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Chair

Mr. Gary Goodyear

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• (1540)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Ladies and gentlemen, I would like to advise members again today that this meeting is public.

I would like to thank our witnesses for coming, and I'd like to introduce Ms. Stoddart and Mr. D'Aoust.

I know you have some colleagues with you. Do you want to introduce them?

Ms. Jennifer Stoddart (Privacy Commissioner, Office of the Privacy Commissioner of Canada): That would be very kind, yes.

Ms. Marnie McCall is from our legal department.

[Translation]

Ms. Aline Gélinas is my special assistant.

[English]

The Chair: Thank you.

First I would like to thank the witnesses for coming on such short notice. The committee has been working extremely hard, as I explained a little bit earlier, on going through different suggestions on how to improve the Canada Elections Act.

The committee has heard from a number of different witnesses, everybody from the Chief Electoral Officer and the Commissioner of Canada Elections, as well as the various parties. We have had written suggestions from members of Parliament and, in fact, from all the registered parties across Canada.

The committee has worked incredibly hard over the last couple of weeks. We have had extra meetings and spent a lot of time on this.

What it has come down to is that we have a number of ideas in front of us on which we felt we needed the opinion of the Privacy Commissioner and your view on whether what is being proposed is even legal.

Thank you very much for coming. Without further ado, we'll go to the round table type of meeting. Members can ask anything they want, but as I said, I have a list of about seven issues that have been raised over the last couple of months on which I would like to make sure we get clarification. Then frankly, it would be more than easy to dismiss you, as a result.

You're welcome to stay, but then, members, we'll move the meeting quickly into a discussion on those outstanding issues, now based on the information that we have from the various witnesses.

Hopefully we can have a brief discussion on each and then vote a ye or a nay on them and move through them.

Without further ado, I will offer the floor to Mr. Simard first. I think we'll stay with the eight-minute round, then we'll go to the standard, unless somebody deems we don't need to do that.

Mr. Simard, please.

Hon. Raymond Simard (Saint Boniface, Lib.): Thank you very much, Mr. Chair, and welcome, Ms. Stoddart.

I would prefer, actually, the round table format since there are only a few of us here.

But I have one question. It is with regard to the year of birth; for instance, volunteers having the year of birth at the polling stations. If I'm not mistaken, the Bloc Québécois has indicated that it is done in Quebec already. Maybe Ms. Picard will correct me on that, but the information I think we received is that if you are sitting at one of the tables and you are a volunteer for one of the candidates, you can have access to information that gives the voter's date of birth.

Is that an issue in terms of the privacy laws?

Ms. Jennifer Stoddart: I can't inform you as to whether the people at the tables—the volunteers—do have access to the date of birth. If they do, that would probably be covered, I would think, by an oath of office that they would have to take to keep that information confidential.

To the best of my knowledge, this hasn't been an issue. I haven't heard that this has been an issue, but as you know, it is sensitive information. Your date of birth gives access to many things in our system, notably all our credit records. You can do virtually anything with your date of birth.

So if it were to be included in a list, I think it should be used as circumspectly as possible, as little as possible, and shared with the smallest number of people possible.

Hon. Raymond Simard: As you know, one of the major concerns we have at this committee is with regard to election fraud. I think it's becoming more of an issue, and there is a major concern that in one riding, for instance, 10,000 people registered on eBay; it becomes almost unimaginable.

This is one of the ways that we can maybe have a certain amount of control: if somebody is coming in with identification that is doubtful, or you suspect that something may not be right. If you have some information about the person's date of birth and the person is voting as an 18-year-old and they're obviously 80, you know there's an issue.

Generally speaking, based on your experience, do you see that as being a possibility? Is that something we could adapt as one of the tools to identify people, without encroaching on their privacy?

Ms. Jennifer Stoddart: Well, a basic rule of data protection is that you should use personal information sparingly and in proportion to the problem it's meant to address.

If you find that you have a real problem of voter fraud—that is, misused identity, identity fraud at the polls—this could suggest that one of the ways is to use increased amounts of personal information. But my suggestion, as Privacy Commissioner, is to look at this very carefully. Is this across Canada? Are these isolated incidents or is this a major trend? I say this because it has a lot of implications. It's yet one more sensitive piece of personal information that is added to the bank.

If your conclusion is that this is a significant problem, then yes, you could request that this be added to amended legislation.

• (1545)

Hon. Raymond Simard: Again, when Canadians fill out their income tax, apparently there's a box you can fill out indicating that you allow your name to be used for the voter list.

Is that correct, Jamie? How essential is that?

In other words, if the person does not do that, would it be encroaching on his or her rights to take that information and put it on the voter list without consent?

Ms. Jennifer Stoddart: As I remember, the Income Tax Act is one of the pieces of Canadian legislation with the most privacy protection, because it is very sensitive. When we give our information to the income tax authorities, we want to make sure it's used for strictly income tax purposes. So it's in that spirit that we worked with the director general of elections and the income tax people to say that if the information was to be shared, Canadians should be informed and they should consent to it.

Hon. Raymond Simard: Thank you.

Thank you, Mr. Chair.

The Chair: That's a good question. Are you finished with your time now?

Hon. Raymond Simard: I'm finished for now, yes. Thank you.

The Chair: Perhaps I could add to your question by reading, for your information:

Quebec requires that voters provide their name, address and, if asked, their date of birth. They must also produce, as identification, one of a driver's licence, a health insurance card, a Canadian passport or another document that has been issued by a government body. (*Elections Act*, section 337) If an elector cannot produce the required identification, in order to vote he or she must report to an identity verification panel and provide a sworn statement along with either two pieces of identification or have another voter who has produced the required identification vouch for him or her. (section 335.2)

Okay, moving on, we have Mr. Preston.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): I have a couple of points. I think we've come to the area of needing proof of identification at the poll in order to prevent fraud. The proof needs to state who the person is, where he or she lives to know that this is within a certain electoral boundary, and we also have a question

about citizenship. Obviously Canadian citizens can vote in the election, but others can't.

Do you see any problem with our asking for proof of identification or photo proof of identification to answer those questions?

Ms. Jennifer Stoddart: I think there's a problem if you move towards asking on one card for a series of information that doesn't already exist in pre-existing Canadian identity documents.

Mr. Joe Preston: I'm suggesting that we use a driver's licence for the photo, which also handles the address piece. I'm not certain of the citizenship piece yet, so you can add to that one a bit—

Ms. Jennifer Stoddart: Yes, that's why I'm trying to think, what documents do we have? In some provinces, the health insurance card has our photo, name, date of birth, but I don't think our address. Our passport would have our photo and address, but—

Mr. Joe Preston: It would also apply to citizenship.

Ms. Jennifer Stoddart: I don't know if you can move and still use your Canadian passport.

Mr. Joe Preston: It does not have an address in it.

Ms. Jennifer Stoddart: Yes, that's right, just our place of birth. So I'm not sure that there's one card at the present time—

Mr. Joe Preston: I'm going to have to rule off the citizenship piece for now. But even if I'm showing proof of address and proof from a photo identification point of view—you mentioned health cards in some provinces, driver's licences in others, even age of majority cards in some provinces—showing that I am who I say I am, then I show some other sort of address ID to prove that I live where I live.

Ms. Jennifer Stoddart: It seems to me there are two issues, but of course you know far more about electoral issues than I do. One issue is, who is legitimately on the voter's list—

• (1550)

Mr. Joe Preston: Well, that's the problem we're—

Ms. Jennifer Stoddart: —and as I understand, for what riding? Then when you get to the polls, how do you legitimately show, in the least intrusive way possible, but in a way that doesn't make a mockery of our elections, that you are the person who's on the list?

I think that trying to put all those together perhaps increases the potential of privacy invasion, so—

Mr. Joe Preston: Okay. The second half of my time was going to be about the list, because I can prove who I am, but if the list isn't solid enough, it doesn't matter if I'm not on it, or in some cases if I'm on there three or four times; I could still have the potential to prove that I'm that same person three times and vote.

On the other question, then, I'll go to lists for a little bit. Right now, the list is apparently gathered in a number of ways, but the most prevalent appears to be that checked box on your income tax form. However, there is some misinterpretation by some people who may not be Canadian citizens and yet pay income tax. They've also checked the form, and therefore it clouds the list because they are not citizens. Then of course, there are those who don't check that list, and therefore they may not be on there either.

Within the privacy guidelines as you know them, what other lists are gathered by government that we could use to verify this list?

I don't think we can just go tapping into each of the other lists that may be gathered by government and do this. I know that under the Canada Elections Act, Mr. Kingsley has the authority to do this, to make negotiations and do this.

For example, I guess the cleanest list we might have may be census data. Is there any possibility that we could use census data every 10 years to create a permanent electors list?

Ms. Jennifer Stoddart: My understanding is that there are fairly broad powers under the Privacy Act to run data lists against each other, as long as they meet the test of consistent use, which the Supreme Court has set out. I don't know the details—and we might have to get back to you on this—as to how the Canada Elections Act would fit under that scheme, because it's not subject to the Privacy Act. I must say, as Privacy Commissioner, I think this is an anomaly. I think this should be corrected. In fact, last week I tabled a report on the reform of the Privacy Act. In a modern country like Canada, minimally, all our legislation has to at least nominally be under the Privacy Act, and then we should have exemptions or modifications as necessary for that particular act.

So the Canada Elections Act is a slightly different piece of legislation, but the director general of elections can come to a written agreement with any one of the government departments that collects information, for that information-sharing for the purposes of his list.

Could I ask the assistant commissioner to respond?

Mr. Raymond D'Aoust (Assistant Privacy Commissioner, Office of the Privacy Commissioner of Canada): Thank you.

In fact, I believe there are some 40 agreements of the nature that Madame Stoddart just described, whereby the director general of elections actually gets information from federal agencies or organizations. Canada Revenue Agency is one of them, but I believe they have an agreement also with Canada Post Corporation to get information about addresses, and also with provincial and territorial motor vehicle registrars, provincial electoral agencies, and so on.

Mr. Joe Preston: We understand that he can make these. The other thing he's asking for is that we assign a permanent identifier to each voter so that when we do get the cross-information, we can start to prove that it's that person.

We talked about date of birth, or whether it's by driver's licence number. When someone moves from one street to another but their driver's licence number doesn't change, when that next list comes and we've assigned a permanent identifier to them, we know that driver's licence still belongs to that person; therefore, we can change the address on the permanent electors list.

Are there any problems that you see with assigning a permanent identifier to an elector?

Ms. Jennifer Stoddart: I think there are potentially very great problems. Again, we have to come back to, what are the real misapplications that you have found with the current wording of the Canada Elections Act? Is electoral fraud such a problem that we have to make drastic changes?

