

Canada Elections Act

Hon. Norman A. Cafik (for Mr. Collenette) moved:

Motion No. 4.

That Bill C-5, an act to amend the Canada Elections Act, be amended in clause 10 by striking out lines 32 and 33 at page 14 and substituting the following therefor:

"party, and where the registered agent of a party".

Hon. Norman A. Cafik (for Mr. Collenette) moved:

Motion No. 14.

That Bill C-5, an act to amend the Canada Elections Act, be amended in clause 41 by striking out lines 41 and 42 at page 44 and substituting the following therefor:

"and not otherwise, and where the official agent".

● (1612)

He said: Mr. Speaker, I have very briefly explained my understanding of the reason for these three motions. The reprinting of the report of the committee to the House of Commons did not take into account the precise wording that was agreed to by the committee. It is really a correction of typographical errors in order to conform with the report of the Standing Committee on Privileges and Elections.

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

Some hon. Members: Agreed.

[*Translation*]

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Mr. Deputy Speaker: Carried.

[*English*]

Accordingly, as previously suggested by the Chair, the adoption of motion No. 2 disposes of motions Nos. 4 and 14.

An hon. Member: Which way?

Mr. Deputy Speaker: I declare motions Nos. 2, 4 and 14 carried.

Motions Nos. 2, 4 and 14 (Mr. Cafik for Mr. Collenette) agreed to.

Mr. Knowles (Winnipeg North Centre): They are disposed of here all the time, but it does not mean "favourably."

Mr. Deputy Speaker: The House will now consider motion No. 10 in the name of the Deputy Prime Minister and President of Privy Council (Mr. MacEachen).

Hon. Norman A. Cafik (for Mr. MacEachen) moved:

Motion No. 10.

That Bill C-5, an act to amend the Canada Elections Act, be amended in clause 35 by striking out lines 34 and 35 at page 39 and substituting the following therefor:

"(9) When a recount of votes is made by a judge pursuant to subsection (7) or where the results of any other recount are such that the number of votes separating the candidate who obtained the highest number of votes and any other candidate is no more than twenty-four."

[Mr. Cafik.]

Mr. Deputy Speaker: Might I bring to the attention of the hon. member that this motion has a royal recommendation attached to it.

Mr. Cafik: I just draw briefly to the attention of the House that this particular amendment is the result of a proposition put forward by a member of the opposition. It effectively means that when there is a required recount under the law, where the gap between the winner and the next runner-up is within 25 the present law provides that the Crown, through the electoral office, will pay legal costs up to \$250 a day. This amendment corrects that. If it is within 25 votes either prior to or after the recount, it will still be covered in the same way. The government agreed to accept that amendment. It will not happen very often, if ever, in the circumstances I have described.

[*Translation*]

Mr. Béchard: Mr. Speaker, may I ask a question?

Mr. Deputy Speaker: The hon. member for Bonaventure-Îles-de-la-Madeleine (Mr. Béchard) wishes to ask a question.

Mr. Béchard: If this is a literal translation, could the minister tell us why in English it reads:

... no more than twenty-four",

And in French:

... moins de vingt-cinq".

[*English*]

It is the same thing, but not the same words.

Mr. Cafik: This matter was brought to my attention not only by the Chair but by legal counsel. It was looked into and a number of options were considered. In the final analysis, it was decided the manner in which it is expressed in the motion was the most accurate way we could devise. There is no difference whatsoever in terms of its effect. As the hon. member has pointed out, it happens to be expressed differently in the two official languages.

An hon. Member: Good for you.

Mr. Scott: I have to agree with that. As a matter of fact, I was the one, on behalf of my colleagues in committee, who spoke to the hon. member for Ontario (Mr. Cafik) in this respect. An error can be made. For any election to be decided by a majority of 25 votes is not much, and why should the candidate be put to this expense through no fault of his own? We felt that \$250 a day was not enough for the price of legal advice at this time. We support the government on this amendment.

Mr. Deputy Speaker: Order. The minister is seeking the floor on a point of clarification, which is permissible.

Mr. Cafik: I am sorry, because I do not like to intervene, but I would draw to the attention of the member who spoke prior to myself that motion No. 11 deals with the second aspect, that is, the amount of remuneration for legal fees in the case of