this motion or anything of this nature. Since what this motion effectively tries to do is undo something which is before the courts at the present time, I think we should wait until we have the court decision. For that reason, I withhold unanimous consent.

Mr. Benjamin: Mr. Speaker, this amendment posed by the minister for which he seeks unanimous consent is part of a further commitment he made to political parties on the ad hoc

[Mr. Deputy Speaker.]

committee. The representatives from the member's own party on that committee were party to the request to the minister for this amendment. The impression in committee was that we could take it for granted there would be unanimous consent for the motion to be presented for debate.

I wish the hon. member who is threatening to withhold unanimous consent would reconsider and consult with the representatives of his own party on this matter. An all-party committee discussed this matter with the officials of the minister and the Chief Electoral Officer. This amendment is the result of this discussion. Surely we should at least have an opportunity to discuss this in the House. I plead with the hon. member to provide unanimous consent for us to deal with it.

Mr. Cafik: Mr. Speaker, on the point of order, I would say that the government is not married to this amendment. It is being brought forward only because of our co-operative disposition in trying to achieve objectives that we felt were in the minds of the members opposite. If there is not a disposition to give unanimous consent, the government will not be particularly aggrieved. We are simply trying to accommodate the will of the opposition in light of the fact that this bill affects every member of parliament. We are not trying to deal with it in a partisan way.

I would make one further point. As to the impact of this amendment on any matters that are before the court, they are totally irrelevant. It has no impact on that question whatsoever. Quite evidently, the government is not married to this proposition. It is prepared to support it if members opposite would like it to be supported in order that we may accommodate the disposition of such matters.

Some hon. Members: Hear, hear!

Mr. John M. Reid (Kenora-Rainy River): Mr. Speaker, I believe I am the only member of the House who is actually a member of this ad hoc all-party committee which meets under the chairmanship of the Chief Electoral Officer. We have had a number of discussions on the Roche case, as it has been called. These are the amendments which we came up with and proposed to the government.

While the minister may be correct in saying that the government is not married to these amendments, I can assure hon. members that the political party organizations which exist in Canada are married to these amendments. We regard them as absolutely vital if we are to fight the next election campaign under the election expenses law.

The result of what happened in the Roche case makes it perfectly clear that the meaning of the concepts envisaged in the Election Expenses Act absolutely fall to the ground if anybody can come in and do the kind of thing that was done in that case. Therefore, it would put all organized political parties which have indicated a willingness to abide by the Election Expenses Act into an almost impossible position. That is why we came up with these two additional clauses. That is why I believe the government accepted the recommendation.