Assigning each elector in Canada—and that's a good part of our population—a single number is one step towards assigning every single citizen a number. This goes to a society in which we are all numbered, in which, then, you can start to cross-tabulate the numbers and create citizen profiles, and thus enhance surveillance of citizens very drastically.

There are ways of doing it, the random use of numbers, keeping it only for that purpose, and so on, as is done in electronic government to some extent. In electronic government, yes, for various reasons—because you don't see the people and it's a distance relationship, and so on—it is done, but again I would say we should think very carefully before we start to assign more identity numbers to Canadian citizens. We already have a social insurance number.

● (1555)

Mr. Joe Preston: Can we use it?

Ms. Jennifer Stoddart: Again, do you have another way? What is the problem? How bad is the problem you're trying to fix? Do you need the social insurance number to have a reliable electoral list?

The Chair: Thank you with respect to that round.

What I'm gathering is that you can use it. It's not a violation of privacy; it's just that we have to be very careful. If we choose to use an elector number, it should be random and have a distant relationship from the government, basically.

Ms. Jennifer Stoddart: Those would be the caveats, yes.

The Chair: I just want to clarify one other question from Mr. Simard.

If, in fact, there were a box on the income tax forms that asked if you are a Canadian citizen, that would not be a violation of privacy as long as the citizen authorized that information to be transferred to the Chief Electoral Officer?

Ms. Jennifer Stoddart: I would think so, yes.

The Chair: Thank you.

Madam Picard, go ahead, please.

[*Translation*]

Ms. Pauline Picard (Drummond, BQ): Excuse me, Ms. Stoddart. You have perhaps answered the question from my colleague Mr. Simard, but I was looking through my papers and I would like to hear your explanation again.

Would you be in favour of the inscription of the date of birth on the voters' list, the way it is done in Quebec, and of this list being provided to the candidates? That might help eliminate a lot of the mistakes with regard to doubles, in other words people who bear the same name. Would the inscription of the date of birth on the list, as it is done in Quebec, be a problem with regard to the issue of privacy protection?

Ms. Jennifer Stoddart: My answer, Madam, is always the following: we must strive to use the least amount possible of personal information. I am neither for nor against. I would remind you that the more we use personal information, the more we feed it into large databases, the more we want to share it, the more we increase the Canadian State's ability to monitor its citizens.

Are we managing well enough without resorting to the date of birth? You who make the laws, ask yourselves the question: why should we add the date of birth? If you who are studying the various cases reach the conclusion that the date of birth must be added and that there should really be a requirement, then I would ask you to ensure that the date of birth be communicated the least amount possible. We could study the Quebec example, look at how it is administered in practice, in order that dates of birth not be scattered throughout a riding, given that this is sensitive information.

Ms. Pauline Picard: Would you have a suggestion as to how to avoid that happening? At present, we are having a lot of trouble preventing people from presenting themselves before the tables and voting in the place of others. We do not have the means to effectively prevent identity theft. The person acting as deputy returning officer can only count on the good will of the person who comes forward with a card.

People come with a card. Given that they have a card, they are not asked to provide their identity or an ID card. They are thus allowed to vote. We do not know if it is the right person, because the people at the tables do not know everyone. It is not like in a small village. It is really very different in large cities.

So what should be done? Do you have an idea of what could be done in order to exercise better control over those people who present themselves at a polling station and that would be acceptable?

• (1600)

Ms. Jennifer Stoddart: I am unfortunately unable to answer, because I am not sufficiently knowledgeable about voter identity theft. I cannot tell you where the cause of the problem lies. Is it

because the people are not well enough trained or is it because there is no standardized card?

Ms. Pauline Picard: People can go to ten different polling stations with cards that do not belong to them. They can vote in the place of 10 other people by going to different polling stations.

Voter cards can be picked up in various buildings. Often, the person who is delivering them is unable to enter a large building, and simply drops them on the floor. There are boxes full of cards that simply sit there.

Ms. Jennifer Stoddart: Yes, and people pick them up.

Ms. Pauline Picard: We see this all the time; such cases always occur. Man is not perfect, and there will always be some who do wrong. Unscrupulous people will pick up these cards and go to the polling station to vote in other people's stead.

Ms. Jennifer Stoddart: If it is a matter of the absence of trustworthy identification, then it would appear to be a problem of ID standardization and staff training.

In this regard, I would encourage you to study the Quebec example. I had the opportunity to observe it in another life, when I worked for the Quebec Commission d'accès à l'information.

I believe that Quebec innovated somewhat, without having to create a new voter card or a new national identity card. In fact, it used the existing cards and allowed those who did not have a card to make a sworn statement.

My impression, Madam, is that the system works rather well. It has been quite well accepted and facilitated the regulation of elections. I would suggest that you consult Élections Québec directly in this regard, since I am unable to speak on behalf of this organization.

The method I have outlined has been in place for nearly 10 years. You could analyze it and see if it might correct the problems you spoke of and that arise in the case of federal elections.

Ms. Pauline Picard: Thank you very much.

[*English*]

The Chair: Would you like to offer your time to Monsieur Guimond?

You have two minutes, please.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Thank you, Madam Stoddart.

For several years now, Mr. Kingsley has been telling us that we should ask the Privacy Commissioner if she is in agreement with the use of people's date of birth.

If my understanding of your response to Ms. Picard is correct, you would prefer to leave this decision up to the legislator. It is up to us, parliamentarians, to decide if that is the way to go. You see no legal problem with regard to the legislation that you are charged with applying. Correct?

Ms. Jennifer Stoddart: Correct.

Mr. Michel Guimond: You understand why we wish to use the date of birth, do you not? You told Ms. Picard that we should perhaps, as they do in Quebec, ask to see photo ID. We are not talking about what can be found on magazines, such as *Chatelaine*, where there is a label bearing an address. One can pick that up in virtually any mailbox.

If a person who appears at a polling station and who should be 18 years of age looks like he or she is 78 years old, then we have a problem, and it is a problem that can occur with our present system. People can use cards that they pick up in a mall. This is why we thought of using the date of birth.

In your view, are the federal laws that you enforce more restrictive or more liberal than Quebec's laws? Are they truly comparable?

Ms. Jennifer Stoddart: I would not compare them, because we are talking here of jurisdictional differences.

However, I would invite the Assistant Privacy Commissioner to say a few words about our request of last week pertaining to the reform of the Privacy Act, which has become rather obsolescent and which does not apply to the electoral process nor to all of the personal information fraud that occurs with elections. This, to my mind, is an important aspect.

• (1605)

Mr. Raymond D'Aoust: Indeed, on June 5, we tabled with the Standing Committee a document outlining our proposals for reforming the Privacy Act.

Generally speaking, what we are saying is that this Act, which was passed in 1983, is inadequate in the context of today's technological reality, of the Government On-Line initiative, etc.

Furthermore, we believe that this Act has inherent weaknesses in the area of accountability to Parliament. We believe it requires major improvements, especially since it appears that many federal organizations are not subject to this Act. We view that as a major deficiency.

If you wish, we could table this document with you. It would give you an idea of our proposals in view of reforming the Act.

[English]

The Chair: Thank you.

I thank Madam Picard for bringing up the idea of voter information—and other members are okay to bring that up again—but before we move past the voter information card, I'd like to ask the panel about two problems that have been presented.

One is, as pointed out by Monsieur Guimond, that these voter cards are left at random in apartment buildings, in malls, and so on and so forth. Canada Post does that. The second issue is that they are sent out not inside an envelope; the information is in full view of anybody out there. Is either one of those points a violation of the Privacy Act?

Ms. Jennifer Stoddart: Well, as my colleague has said, the Privacy Act doesn't address very much by today's standards of data protection, and it certainly doesn't address details like that.

In the commercial private sector, where we have another more recent law called PIPEDA, we have had reason to mention to large

financial institutions that leaving all kinds of information, free credit cards, and convenience cheques with your name and account number pre-signed are an invitation to identity theft.

By analogy, although we haven't had to look at this issue, we've had very few complaints, other than about one a year, on the electoral process.

It seems to me, Mr. Chairman, this kind of activity in this day of rampant identity theft is one that should be looked at very seriously, because who knows who can pick up this information?

The Chair: Thank you very much.

Mr. Godin, please.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Thank you, Mr. Chairman. Welcome to the witnesses.

If I understood correctly, when Mr. Preston talked about social insurance numbers, the idea of a number reserved for Elections Canada was brought up. However, your fear is that there be too many numbers. I have always believed that we were always but one number. Perhaps it would be preferable to have two.

With regard to the social insurance number, I believe that its usage would be an intrusion into my private life, especially since this number gives access to all sorts of things that would be at the disposal of others. My number is personal; I give it to whomever I please, and no one will take it away from me. The very idea of simply providing this number to Elections Canada would fly in the face of the protection of my privacy.

Ms. Jennifer Stoddart: You are right, this number is very sensitive information. I do not think that anyone suggested using social insurance numbers. I think it was a simple hypothesis.

Mr. Yvon Godin: Yes, but I thought I heard you say—and we could perhaps verify this in the “blues”—that you were of the belief that if there was no other possibility, this might be envisaged. In any event, it did not appear to be the end of the world for you.

Ms. Jennifer Stoddart: Whatever the case, I certainly made no such suggestion. If that is the impression I left you with, then you are providing me with the opportunity to make things clear.

I wished to underscore the fact that we already deal with numerous sensitive indicators that can be used to carry out verifications in databases, to cross-check information, to create profiles, to monitor one's activities and to invade our privacy.

• (1610)

Mr. Yvon Godin: Let us come back to the matter of the number. Let us suppose that we decided to use a second number, a number that would be reserved exclusively for Elections Canada. I do not think these people are necessarily very lucky, but there are five Yvon Godin just in my very own riding of Acadie—Bathurst. Imagine the kind of phone calls they sometimes get.

If we created a number for the exclusive use of Elections Canada, I do not think that would infringe on anyone's privacy, because the number would have no meaning whatsoever except for Elections Canada. It would be better than to force people to provide photo ID and 10 different identification documents. You would have a greater chance of winning the 6/49 lottery jackpot than of having two Yvon Godin with the same number. This would allow for identity verification and would be worthless outside of Elections Canada.

Ms. Jennifer Stoddart: What do I think of that? It might be possible. Without being an expert in the field, I would imagine that, given the cost of setting up these numbers for more than 22 million voters, there might be some temptation to use them elsewhere in order to make the investment more worthwhile. That is what I wished to underscore. There could be consequences flowing from that.

For example, we already have the date of birth; it is in our documents. This would not necessarily entail the same investment and would not lend itself as much to what we call diversion of intent, where you see something created for a given purpose wind up being used for something else.

Mr. Yvon Godin: Mr. Chairman, as far as the date of birth is concerned, I do not believe that it is available everywhere.

