

these costs are for the purpose set out in the definition and for the purpose to which you can attach some commercial value.

I know the argument on the other side may be that provincial governments are political entities as well, and that provincial governments have engaged in federal election campaigns. Provincial governments undoubtedly have in the past, and will in the future, try to say that whatever effort they can extend will be to the benefit of the particular party running in the federal election to which they belong. I just cannot see that we would be able to make some kind of assessment. If one does make an assessment of the value of that effort, and if that assessment is considered to be inaccurate—we have to look at this matter because there is a provision later in the bill, and an excellent one, moved by the hon. member for Greenwood (Mr. Brewin) and accepted by the committee in so far as concerns overseeing these activities or policing them—the Chief Electoral Officer is authorized to appoint a commissioner whose duty it shall be to ensure that the provisions of this act in regard to election expenses are complied with and enforced.

As I say, that is an excellent and necessary amendment. But I am very much afraid that if we extend as federal law the application of what are election expenses to a government structured under the British North America Act, a provincial government which is equal to the federal government in the area of its activities, the commissioner will oversee these matters and examine them, but if he comes upon a return of election expenses in which a party or a candidate lists an assessment of the value accruing to that party from the activities of a provincial government, upon what does he determine whether it is an accurate assessment? If he determines that it is not accurate, how does he find out what is correct? Can he bring the provincial government into his office and ask to see its books? I think he would not have the authority or power to search out these matters. Can a provincial government be arraigned in court to produce that information and make accurate what the commissioner concludes is not accurate? I doubt it very much.

A few years ago there was a case in British Columbia where the provincial government seized logs owned by a logging and sawmilling company and became the owner of them. The provincial government drove the logs from one place to another through a salmon-spawning river. No private entrepreneur or corporation could have done that because they would have been in violation of the Fisheries Act of Canada. The matter was raised right in this House. The then minister of fisheries said on a number of occasions in this House, on the advice that he got from the legal people in his department, that the federal government could not challenge the provincial government on this, even though it was *de facto* violation of the Fisheries Act, because the two governments were equal one with the other in their respective jurisdictions: one could not override the other. That could very easily be the case here, Mr. Speaker. We would have either a matter of great tension or a confrontation which would not satisfy the intent of the act.

I am sure, on the other hand, that if we were to accept the amendment and say that only the costs of goods and

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services provided by a government apply to those provided by the federal government, Her Majesty in right of Canada, which includes Crown corporations and all other public agencies, it is an all-inclusive term and that is the only one that we can, and should, tax. Naturally, the only political party at an election that would be making a return of that nature or a return on election expenses that included items referred to in the relevant section would be the party that happened to form the government. None of the other parties would be involved. I do not think any of the other parties could claim that the service provided by a federal government agency, a federal government aircraft or the speechwriter for a cabinet minister, was really an asset in the election of a candidate for some other party. It may well be, and some of them are. But that is something that is not foreseen; it is an indirect benefit to the candidate in the opposition party. I cannot see a candidate listing an assessment of value for the speechwriter of a cabinet minister whom he considered he could use to his advantage in his riding. It was not conceived to be so. There would be only one party making returns under this provision, and that would be the party in power. That is so far as the definition of election expenses is concerned.

There are other references to this question of "government" in the bill. One of them is the return which the registered party is supposed to keep, indicating how much money it obtained and the commercial value of goods and services, of individuals, corporations, governments, etc. Governments are included. Some of them were left because, as I understand the rules of procedure, if an amendment occurs to one clause of the bill, it necessitates consequential amendments to other clauses; those consequential amendments can be made without 24 hours' notice, right on the spur of the moment, and necessarily flow in order to have some continuity and some sense in the bill. They were left out of other clauses for that reason.

I understand that when the committee reported on Friday it reported amendments to the bill and the 48-hour period commenced then, as in fact it did under the rules. At that time I was unaware that some other arrangement had been made and so there was an urgency, I thought, to get amendments in by Friday at five o'clock because if the bill had been called for report stage proceedings yesterday there would have been insufficient time and the 48-hour period would have lapsed. On Friday the bill had not been reprinted, so we then did not have copies of the reprinted bill; we had only copies of the bill which had been given first reading. We had notes concerning amendments moved by members in committee and it was somewhat difficult to fit these in with copies of the bill in our possession. That is another reason we did not go exhaustively through the bill and determine to which sections the suggestions concerning "government" or "governments" would apply. We did look, however, at those parts concerning candidates' returns. We looked at the definition of "election expenses" and at what the returns should show so far as the candidate is concerned. Both these matters may be considered together. Once these matters have been considered, I think we will be able to find other references to "government" fairly easily and make the necessary consequential amendments.