

in Canada might be received at an earlier date than would be the case if passage were delayed.

**Mr. Lang:** On that point of order, Mr. Speaker, may I say I am very pleased with the co-operation shown and the welcome given to this change in the law.

**Mr. Barnett:** The Minister of Justice having closed the debate in such a capable fashion, may I say we shall be pleased to see it done in this way.

**Mr. Deputy Speaker:** Shall the order be varied accordingly and the bill referred to committee of the whole?

**Some hon. Members:** Agreed.

**Mr. Deputy Speaker:** It is so ordered.

Motion agreed to, bill read the second time, considered in committee, reported, read the third time and passed.

**Mr. Bell:** Mr. Speaker, I was about to suggest that we adjourn. I simply say that this shows what we can do, through co-operation, in passing legislation when certain members of parliament are not here to mess things up.

**Some hon. Members:** Oh, oh!

**Mr. Deputy Speaker:** I gather it is the wish of the House that the Chair should call it four o'clock.

**Some hon. Members:** Agreed.

**Mr. Deputy Speaker:** For the next 60 minutes we shall proceed to the consideration of private member's business as listed on today's order paper. The understanding of the Chair is that Bill No. C-107, standing in the name of the hon. member for Rocky Mountain (Mr. Clark) is the measure we shall proceed with for the next 60 minutes. Is this agreed?

**Some hon. Members:** Agreed.

## PRIVATE MEMBERS' PUBLIC BILLS

[English]

### CANADA ELECTIONS ACT

#### PROVISION TO APPOINT COMMISSIONER TO INVESTIGATE COMPLAINTS OF VIOLATION OF ACT

**Mr. Joe Clark (Rocky Mountain)** moved that Bill C-107, to amend the Canada Elections Act, be read the second time and referred to the Standing Committee on Privileges and Elections.

He said: Mr. Speaker, I hope that the spirit of co-operation which is so evident in the chamber will be continued through the remaining 57 minutes and allow this bill to make satisfactory progress. Bill C-107 proposes to clear up or to add force to one of the provisions in Bill C-203, to amend the Canada Elections Act, the Broadcasting Act and various other pieces of legislation.

### Canada Elections Act

Bill C-203, the House will remember, was passed by this House and adopted on January 4 after an extensive amount of work in committee by members of all parties. I think all of us who had the opportunity to work on this bill at the committee stage and take part in the discussions in the House recognized that the bill which was produced, Bill C-203, is an imperfect bill although much less imperfect than the law it replaced and much less imperfect than the bill as originally put forward. There are, however, some very clear faults in the election expenses legislation which was adopted by the House earlier this year. For example, in the provision for contributions to constituency associations there is no \$100 limit, which means, in effect, that there would have to be an accounting for every membership which is purchased and for every raffle ticket which is sold by a constituency association—for every dollar or 50-cent expenditure of that kind. I do not think this is what parliament intended, but that is in the law.

Parties are required to specify days on which they intend to advertise via the electronic media some months or even years in advance of the election date. This presents an obvious difficulty. The fiscal year to be followed by the various parties is not spelled out. This will create difficulty when comparing periods which should be comparable. The requirement that candidates should break down the expenditures they incur is probably insufficient. The language of the bill is so broad that a number of interpretations could be placed upon it. All these shortcomings could cause difficulty later for individual members of this House and for the parties to which they belong.

However, in my opinion, the major failing of Bill C-203 is its failure to include effective provision for enforcement. There has clearly been a substantial change in the approach to the regulation of election campaigns. Certain limits have been imposed. Publication of contributions and expenditures has been required, real reforms have been undertaken. The major shortcoming is this: there is no provision in the bill as it stands for enforcement, no way to guarantee that the reforms we have written into law will be honoured. Substantial penalties have been established, but those penalties will be useless unless we are determined to enforce them. We have incorporated sharp teeth into the measure but no political party, no candidate, will fear sharp teeth if they know that the jaws will never snap, that the teeth will never bite.

In the absence of the fear of penalties and rigid enforcement, in the absence of any fear that fines will actually be assessed and that punishment in the courts will actually ensue whenever offences are committed, we might as well have no bill at all. If there is no enforcement, then we have acted in vain. If there is no enforcement, then in effect we have no reform of electoral practices in this country.

● (1600)

I think a situation that would undermine entirely the purposes of the election expenses bill, which was laboured over so mightily by so many members in this House last year, would be where one party observed the law rigidly and another did not, and the party that did not observe the law suffered no penalty and the provisions that were written into the act were not enforced. If that were to happen once we would be well along the way to a situation