Ms. Jennifer Stoddart: Generally speaking, it is not.

Mr. Yvon Godin: It might be possible to have your date of birth indicated on your identification card, but if it is included in Elections Canada's documents, then it could wind up in the hands of other people.

Ms. Jennifer Stoddart: You are perfectly correct, sir. This is why I am taking advantage of this opportunity to mention that last year, other privacy commissioners from all over the world and myself signed a document entitled de Montreux Convention, that can be found on our Website. I might venture to send copies of this declaration to the Chairman.

We are realizing that in several countries, such as Canada, elections legislation is not subject to universal data protection standards. The problem is not what members of Parliament do with all of this personal information. The danger is due to the multiplication of users, to the fact that data can be circulated within ridings and compared with the information provided by other databases in order to create voter profiles. This is a common occurrence.

I would strongly encourage you to delve into this matter. I am also of the belief that voters should be aware of who has access to their personal information and what it will be used for and that they should themselves have access to it, be able to correct errors and ensure that it is secure. As you were saying, if a good many people know my date of birth, then it is not secure and this could lead to other problems.

Mr. Yvon Godin: The card that is sent to the voter gives his or her address and the place where he or she must go to vote. There is no personal information. I do not see any usefulness in placing the card in an envelope.

●(1615)

[English]

Mr. Joe Preston: But it's used by 80% of Canadians as ID to vote.

Mr. Yvon Godin: He brought up the question of using it as ID to vote, and Mr. Kingsley was very clear: if they're using that as ID to vote, it's wrong, because it's not a voting card. It means somebody is not doing their job. We could come up with all kinds of ideas here, but if the people on the ground decide not to follow the law we enact in Parliament, we're still going to have the same problem. And that's the point I want to make. If it's in an envelope, some people may not see the card, and if they don't take their card and go to that, perhaps that will be the answer. And Mr. Kingsley has said he's ready to do that, put it in an envelope.

The question to you was not a question. It was brought up here, and I just want to make sure I clarify that this was not breaking any rule of privacy; it's just the address of a person and where you can go to vote.

But I understand Madame Picard's point, and why she said that she was looking for suggestions.

The Chair: Thank you very much, Monsieur Godin. This is a good discussion to carry on later.

We're going to enter round two. I suppose a comment might be made that it's up to this committee to decide what identification would be required at the polls. The voter information card is definitely not one of them. That's the impression I'm getting.

But we will move to round two, five minutes, Mr. Proulx.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Thank you, Mr. Goodyear.

[Translation]

Good afternoon, Ms. Stoddart. Good afternoon Mr. D'Aoust. I thank you for having accepted our invitation. This is not necessarily a great party, but it is interesting.

Madam Stoddart, we are talking about identification and the right to information. However, I would like to come back to the very basis of our electoral system and talk about the permanent electoral list. The Committee has learned—and we have heard witnesses' statements to this effect—that additions to this list, wrongly or rightly, are very common. We have also noted that the number of removals was lower. Allow me to explain. As has been the case at every election, during the last campaign, I went door to door. Often, when you visit a multiple-unit building, you knock on the door of an apartment where, according to the voters' list, there should be six occupants. When talking to the person who is inside you are told that there are not six people, because it is a bachelor apartment. There has been only one person living there for the last three, four or five years. It is then that we realize that the names on the list are those of the previous occupants.

We therefore put to Mr. Kingsley the fact that there were serious shortcomings and problems with the establishment and updating of the electoral list. My colleague, Mr. Guimond, was saying a little earlier that Mr. Kingsley has been giving us different answers. As you are aware, we discussed this with him and there are all sorts of good or not so good reasons to explain why he obtains information from the Canada Revenue Agency, from provincial governments—be it health insurance or driver's licence data—as well as from others.

You are the expert. In your opinion, what information presently contained in the various systems of the different orders of government could be used in order to ensure that the voters' list is kept up to date while respecting the Access to Information Act? Is it legal for Elections Canada to use driver's licences, health insurance cards or Canada Revenue Agency data? Are there any elements contained in these information sources that are not accessible?

Last month, there was a census that was not of the scope of those that we have seen in Canada over the last 10, 12 or 15 years. In this year's census—which could be qualified as ordinary—, people were asked to provide their name, date of birth, address, occupation, etc. Could Statistics Canada data be used to establish the electoral list? You are familiar with the databanks held at the federal, provincial and municipal levels. Are there databanks that could be used for this purpose?

•(1620)

Ms. Jennifer Stoddart: Sir, your question is broad and presumes that I am familiar with all of the databanks held in the provinces. I must first remind you that the Canada Elections Act is not subject to the Privacy Act. I believe that this situation should be corrected in the very near future.

Mr. Marcel Proulx: Excuse me, Madam, we do not want the information on the electoral list to be provided to others. We would like to see Elections Canada be able to use the information held in other databanks for the establishment and updating of the permanent list.

Ms. Jennifer Stoddart: I understand, but data protection legislation must work both ways. What can be collected can be shared and circulated.

In my view, there is no limit to the information that Elections Canada can legally obtain. This organization is free to modernize its list as long as it respects the usual standards. For example, Elections Canada has a written agreement with Revenue Canada, and I believe it also has one with the Services Committee of Industry Canada. The Office of the Chief Electoral Officer of Canada is, it too, subject to Treasury Board's current policy for data interface. This policy strongly urges Elections Canada to evaluate the impact of its proposed agreement on privacy, to submit it to us for comment and to gather the least possible amount of personal information.

I believe that those are just about the only theoretical limits that exist. Mr. Kingsley would be better informed about this than me. I believe that they can go after information as long as they have reached an agreement.

Mr. Marcel Proulx: You are the expert on personal information, and not Mr. Kingsley.

Ms. Jennifer Stoddart: Yes, but I have told you that his act is not subject to the Privacy Act; it is completely removed from it. I believe that that is a problem. All of the federal government's agencies and legislation should be subject to the same data protection standards and to the same rules, even if exceptions will be made in practice.

It is my understanding that Mr. Kingsley obtained a whole series of files through agreements, and I have talked to you about the federal government's current policy, which provides the framework for the types of agreements that can be negotiated.

Mr. Marcel Proulx: What problem is the fact that Elections Canada is not bound by the Privacy Act, in the way that the other departments are, creating?

Ms. Jennifer Stoddart: This brings us back to what I was talking about earlier. In my view, all handling of personal information within the electoral system should be reviewed in the light of today's privacy protection standards. The Canada Elections Act is silent in this regard, because it is completely exempted from the Privacy Act. For example, if someone makes inappropriate use of personal information on an MP's office, there is no recourse.

[English]

The Chair: Thank you.

We'll have time for another round.

So the committee is clear on this, my understanding is that we have a number of issues wherein the Chief Electoral Officer wants to use other data from other data banks and the national register of electors to share information back and forth with the provinces, and so on.

I'm hearing that it is not a violation of the Privacy Act because the Canada Elections Act is not subject to privacy. Is it your feeling that perhaps it should be and some sensitivity to the modern privacy issue should be maintained by the Chief Electoral Officer?

•(1625)

Ms. Jennifer Stoddart: Exactly.

The Chair: Thank you very much.

Mr. Reid, please.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Thank you, Mr. Chair. Are these now five-minute rounds?

The Chair: Yes, they're five minutes.

Mr. Scott Reid: This is perhaps a comment to colleagues, but Mr. Kingsley said he would put these in envelopes. We've just established that.... Here is one of the three voter cards I was issued under different names at my house. All it establishes is that Scott Jeffrey Reid will be voting at one of the following places, which is hardly personal information. Putting it in an envelope would cost a pile of money and accomplish absolutely nothing, so I suggest we don't pursue that particular suggestion.

In my case it doesn't even have accurate personal information, since it manages to leave my first name off the card the commissioner has. It doesn't even assert that I'm one person; I became three people. Anyway, you can see where I'm going with this.

But I want to talk a little about the use of identity, not so much in the sophisticated way where people compare databases and draw up information about you to determine that you're a 35-year-old female who enjoys alternative country music and snowboarding and therefore proceed to inundate your e-mail account with direct marketing offers, but rather it's about the kind of information that becomes an issue when you are a female who lives in an apartment building and don't want it known that you live in apartment 1014 and who therefore arranges, as many apartment building do, that the numbers listed when you go into the lobby are not the numbers of the apartments, for reasons of safety and security. This potentially could violate that kind of information, though obviously not mine, because it goes in my mailbox in my house in a small town.

There appears to be a problem with a minority of mail carriers, but it's not a negligible minority, or at least that's the impression we have on this committee, some of whom are going into apartment buildings and—who knows why, perhaps to save themselves work—are not actually putting these particular pieces of addressed mail into the appropriate mail slots, but rather are leaving them at the side in a pile.

Sometimes people take their own card and toss it in a corner, but that appears not universally to be the reason these things are available to others.

It seems to me this does represent an invasion of privacy, in the sense of providing someone who might be loitering in the lobby and wants to come in for whatever reason—breaking into an apartment, stealing, or perhaps even worse.... It does represent a breach of security, with that kind of person, which raises an issue. Elections Canada, according to the Chief Electoral Officer when we asked him when he was here earlier, has an agreement with Canada Post that this won't happen, that the mail will be delivered. But there are no actual sanctions under the Elections Act for taking this particular kind of information and tossing it aside rather than delivering it.

I'm wondering if it's your view that the privacy I'm describing would be better served if there were actually a specific offence under the Elections Act for someone who, failing to deliver this kind of information to the appropriate person, fails also to, say, return it to the post office to be destroyed, or returned to the electoral officer, or whatever, but who simply takes it and leaves it in some public place.

Ms. Jennifer Stoddart: The problem you've described, honourable member, is a real problem. Many of us who live in urban environments know that. You've talked about the right to be anonymous, to live anonymously, without identifying oneself to one's neighbours.

You asked a specific question. I'm not sure I have the expertise to answer it. I don't know what the deterrent effect is of adding new penalties to the Canada Elections Act, or whether it is an issue of training letter carriers that you should take up with Canada Post, or.... There are probably many angles to this. Who manages the

vestibules of many of these multiple dwellings is, I think, an issue in modern society.

You would also have to look at the implications. I think the idea of respecting the privacy of those who don't want to be publicly identified except when they're required to be is interesting, but then there's a whole commercial practice around this. You'd have to look, I would think, in all fairness at parallel provisions for the private sector, where sometimes you find your name on all kinds of information that comes to your door, although you have not necessarily remembered giving it out to the person who sends it.

• (1630)

Mr. Scott Reid: I think one thing that's different here, though, from most commercial mailings—although not necessarily from all government mailings—is that it arrives at the same time for everybody in the apartment building, presumably on the same day, but in each case is personally addressed. I'm on a zillion mail order catalogue lists, but I get them and my next door neighbour probably doesn't, and they're getting things of a similar nature that focus on their personal interests and not on mine. So I don't think you're getting quite the same phenomenon you get in commerce. I think that's correct.

Ms. Jennifer Stoddart: Yes, but I'm just pointing out that it also exists in the private sector. This is a very large question that you're opening, so perhaps before saying that a response immediately to that is to add a penalty to the Canada Elections Act, I'm just saying, honourable member, maybe there are a couple of facets that we should look at.

The Chair: Thank you, very much.

Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond: Maybe I will intervene later, Mr. Chairman.

[*English*]

The Chair: Okay. Thank you.

We will go to round three now. I would ask that members consider making their questions far more efficient.

Mr. Simard.

Hon. Raymond Simard: I have just one question, Mr. Chair, about something I would like to understand a little bit better, and it's with regard to one of the comments Mr. Preston made earlier. If we wanted to use the social insurance number as an identifier, one of the comments you made was that it depends how bad your problem is. I find that very subjective.

So if we feel that we have a substantial problem here in terms of potential election fraud, then we could use whatever we'd like to, and the Privacy Act wouldn't kick in. Or let me understand that please.

Ms. Jennifer Stoddart: Thank you. If that's what I gave you to understand, thank you for allowing me to correct myself.

I was pointing to one of the basic data protection principles, which says you don't use personal information except in proportion to the objective you're trying to reach. So the only way that you can correct a serious problem of electoral fraud is by using an identifier—and I certainly would not suggest the social insurance number, as it's a very strong one—then use it in proportion to the problem you think it's going to correct and only in proportion with that. But I do not know of any electoral system that uses something like the social insurance number. They usually use more public ones like the date of birth, which Mr. Kingsley suggested.

Hon. Raymond Simard: Why would that be an issue? Why would using the social insurance number as the identifier be an issue in terms of privacy?

Ms. Jennifer Stoddart: Because the social insurance number's a very strong identifier and is used for our most personal files, notably our income tax file. Most of our government files include as an identifier the social insurance number—I think virtually all of them. They are cut across provincially for our health files and so on.

Usually your financial and your health information is about the most sensitive information that you can have.

Hon. Raymond Simard: And we wouldn't include the right to vote as an important factor? You don't believe this would be considered as one of the key things that a person does in his life?

Ms. Jennifer Stoddart: No, the right to vote is clearly a fundamental freedom. It's a cornerstone of the democracy. Canada wouldn't exist if we didn't have the right to vote.

But what I'm trying to suggest is how serious are the problems, not that you feel, but that you can objectively have verified through a credible, serious study of electoral problems. How serious are they, and is moving to a stronger identifier going to correct those problems or is something else, like electoral reorganization and training? I think professionalization of election workers is also an issue that you're examining and so on. That's—

Hon. Raymond Simard: But it certainly is subjective to a certain extent. There's no doubt. We have to make that decision if we feel that electoral fraud is a big enough issue for us to be able to move ahead with that kind of a thing.

Ms. Jennifer Stoddart: You're the legislator.

Hon. Raymond Simard: Right, okay. Thank you.

The Chair: Mr. Preston.

Mr. Joe Preston: I have a couple of questions. It's been asked, but I'm not sure I've heard the answer. Can we use census data to create a permanent electors list? It has all the factors in it. It has name and address, age, so we'd know they're of voting age, and it has citizenship.

Can the Chief Electoral Officer pull from census data every 10 years one permanent voters list and then repair it over those 10 years until he gets to the next?

•(1635)

Ms. Jennifer Stoddart: Yes, I haven't considered this question a long time, but I don't think there's anything that would prohibit him and I understand there are some agreements. Did I—

Mr. Raymond D'Aoust: I don't know about Statistics Canada, but certainly, as I said earlier, the Chief Electoral Officer has a number of those agreements already in place. Whether or not he has one with Stats Canada remains to be determined. I can't ascertain that.

Mr. Joe Preston: That would seem to me the most accurate way to get a list, once every 10 years. And then use his other comparative list—people who move, people who die, whatever it is. Okay, that's one.

The other one, the second—

Ms. Jennifer Stoddart: Excuse me, hon. member, there is something that has come to my attention. There may be some legal issues that I think I had better not comment on here, but my office was consulted by Elections Canada a couple of years ago about linkages with StatsCan.

We thought there was part of the Canada Elections Act that might have prohibited the linkage at that time. Perhaps, Mr. Chair, we could look at this and come back with a written answer to this, because we did have that one experience when I asked to look. As I said, there are very few complaints against Elections Canada. We had that consultation some three years ago. I have only a brief description of it here and I'd like to be accurate in my answers.

The Chair: I'm not going to cut off your time, Mr. Preston. The committee is working very fast. In what time period could we expect that answer? How about 9 o'clock or 10 o'clock tomorrow?

Ms. Jennifer Stoddart: Three o'clock tomorrow?

The Chair: We have a meeting at 11 o'clock. I am not going to try to push you too hard, but it would be kind of nice to have the information for that meeting. Would that be at all possible?

Ms. Jennifer Stoddart: Yes.

The Chair: Thank you very much. Mr. Preston, you have three minutes left.

Mr. Joe Preston: The other most accurate form of creating this permanent electors list that the Chief Electoral Officer would love, is enumeration, straight door-to-door knocking and asking people if they live there and if they are of voting age.

That is how we did it for many elections. Scott, you talked about wrong addresses on cards or people seeing other people's cards. You and I both remember when we used to post the enumeration lists on the local utility poll for everybody to look at to see if they were on the list.

I think we have gone a long way in privacy and I agree the address should be off the card. The card can come to my house to tell me where I vote—if you're a resident at this house, vote at that address—then it couldn't be used as ID at the poll either.

But from a straight enumeration point of view and from a privacy point of view, what do you think about two people knocking on your door and asking you who you are, how old you are and whether you're a Canadian citizen, going all through your neighbourhood and asking these questions? And these may be your neighbours, to begin with.

Ms. Jennifer Stoddart: I presume they are doing this under colour of law.

Mr. Joe Preston: Sure, they have obviously taken an oath, I would think, as enumerators.

Ms. Jennifer Stoddart: Yes. This is like the census or something.

I would defer to the director general of elections. I don't know much about enumeration. Is this necessary?

Mr. Joe Preston: We have to have lists to compare against. We have to say who lives in these houses and are eligible to vote.

Ms. Jennifer Stoddart: Yes. Is this accurate? I understand that there are problems with the accuracy of enumeration. So again, why are we doing this?

Mr. Joe Preston: We'd like to find another way to do it accurately, which is why I asked the census question. It seems to me now the most accurate way I've found, but is it, of course, allowable?

Ms. Jennifer Stoddart: My understanding is that a very accurate way now is to put a lot of these databases together and then from time to time do spot checks, because our population is rarely at home. It is at home at different times. Some can't vouch for the others and so on.

But there is a minimum of information that we have to give in certain circumstances in order to be a citizen of society. I think identifying yourself for electoral purposes...voting is a right but it is also privilege. If you look at countries around the world, I think it is legitimate to be required to identify yourself.

Mr. Joe Preston: Thank you.

The Chair: Thank you very much.

I believe the committee is coming to the end of this round of questions, so please give it a good deal of thought and let me know. I've run out of names.

Mr. Godin.

[*Translation*]

Mr. Yvon Godin: I would like to follow up.

Mr. Preston asked about obtaining information from Statistics Canada.

Once Elections Canada receives that information, where does it go? It goes through several hands, that of volunteers, of various political parties and moves around in offices where dozens of people work. The list is there, it is being compared and consulted. This is the list of citizens. I do not believe that presently Elections Canada circulates a citizens' list that shows the age and all sorts of other information. On this list, there are only names of people and addresses.

• (1640)

If dates of birth were part of the list given to political parties and various groups, I think this would be a violation of privacy.

Ms. Jennifer Stoddart: Do you mean that giving the list to political parties would be a problem?

Mr. Yvon Godin: Yes, I am talking about a list that would contain lots of information, such as age, etc.

Ms. Jennifer Stoddart: This is precisely the challenge: trying to ensure the electoral process conforms to modern privacy standards. In order to play their proper role in the electoral process, what information on citizens do political parties need? What do they do with it? I stand to be corrected, but presently there is no framework that regulates the use of this information in the context of the electoral process, except the Canada Elections Act. There is no framework that protects this information. This is what I have been saying to you. All over the world, people are starting to reflect on this issue because of the linkages that are possible with many other databases, including commercial data banks and because of the wide circulation of this information in the electoral context and the offices of MPs.

The Chair: Mr. Godin, have you finished?

Mr. Yvon Godin: Yes.

[*English*]

The Chair: Is there anybody else?

I would like simply, then, for the committee's possible benefit, to clarify whether it's possible for Elections Canada, the Chief Electoral Officer, to have all this data, assuming there's consent—date of birth, proof of citizenship, etc.—and to come up with the list. Sharing that list with candidates doesn't necessarily have to mean having that information on it; however, it's possible at the end of the day on election day that somebody at the polling station would have the authority to view the date of birth. Is all that possible?

Ms. Jennifer Stoddart: I would think it is possible, yes, if you need it to establish the identity of somebody.

The Chair: Can I just confirm with you that it's not a violation of privacy for this committee to ask for proof of identity by way of a photo identification? That wouldn't create a problem with the Privacy Act again?

Ms. Jennifer Stoddart: No, it wouldn't create a problem with the Privacy Act, because the Privacy Act is not written in absolute terms. It's not like the Access to Information Act. Again you come back to asking whether you need a photo. Quebec has gone that way and asks for photo ID.

The Chair: One of the other issues the Chief Electoral Officer has asked about is having all volunteers.... As you probably know, in every election campaign the heart of the election campaign is made up of volunteers. I think there'd be a reluctance of volunteers to give information. What is your view on that request, from a privacy standpoint?

Ms. Jennifer Stoddart: Did you say a reluctance of volunteers to give information?

The Chair: Yes. The Chief Electoral Officer wants a report on the volunteers who work on elections.

Ms. Jennifer Stoddart: Oh, I see.

•(1645)

The Chair: There are obvious problems with that, but the question I'm asking you is, would it be a violation of privacy? Obviously if the volunteers want to give the information, it's implied consent. But if volunteers do not want to give the information, yet it's what the Chief Electoral Officer wants, would that not then be a violation of their privacy?

Ms. Jennifer Stoddart: It would depend. Privacy is very different in varied contexts. What does the law say? I'm not familiar with that part of it. If it's in the Canada Elections Act, is it justified? Is it needed? Is it necessary to the integrity of the electoral process? There are a lot of questions you could ask about that practice.

The Chair: Are there any other questions on this issue? I think we have the answers to those issues that we were needing more information about. I believe the committee can now move on to a debate session and make a decision on these issues.

Prior to doing that, again, I would like to thank our witnesses very much. I think you've been outstanding in a short notification situation. Indeed, getting us an answer by 11 o'clock tomorrow is just another thing I'd like to thank you for.

We have officials with us from the parliament of Afghanistan visiting today.

I would like to welcome you. We are honoured to have you sit with us.

The witnesses have offered to stay. I'm not sure why you'd want to do that, but it is a public meeting and that's good to hear.

Ladies and gentlemen of the committee, I think what we need to do at this point is to review our list. Just to remind committee members, we've gone through a number of suggestions from the Chief Electoral Officer. These are suggestions that came from various witnesses; indeed, a number of suggestions have come from members of the committee themselves.

You'd be surprised at how many we've gone through and voted yes, and how many we've gone through and voted no. What I think the committee should do now is to focus on those issues that we felt we needed more information about.

There is in fact a draft report, which was circulated earlier. Does everybody want to take a moment to find that? Perhaps you could take a moment to stretch.

I should probably tell you as well that dinner will be here at 5 o'clock, so we will continue until we get that.

Mr. Guimond.

[*Translation*]

Mr. Michel Guimond: There is one thing we need to understand after the testimony of Ms. Stoddart. I have been sitting on this Committee since 2000 and every time we talked about birth dates or voter numbers, Mr. Kingsley told us that we needed to discuss it with the Privacy Commissioner and get her agreement. But she has been telling us here—maybe Mr. Kingsley will read this—that she has no jurisdiction over the Canada Elections Act. She said that as far as information such as the date of birth or voter number is concerned, it

is up to the legislator, i.e. ourselves, and to the minority government to make decisions.

I want one thing to be clear. Usually, when I make comments of that sort, within 10 minutes I get a call from Mr. Kingsley. This is proof that he listens to us. His spirit listens to us. I suppose he is acting in good faith. Maybe he does not know that the Access to Information Act does not apply to the Canada Elections Act. I trust it is a matter of ignorance and not bad faith.

•(1650)

[*English*]

The Chair: We have the draft report in front of us and we can go through that. I would like to point out to members that if you look at any recommendation....

Obviously it makes sense to start at 1.0, operational issues, and under that, recommendation 1.1, advance administrative confirmation process. We have in fact discussed that. If any member wants to stop at any of these points, I'm happy to do that.

Concerning the recommendations that we have not discussed yet, the first one I come to is recommendation 1.5, which says at the very bottom that it is to be discussed at this meeting. So if members are comfortable with that, we'll simply go to those recommendations that indicate we haven't discussed it and we will now discuss it.

I think the same rules would apply that we'll open it up for debate, and if it looks like it's going to be a very contentious issue, maybe we can just pass on it and come back to it.

I'm not sure I'm comfortable with this particular order, because we've been talking now about privacy, but hopefully we can spin our brains around to this recommendation 1.5.

Is everybody on that? There are no page numbers. This is recommendation 1.5 of the draft report, on the Senate role in the appointment of the Chief Electoral Officer, which begins:

The Senate is currently accorded no role in the appointment of the Chief Electoral Officer

Just so members know, the Chief Electoral Officer is appointed for life, until he or she retires at the age of 65, and can only be removed by the Governor General. I just thought that was something we might want to point out.

Further on it says:

The Senate has suggested that it be given a role in the selection of the Chief Electoral Officer, given that it already has a mandate to review legislation respecting electoral matters, and that this would be consistent with the appointment procedures for other officers of Parliament.

I'm open for discussion. I believe Mr. Guimond's hand was up first, and Mr. Simard was next.

Mr. Guimond.

[*Translation*]

Mr. Michel Guimond: Mr. Chairman, I do not want to make this a matter of personal conflict but I want to make it a matter of principle. It is normal, I believe, that the Chief Electoral Officer, who is responsible for the election of 308 MPs democratically elected by the people, should be appointed by a house whose members are elected.

We do not want the Senate to have any role in the appointment of the Chief Electoral Officer of Canada. We must remember that the Senate is made up of members whose appointment is a political reward. Not one of the 105 senators has been elected. Why should we give them any say over the appointment of an officer responsible for the election of MPs?

[English]

The Chair: Thank you.

Mr. Simard.

Hon. Raymond Simard: I would agree with my colleague that I don't feel that the Senate should have a role to play in the appointment of the Chief Electoral Officer. I like the idea that they're involved in the removal, however—and we discussed this earlier. In a majority government, the members of Parliament could actually not like the particular Chief Electoral Officer and vote him out. So I like the fact that you have a second chamber that is overlooking that process.

That said, one of the comments you made was that the Chief Electoral Officer is appointed for life. I guess most other appointments have a term limit. I wonder if that's something we should consider here at the committee. The Commissioner of Official Languages is leaving in a few weeks, and she was here for seven years. We've spoken about other appointments where there are ten-year limits or five-year limits, for the most part.

This is not a reflection on Mr. Kingsley. I think he's done a very admirable job. But I do think it's important to have change after a period of time, because things do change in the system and some people get set in their ways. I think, for members of Parliament, it would be healthy to renew this position after a certain period of time. Whether it's eight or ten years, I haven't really thought about that, but I would like that to be on the table, please.

•(1655)

The Chair: We can have a discussion about that, but first, who's up next?

Mr. Hill.

Hon. Jay Hill (Prince George—Peace River, CPC): I haven't done the research. I don't know whether anyone else present knows whether the Senate has a role in the appointment process of other officers of Parliament—the Privacy Commissioner, the Ethics Commissioner, the Auditor General, the Commission of Official Languages.

The Chair: We can answer that question for you, Mr. Hill.

Mr. James Robertson (Committee Researcher): The appointment of all officers of Parliament except the Chief Electoral Officer and the Auditor General require that the nomination be ratified by both Houses. The Auditor General at present does not require a motion of either House. I believe Bill C-2, among other things, will make the procedures consistent for the other positions. In fact, all of them will be subject to the nomination's being tabled after consultation with the House leaders or the other leaders and will require a vote of the two chambers. No change is envisaged in Bill C-2 for the Chief Electoral Officer, who would continue to be appointed just by the House of Commons.

The Chair: Let's stay with the issue of the Senate. This is a recommendation by the Chief Electoral Officer that came, I believe, out of his most recent report.

Mr. James Robertson: In this case he is putting this forward as a proposal that has come from the Senate. I don't think he is actually taking a position as to whether it should be done or not. He is bringing it forward for the consideration of parliamentarians.

The Chair: Mr. Hill, did you have anything further? Then I'm going to go to Mr. Proulx.

Hon. Jay Hill: If it's consistent with the appointment of other officers of Parliament, I don't know why we would be opposed to it. Obviously our particular government is interested in trying to move forward by some means, in the future, to seek to elect or select through some form of democratic process the appointees to the Senate of Canada. On the surface I don't see why we would have a strong argument against the Senate's being involved to the same extent as they are in the appointment process of the other officers of Parliament. If we have a problem with this particular officer of Parliament, why wouldn't we have a problem with their being involved with the other officers?

The Chair: For further comment, we'll go to Mr. Proulx, and then to Mr. Guimond.

Mr. Marcel Proulx: I just want a clarification, Mr. Chair.

He answers to the House of Commons; he doesn't answer to the Senate. Isn't that right?

The Chair: I would have to say that's correct.

Mr. Marcel Proulx: I don't think the Senate should be involved, if he doesn't answer to the Senate. Are there other officers answerable to the House of Commons?

Mr. James Robertson: Off the top of my head, I assume every other officer of Parliament, when he or she tables a report, which is how they communicate, table it with the Speakers or through the Speakers of both chambers.

Mr. Marcel Proulx: Does he file with both chambers?

Mr. James Robertson: No. My recollection of the Canada Elections Act is that his reports are presented to the Speaker for tabling in the House, because they involve the election of members of the House.

Mr. Marcel Proulx: That must be the reason it hasn't happened before. That must be the reason, but I'm not an expert on those matters.

Hon. Jay Hill: Mr. Chair, just on this particular point, my understanding is that at least under the existing laws, pending the acceptance of Bill C-2, there are two ethics commissioners or counsellors. The Senate have their own ethics person, and yet, going by what Jamie has just said to us, the appointment and ratification of our Ethics Commissioner—to take ownership of him—who is responsible for the members of Parliament exclusively, not for senators, still has to go through the Senate.

Mr. James Robertson: That is partly, though, because the Ethics Commissioner is also responsible for the Prime Minister's Conflict of Interest and Post-Employment Code for ministers. He is responsible for the Prime Minister's code, that is, for ministers, parliamentary secretaries, and public office holders, as well as for the House of Commons code. The Senate Ethics Officer is only an officer of the Senate, because he is only responsible for the Senate.

Mr. Marcel Proulx: Especially when the Minister of Public Works is a senator....

● (1700)

The Chair: May I make a recommendation at this point that we leave it as status quo?

Mr. Guimond, and then Mr. Godin.

[*Translation*]

M. Michel Guimond: The best evidence of that is that the Senate does not even want a common ethics commissioner. The senators want the Senate to have its own ethics commissioner and the House of Commons to have its own. That is a good example.

Besides, there is a reason why we have this process at the present time. Should a non-elected house have any say in the appointment of the person who manages the process applicable to elected members? This separation of powers is logical. I suggest we leave it as it is.

[*English*]

The Chair: Thank you.

Mr. Godin, a final comment.

[*Translation*]

Mr. Yvon Godin: Mr. Chairman, according to the draft, the Senate is currently given no role in the appointment of the Chief Electoral Officer of Canada, although it participates in the removal for cause of the Chief Electoral Officer. This has already been mentioned. Who established this rule? The Senate cannot appoint someone it may remove!

[*English*]

Mr. James Robertson: That has been in the act for many years. As Monsieur Simard said, you cannot remove the Chief Electoral Officer without a resolution of both chambers, like any other officer of Parliament. One chamber alone cannot remove any officer of Parliament.

The reason they have given this power to the Senate in this case, even though the Senate is not involved in the appointment, is presumably for protection—to ensure that as Monsieur Simard said, the House by majority did not decide to remove a Chief Electoral Officer without some check from the Senate, which is presumably more objective in such matters.

The Chair: May I suggest, given the fact that the state of the Senate may change over the next couple of years, that we leave this as status quo and allow it to be dealt with at another time?

Hon. Jay Hill: Agreed.

The Chair: So the recommendation from the chair is that we vote no on this and allow it to be dealt with later. Is that acceptable to the committee?

Some hon. members: Agreed.

The Chair: I would like to make sure we get as much done as possible.

Does anybody want to deal with the issue raised by Mr. Simard at this time: putting a time limit on the term of the Chief Electoral Officer? So that we have a round figure here, may I throw out 12 years for argument?

Mr. Hill.

Hon. Jay Hill: Here again, I would ask if Jamie has information about the length of tenure for other officers of Parliament. I assume they have some sort of length of tenure to their appointments. It might help frame our discussion if we want to consider making a change in the tenure for the Chief Electoral Officer.

Mr. James Robertson: The Auditor General has a term of 10 years. For the privacy, access, and official languages commissioners, we were trying to figure out if their term is five or seven years, but it's certainly one of those two. For the ethics commissioners, one term is for five and the other for seven.

In the case of the Chief Electoral Officer, he holds office during good behaviour until age 65. So if appointed in his or her thirties or forties, he or she will be there until 65. There is no term; it's dependent on their age at appointment.

Hon. Jay Hill: Ironically, it's just like a senator, albeit 10 years younger.

The Chair: Any other comment on that?

Mr. Hill, are you satisfied at this point?

Hon. Jay Hill: I would make the comment that I certainly think it's an issue the committee might want to consider. Here again I agree with Mr. Simard that it shouldn't be taken as a reflection on the work that Mr. Kingsley has done in that capacity. It's great to have job security, but—

The Chair: Mr. Godin, and then Mr. Proulx.

[*Translation*]

Mr. Yvon Godin: Why has this not been dealt with? In fact, he could be there for 30 years, but I am not sure a ten year term would be enough since we are talking about the Chief Electoral Officer and not an ethics commissioner who deals with events more on a day-to-day basis. There could be five years without an election and then a second one could take place at the end of the ten-year term. We would not want the Chief Electoral Officer to leave his position in the middle of an election, for example.

If we were to choose a fixed term, there could be a conflict with election dates.

● (1705)

[*English*]

The Chair: Mr. Proulx.

Mr. Marcel Proulx: Out of curiosity, how long has Mr. Kingsley been there? And how many years are left to his mandate?

Mr. James Robertson: My recollection is that he was appointed by the Mulroney government in the late 1980s, I believe, and I believe he has a few more years before he reaches mandatory retirement.

Mr. Scott Reid: I was told he's retiring in January 2008.

Mr. Marcel Proulx: Mr. Chair, I knew on a personal basis the previous Chief Electoral Officer, Mr. Hamel. I wasn't running then, Mr. Chair.

Mr. Hamel was in the position for probably 15 years at the most. He came from the Quebec elections system. Mr. Kingsley would have been there roughly about 15 years, or 16 or 17 years. I'm not so sure that we do have to put a term on the mandate, in the sense that the government, I don't think, would appoint someone in his early thirties or mid-thirties for such an important mandate, for such an important responsibility.

If we were to put a term of 10 or 12 years, it might keep excellent candidates away from that particular job, because if you were to retire at age 57 or 58, or even 60, it might not necessarily be easy for somebody to reposition themselves on the market. Because we have to realize that this particular person, while in this mandate, is pretty much neutralized—if I can call it that—to just about anything public.

We wouldn't ask of a judge to be appointed for 12 years or 15 years. I'm not sure that we want to limit the term of Elections Canada's director general.

The Chair: Thank you.

Mrs. Redman.

Hon. Karen Redman (Kitchener Centre, Lib.): Thank you, Mr. Chair.

I was going to make a couple of observations. I think this is obviously a fairly significant departure from what has gone before and it sounds like Mr. Kingsley has a few years left in the role. I would tell you that I think the nature of elections has really shifted. I know somebody else was talking about maybe having them every two years. Over a course of 15 years, if we went every 4 or 5 years, you'd have a lot fewer elections. This is a mammoth task, and my sense is that the rhythm of how we come upon elections in Canada may well have changed and we may not revert back to, notwithstanding what the government would like to see, every four years. The Governor General could still call an election on the advice of the Prime Minister, so I don't think that brings any more assuredness to the process.

This is a huge departure, and I think Mr. Proulx has brought up a very good point. These are excellent people who require top-notch skill sets to do this. I know that my DROs have done international travel, and it's not just what they do domestically; it's what they do internationally.

So I almost think that it's an interesting concept, but I wouldn't want to jump to this in a void and just decide that we're going to pick 10 or 12 years because it might look like the right thing to do. I think I'd rather have a more informed debate at another time about this.

The Chair: That's a very good point.

Mr. Reid, a final comment.

Mr. Scott Reid: I think I agree with what Marcel was saying for two reasons.

One is that the Chief Electoral Officer does serve, to some degree, a judicial role. The commissioner of elections makes the final decisions. But if we actually look at how the act is written, the Chief

Electoral Officer appoints the commissioner and has a large say as to what gets presented to the commissioner. So he is playing a kind of judicial role. We appoint judges to retirement—not to age 65 but to age 75—but the thing is that the point of choosing that date for them is that they don't have to worry about their future employment. They go on to pension. In the days when we didn't have pensions, you appointed them for life. So they stopped being in that role when they dropped dead, and the point was that no one had to worry about butting up somebody to take care of their future income. So I think there's an advantage to that. That was the first thing.

The second thing is that if we choose a term of, let's say, 10 years, for the sake of argument, I think there would be a natural reluctance to choose somebody who is older for that role. But the fact is, if you think about it, the best people to choose for a role like this are people who have served in a distinguished capacity as a provincial chief returning officer, and they might very well be 60 years old. I would hate to see us put ourselves in the position where we find future parliamentarians reluctant to look at a 60-year-old person who has performed well as the chief electoral officer of, say, Quebec, or Ontario, or British Columbia, as the case might be.

• (1710)

The Chair: Is the mood of the committee, then, to just leave this status quo? Okay. Then that's how we'll do it.

I'm inclined to make everybody stay until we finish chapter 1 before we get up for dinner. But they need a few more minutes to set up, so we'll move to recommendation 1.6. We'll deal with this; then we will take a break to get our food.

Recommendation 1.6 is the removal of the office of the assistant chief electoral officer.

Some hon. members: Agreed.

The Chair: Does anybody disagree?

Are there any comments?

Mr. Scott Reid: Yes. Is this the Chief Electoral Officer's recommendation?

The Chair: It is.

Mr. Scott Reid: I'll start by asking a question. What is Diane Davidson's official title?

Mr. James Robertson: She is the assistant chief electoral officer. She has been appointed by Mr. Kingsley to that position.

I'm sorry; she is the deputy chief electoral officer. The office of assistant chief electoral officer is currently not filled. It has not been filled for a number of years. It is filled by the Governor in Council.

Mr. Scott Reid: My understanding of this is that Mr. Kingsley would like Mrs. Davidson to become his replacement and has created this post, which doesn't actually exist. He's made it very difficult for anyone to enter into the role of assistant chief returning officer by essentially assigning them no duties. This has been a problem for a number of years.

I don't think we should formalize his attempt to take over this role, which is not his role.

The Chair: Can we force him to fill it, though?

Hon. Jay Hill: The Prime Minister fills it, doesn't he?

Voices: Yes.

Mr. Scott Reid: And I can tell you, that's not just a problem for this government; the previous government had similar concerns.

The Chair: Mr. Guimond.

[*Translation*]

Mr. Michel Guimond: I have a comment. I do not want to take anything away from Ms. Davidson and I know her abilities. We have known her for several years and we know she is a very credible and competent lady. But I would pick up on what my colleague, Mr. Scott, said. Even if Mr. Kingsley believes she will succeed him—he may as well dream in technicolor and believe he will win 10 million dollars in the lottery—it is the House of Commons that will decide who his replacement will be. Mr. Kingsley and Ms. Davidson are listening and I do not want to minimize Ms. Davidson's abilities. On the contrary, she is extremely competent.

[*English*]

The Chair: Everyone is listening. Can we just put the question? It's a yea or a nay on this issue. Have we had enough discussion?

Let's go to the question. Do we go with this recommendation? All those in favour of going with the recommendation please raise your hands. This is recommendation 1.6, on removing the office of the assistant chief electoral officer.

We have some agreed. Those opposed please signify.

I'm going to suggest the opposed have it. So that's a no.

Thank you very much.

It looks as though we're still setting up.

•(1715)

Hon. Jay Hill: I like the status quo.

The Chair: We're just going with status quo.

Hon. Jay Hill: Yes. I'm very conservative.

The Chair: Recommendation 1.7.... I'm going to push the committee. We're still setting up for food.

Mr. Yvon Godin: On number 1.6, did you take my vote?

The Chair: It wasn't necessary; you were outvoted. Your vote yea would have been to leave it status quo. The motion was clearly voted to just leave it the way it is.

Hon. Jay Hill: Were you voting for it?

Mr. Yvon Godin: Yes.

Hon. Jay Hill: And the two Bloc?

An hon. member: I wasn't ready for the vote.

A voice: Two didn't vote.

Mr. Michel Guimond: Mr. Chair, if you don't want to ask for a recorded vote on every paragraph, I think we must take our time now.

The Chair: I agree.

This recommendation is from the Chief Electoral Officer, from his last report. Can we just take a vote on this now?

Marcel.

Mr. Marcel Proulx: This is a Governor in Council appointee. I have a lot of respect for Mr. Kingsley, but it's not up to Mr. Kingsley to recommend abolishing the post of a Governor in Council appointee. It's up to the government. There's a process through Privy Council Office to look at this.

Thank you.

The Chair: Mr. Godin, one more comment on this.

[*Translation*]

Mr. Yvon Godin: In my view, we are entitled to receive recommendations. We then determine if we want to accept them. This is what we are here for. Otherwise, we might as well adjourn the meeting because I have other things to do.

After all, these are only recommendations and Mr. Kingsley is entitled to make them. Let us vote and we will see if we accept them or not.

[*English*]

The Chair: No one is arguing. Let's vote on it. Do you agree? All those who agree with the removal of the office, raise your hands. Three. Those who do not agree? We will record that the majority of the committee did not.

Was there a question before we break?

Mr. Preston.

Mr. Joe Preston: When we get to recommendation 1.7.... I was anticipating. I was actually moving along.

The Chair: Well, let's push for recommendation 1.7 and then we'll eat.

Hon. Raymond Simard: Mr. Chair, I'm going to eat and work at the same time because—

Mr. Joe Preston: Then let's do that. I'm okay with getting food.

The Chair: We will take a 10-minute break.

•(1715)

(Pause)

•(1735)

The Chair: The meeting is in session, and I would like to remind members that this meeting is public.

To continue where we left off, we were at recommendation 1.7, appointment of revising agents.

Mr. Preston.

Mr. Joe Preston: This concerns the habit or the rules under the Canada Elections Act that the names of these potential revising agents are given to the deputy returning officers in any riding by the parties that finished first and second in the last election, as is currently the practice of selecting deputy returning officers and poll clerks. I don't understand why we're fixing half a problem; we're going to change it for revising agents, but we're not changing it for the other.

The Chair: Are there any other comments?

Mr. Reid.

Mr. Scott Reid: I oppose this recommendation, and I do so on the following basis.

The reason you have polling clerks and DROs appointed by the parties that came first and second is that each of them keeps track of the other. It is a way of keeping the system honest. It works very well. In fact, it works so well that often what happens now is that the widespread abuses that used to occur on a partisan basis in the past have ceased to exist, and the DRO and polling clerk no longer have to be very partisan and in fact are quite collegial with each other.

With revising agents, it is done for the same reason. It would be the easiest thing in the world, if you know your neighbours, to go down the street and neglect to record the people who you think might be partisans of the opposing party and record just your own people. So each would keep the other honest.

So I think the system works. I understand that, to a large degree, this kind of thing may be a thing of the past in many ridings, but at the same time, I hate to tamper with something that has a long history of working well. If anything, our problem is that they don't do enough enumeration.

The Chair: Mr. Simard.

Hon. Raymond Simard: I'm just wondering if Jamie would know what the alternative would be. Is he saying that the Chief Electoral Officer would then name them?

Mr. Yvon Godin: No, he would hire them.

Hon. Raymond Simard: He would hire them? Okay.

Mr. Marcel Proulx: But in the present system, even if we recommend names, they don't have to take them.

Mr. Joe Preston: They can tell us why they refuse them.

Mr. Marcel Proulx: They find excuses galore. They don't like the colour of their hair; they don't like this; they don't like that.

The Chair: Dealing with this specific amendment, am I understanding from the committee that we want to leave this, that we oppose this recommendation?

Some hon. members: Yes. That's right.

The Chair: Thank you.

We're moving on to section 1.8, on the right of Elections Canada employees to strike.

I'm going to try to remember some of the comments made during discussions at previous committees. I think the one comment that came up on this issue was, is it their right to strike for the election time only or throughout the year? But we're open for discussion now.

Mr. Hill, and then Mr. Proulx.

Hon. Jay Hill: Based upon the discussion we had, I tend to agree that the status quo should be maintained where they don't have that right, and especially in a minority parliament situation.

As I recall the question and answer session, it was clearly revealed that in the uncertainty of a minority situation, we have no way of knowing when we might be into that immediate pre-writ and writ period. Therefore, I don't see how we can, in good conscience, allow

the employees to strike, no matter how sympathetic we might be to their right.

• (1740)

The Chair: May I clarify? Right now, the employees have the right to strike. The recommendation is that the right to strike be removed, and it goes further, that it be removed both during and between elections.

Mr. Joe Preston: So at any time.

Hon. Jay Hill: Well, I would agree with that.

Yes, it's all the time, basically.

The Chair: Let's continue the discussions.

Mr. Proulx.

Mr. Marcel Proulx: First I thought it wasn't fair to remove the employees' right to strike, and Mr. Guimond had made a suggestion in regard to conciliation. However, when Mr. Kingsley explained to us that his personnel are probably already part of PSAC or PIPS, depending, that changes the situation in the sense that he does not have a particular union strictly for Elections Canada. So they benefit from the negotiations of their union, whether it be PSAC, or PIPS, or whatever.

So I'm not worried about removing the right. I don't mind removing the right to strike in the sense that they have to be able to continue to serve the Canadian public and they have the protection.

The Chair: Next comment, please.

An hon. member: Do they have protection?

Mr. Marcel Proulx: Yes, because they're members of existing public service unions, presumably PSAC or PIPS.

The Chair: Okay.

Mr. Godin.

[*Translation*]

Mr. Yvon Godin: I cannot support this. The right to strike is fundamental and belongs to the workers. The right to strike is even written into the Canadian Charter of Rights and Freedoms. There is no evidence that there has been any problem in the past. It is just that somebody wants to take away their right to strike. There has never been any problem over the last 100 years.

I cannot support such a move just because it came to somebody's mind. You cannot take away the rights of workers just like that.

[*English*]

The Chair: Ms. Brown.

Ms. Bonnie Brown (Oakville, Lib.): I have reservations about removing a right to strike, yet I understand the problem with minority governments. You wonder if we could just stick in that they retain the right to strike but lose it during the tenure of a minority government, so that he's never caught with people on strike. It's just an idea.

The Chair: It might not be bad.

Once the writ's dropped, they could be ordered back to work. There's all kinds of solutions.

Mr. Preston.

Mr. Joe Preston: It's a solution, but what if the contract was up before a scheduled election. The same thing occurs. If we're on strike, we can't run an election without the trained Elections Canada staff. If we can, we don't need them.

The Chair: Mr. Proulx, and then Mrs. Redman.

Mr. Marcel Proulx: There's another problem, in the sense that Elections Canada does not work only when there's an election coming. It's an ongoing preparation system.

The Chair: Mrs. Redman, and then Mr. Hill.

Hon. Karen Redman: But is part of this discussion about including binding arbitration? Is that part of what this discussion is? Because I have to say I do take some comfort—

Mr. Joe Preston: He said he couldn't, because it was all part of one bargaining unit.

Hon. Karen Redman: Okay, so that's off the table because of Mr. Proulx's comment.

Mr. Joe Preston: Yes.

The Chair: Mr. Hill, and then Mr. Reid.

Hon. Jay Hill: In reference to Mr. Godin's comments, and to a certain extent to Mr. Proulx's comments about these workers already being represented, unless we had information to the contrary, we would have to assume that whatever benefits were negotiated through a strike, or hopefully through negotiation, would flow to these employees, regardless of whether this particular group's rights were restricted.

In response to Mr. Godin, I would think that if we were to do this and it was found in hindsight to be against their charter rights, the courts would overturn it and make that decision.

• (1745)

The Chair: Mr. Reid.

Hon. Jay Hill: Yes, if they challenge it.

The Chair: Mr. Reid.

Mr. Scott Reid: Am I not right? Are there not categories that exist in the public service right now where someone's in a bargaining unit, a category of workers—

An hon. member: NAV CAN.

Mr. Scott Reid: You said NAV CAN is as an example—considered essential. They don't lose the right to strike per se—

Hon. Jay Hill: Essential services, yes.

Mr. Scott Reid:—in the sense that the benefit of having a right to strike continues for them. Others can go on strike, and they benefit from whatever settlement comes and is strengthened by the existence of that right. But they are not actually participants in the strike and are not breaking ranks with the union and their fellow workers if they continue to work during the strike.

Am I right? I think that's what is being proposed here. Correct?

The Chair: I think that's exactly right. He wants them listed as essential service.

I should note that this has come up a number of times before, and the committees have been divided on it.

Let's continue the discussion for a bit longer, and then we'll call the question.

Mrs. Redman.

Hon. Karen Redman: I'm predisposed, because of some of the new information here, to have some support for this. Excuse me for having missed several meetings, so maybe everybody else knows this, but it doesn't strike me that this is reviewed with much regularity. So I would be willing to do this if somewhere in this report we make a recommendation about when this whole act would be reviewed, so if for some reason designating them as an essential service ends up being something we didn't expect, there would be a point in time when it would be reviewed.

The Chair: A sunset clause or something?

Hon. Karen Redman: Yes. A sunset clause is far more compelling than a review period. But at some point in this discussion, and probably not here, I wouldn't mind having that debated a bit.

The Chair: Mr. Godin and Mr. Simard.

Mr. Yvon Godin: I just want to be clear with Mr. Hill. I don't think that if you take the right of strike away, it's against the Charter of Rights. In the Charter of Rights, they have the right to be in the union. With that you have some benefits, and one of them is that how you get a collective agreement is through a strike. I'm not saying that they will go against it. I don't want to be misinterpreted on it.

Having said that, when we look at something like this, we have to have something to replace it that is fair. I don't want them to have the right to be in the union but not have any tools to be able to negotiate a contract because they were from Elections Canada. The way it's proposed right now, it's as if you remove their right but you don't give them anything else.

The Chair: Mr. Godin, could I ask you a question? It's my understanding that they belong to a much larger union. This smaller group of individuals within this union who have chosen to strike would stay at work and not be penalized for doing that, because they are considered an essential service. So as to the benefits of the ongoing strike, they would benefit from them anyway.

We're not denying that the union can strike. We're simply saying that this section of workers within those various unions would not be allowed to be off work during the strike. Is that not what I'm hearing?

Mr. Simard is next.

Are you passing?

Hon. Raymond Simard: I think you might have answered my question. My concern is, if you're going to establish these employees as being essential service, just as you would for police officers or firefighters or so on, you would have to afford them the same protection as these other people have.

If you do that, then it's okay, right? You can't take it away and not give them some protection. I'm not sure we can assume their existing unions have that protection. I don't know.

The Chair: Would we want to make the recommendation then in our draft report that this is a significant consideration and the committee is divided on it, but it should be looked at it with the provision that these employees are in fact protected?

Mr. Marcel Proulx: Exactly.

The Chair: I have Mr. Preston

Mr. Joe Preston: I have one really quick comment. Mrs. Redmond said that there has to be some time that this is looked at.

It came to mind, as you were saying it, that we seem to be only looking at the recommendations by the Chief Electoral Officer. We're not even looking at the whole act. I mean, what is in there that he doesn't want changed?

I might just throw that back to the committee. We're certainly dealing with his recommendations, but we're not dealing with things in there that may need to be changed but were never brought to our attention.

• (1750)

The Chair: Mr. Reid.

Mr. Scott Reid: I've just been re-reading the actual recommendation made by the Chief Electoral Officer. I have to say that he managed to word it in such a way that I can see why somebody who believes deeply in the right to strike and the right to collective bargaining would bridle at the wording.

I think he could have done it a lot more.... He doesn't have to say that we're removing the right to strike. We're removing the participation in strikes. So to the extent there's a legal strike under way....

It seems to me that what we want to say is, to be quite specific, we don't want to take away the right of collective bargaining, of benefiting from collective bargaining in any way. The goal would be specifically to deal with a very legitimate problem, which he actually puts down here, and I think is worth saying, "Normally, Parliament can legislate a return to work if necessary, though this is not an option when Parliament has been dissolved for a general election."

That's the nub of the problem. That's the problem we're trying to deal with, right? You can't get around that particular problem except by removing the workers of Elections Canada not from the bargaining unit, not from being beneficiaries of a collective agreement, but from participation in the actual strike action.

I think if we could reword it that way and then maybe look at that at a future date, we might find we'd get more consensus than we would get with the wording about removing the right to strike, which I agree is overly strong wording.

The Chair: We'll go to Mr. Hill for a final comment, and then we'll make a decision.

Hon. Jay Hill: If we try to get some consensus around the room about how to proceed with this, bearing in mind the fact that this has been brought forward a number of times in the past, I think it is, as Mr. Reid has just laid out, a legitimate concern that all of us should

be concerned about, that previous committees grappled with and didn't resolve.

If we're going to be bothered bringing forward recommendations in our report, we shouldn't have six of one and half a dozen of the other. We should make a decision, and hopefully we can make a decision along the lines that Mr. Reid just suggested so that we—not we as in members of Parliament or political parties, but we as a nation—are protected.

As the Chief Electoral Officer indicates in the remarks that Mr. Reid just read out, if we were in a situation where Parliament has been dissolved, in effect you don't have a government and you're into an election period, and there's a strike.

Just think about that. Fortunately it hasn't happened, but what would happen?

Mr. Yvon Godin: We'd come back and go back after.

Hon. Jay Hill: How do you come back? Parliament doesn't exist.

In all good conscience, if we're serious about doing our work, we should be able to arrive at something that would satisfy the needs of the employees, which Mr. Godin and others are raising—we're all concerned about that—but also address the fundamental issue that the Chief Electoral Officer is drawing our attention to, rather than just shrug our shoulders and say we can't really decide, or we're split, or we have concerns on both sides of the question, and do nothing.

The Chair: May I recommend, then, from the chair, that we reword this thing a little bit and bring it back perhaps at Tuesday's meeting, if we can't get it done by Thursday, so that it infers exactly the sentiments of all committee members? Would that be acceptable?

Hon. Jay Hill: If that's possible, yes.

The Chair: Mrs. Redman, and then Mr. Guimond.

Hon. Karen Redman: For a point of information, can we have exactly what being declared an essential service means?

The Chair: Mr. Guimond.

[Translation]

Mr. Michel Guimond: Remember that Mr. Kingsley told us that his raw material comes from different sources. He said that people who operate computers send him information. So are we talking about his office staff, some 52 employees, or are we talking about all related services? This is why we absolutely need this answer.

As for the wording we are going to use, remember what I said. I talked about binding arbitration. If we take away their right to strike, we have to give them the same protection as police or firefighters who do not have the right to strike.

• (1755)

[English]

The Chair: Mr. Godin.

[Translation]

Mr. Yvon Godin: Michel just raised an important point which I support. This is what I understood Mr. Kingsley to say. He did not talk only about his own staff but also about employees of other departments. We really need to check this out...

[English]

The Chair: We will check on this and we'll get the wording down.

The next section, recommendation 1.9, deals with the same sort of contentious issue, hiring and payment of temporary Elections Canada staff. It would appear that the Public Service Employment Act requires the employment of such folks for 90 days.

If you want to read through that, you can:

The Chief Electoral Officer feels that Elections Canada needs to retain these employees for a maximum period of 175 days. He proposes that the Act be amended to allow the Chief Electoral Officer to hire temporary workers for the direct preparation for, and the conduct of, elections and that the Chief Electoral Officer determine the duration of such employment. Other temporary workers would be subject to the Public Service Employment Act time limits. The Chief Electoral Officer proposes an amendment to section 20 to the Canada Elections Act, by dividing it into two parts: one part for those temporary employees directly involved in the preparation for, and the conduct of elections; and the other part for other temporary employees that support the work of the Chief Electoral Officer.

I'm getting a lot of nods indicating yes, so maybe we should just put the question.

Mr. Preston.

Mr. Joe Preston: He's saying that the 90 days works fine for elections, but he needs an extension of temporary workers' time to support him.

The Chair: It's the other way around.

Ms. Bonnie Brown: The 90-day period impedes the ability of the Chief Electoral Officer.

Mr. Joe Preston: It says, "By dividing it into two parts: one part for those temporary employees directly involved in the preparation for, and the conduct of elections."

He wants that to be the longer period?

The Chair: That's my understanding.

Mr. Proulx.

Mr. Marcel Proulx: I object to this, and I'll explain why. In the national capital region, we have a problem with the government hiring people on a temporary basis. If you hire somebody for 90 days, it's really for a particular short-time job—you need an expert; you need somebody to fill in the void. When you are hiring for 175 days, that is close to six months, which is very similar to what departments are doing. This keeps them from having to give permanency to these employees. So they keep somebody in there six months, then kick them out, and two weeks later they hire somebody else. It's good internal administration, but it's pretty bad for employees. I'm more scared of this than removing the right to strike, if I look at it on the employee's side. I'm against this.

People he would hire for six months would not have the same type of responsibility or job as those you would hire for 90 days.

The Chair: Mr. Godin.

[Translation]

Mr. Yvon Godin: In view of what Mr. Proulx just said, I think we need more information. He talks here about preparing an election. There is no suggestion he would be doing this for four years.

Mr. Marcel Proulx: They are always preparing...

[English]

The Chair: I'm sorry, Mr. Proulx, could you please lean forward? It was inaudible.

Mr. Marcel Proulx: My comment to Mr. Godin is that he can tell us that he's forever in preparation of an election. Whatever he does is in preparation for the next election. So he can use this to his advantage and to the disadvantage of employees.

The Chair: I appreciate your comment, but when an election is called, it seems there would be an increase in the number of employees he would need. Hence, the temporary nature of the request. It's just a thought.

Mr. Guimond.

• (1800)

[Translation]

Mr. Michel Guimond: The answer lies in the last sentence. It should say the same thing in English. It reads:

The Chief Electoral Officer proposes an amendment to section 20 of the Canada Elections Act by dividing it into two parts: one part for those temporary employees directly involved in the preparation for and the conduct of elections [...]

So it would be those who are involved in the intensive preparation for elections. So we are really talking about the preparation.

I do not fully agree with Mr. Proulx when he says that elections are being prepared—he forgets minority governments—over four years. Of course he does some work, but it is mainly during the fourth year of a Parliament that he starts to ask his returning officers to do an inventory of locals. The second part of section 20 would apply to other temporary employees he would need to carry out his duties.

You may ask for additional information but we, in the Bloc Québécois, support the proposal.

[English]

The Chair: Mr. Hill and then Ms. Brown.

Hon. Jay Hill: I don't know what additional information we would need than the two pages here explaining, as I read through it, all possible questions, including the ones being addressed by Mr. Proulx. There's adequate defence of the recommendation. Without my reading it into the record, it's been circulated to us.

Mr. Scott Reid: It has been. This is Mr. Kingsley's report on the 2004 election, which I just borrowed. To be honest, I hadn't read it until I borrowed his a second ago.

The Chair: I want to see how many folks are in favour of this, as we now speak. At this stage of the game, how many people are in favour of this?

Mr. Yvon Godin: I'm not voting.

The Chair: You're not voting in favour of it?

Mr. Yvon Godin: No, I want to raise another question.

The Chair: I want to get a sense of how far we have to go.

Are you okay, Mr. Hill?

I'm going to go to Ms. Brown.

Ms. Bonnie Brown: If the Chief Electoral Officer has been restricted to 90 days, it seems to me that they may have lived under a certain amount of stress. So far I've been in five elections—six actually, because I lost the first one—and it seems to have gone pretty smoothly with the 90-day temporary employee hiring. If in fact they are feeling a lot of stress about it, I could understand extending it by 10 days or something, but he's almost doubling it.

For example, a usual election is about five weeks. At seven-day weeks with no break, he can hire people for 12 weeks plus six days. You'd take some of it before the election and some of it after. It seems to me there's lots of time in there to run an election. If he starts them off at five-day weeks—just supposing he worked out five-day weeks—at 90 days, it would be 18 weeks of employment to run a five-week election. I think probably the seven-day week is closer to the truth, because I know locally they work every day.

To go from 90 to 175 days means going from, say, 12 weeks and six days to 35 weeks. That seems to be an unreasonable extension.

The Chair: Perhaps I could just comment, because I'm reading the act and I think this might answer a lot of the member's questions. It appears that the Public Service Employment Act changed in December 2005 whereby the minimum hiring for 90 days changed to 125 days.

Mr. Scott Reid: No, it's the other way around; it's down from 125 to 90.

The Chair: Yes, I'm sorry, and thank you.

In the previous elections, the Chief Electoral Officer was working with 125 days. That's been reduced to 90. Because of that he's asking now that he would like us to change it, not to the 125, as it used to be, but to 175. There lies the reason he's asking for the change.

Mr. Reid.

• (1805)

Mr. Scott Reid: Does he actually ask you for 175? I'm looking at the actual report he gave.

The Chair: Yes, he's asking that.

Mr. Scott Reid: That's the paraphrase of what he said.

The Chair: It's in there too.

Mr. Scott Reid: Are you sure it's 175, not 125?

The Chair: No, he's asking for 175 days.

Mr. Scott Reid: I think there was a typographical error. It is 125 he's asking for, not 175.

The Chair: All right. Well, if that's the case, I'm just going to suggest we leave this, get clarification right away, and bring it up at the next available meeting.

Hon. Jay Hill: Jamie might have the clarification right there.

Mr. James Robertson: Mr. Reid is correct. The actual recommendation seems to refer to 125, but in the text it says, "Elections Canada would need to be able to retain these individuals for up to 175 days of work per election." If there was a typographical error, it may have occurred in the report. We will double-check that and bring it back to the next meeting.

Hon. Jay Hill: I think you almost have unanimity, if not unanimity. If it's 125, the committee is ready to recommend that. It's returning it to where it was before, pre-2005.

The Chair: Let's clarify. We may not have to bring it up. We'll let you know. So if it's 125 days, we're good.

Mr. Yvon Godin: I don't know if I like that very much.

The Chair: Thank you very much.

The next one is on greater flexibility in the establishment of advance polling stations. A lot of this we have been through numerous times with different witnesses:

The Chief Electoral Officer proposes that section 168 of the *Canada Elections Act* be amended to permit the establishment of advance polling stations for a single polling division. Currently, the Act requires that two or more polling divisions must be served by an advance polling station.

He's simply asking for a better way to make sure folks can vote. He has the budget for it. I don't want to make any more comments.

Mr. Reid.

Mr. Scott Reid: have a large rural constituency—not as large as some, but pretty large. I can think of two spots in my constituency—one is a place called Weslemkoon Lake, away up in the northwest corner; one is a place called White Lake up in the northeast corner of the riding—where it would be very difficult as a practical matter to have to leave the riding, drive around a lake, which is essentially cutting them off from the rest of the riding.

The Chair: It would help you. This would help you.

Mr. Scott Reid: It wouldn't help me, necessarily. It would help make sure people in the riding could vote more—

Hon. Raymond Simard: Or against us.

Mr. Scott Reid: But actually, maybe more to the point here—

An hon. member: Put the shovel down, Scott.

Mr. Scott Reid: —I had a good chat with Nancy Karetak-Lindell.

Mr. Marcel Proulx: I'm sure it has to be for them.

Mr. Scott Reid: She said, in her riding—

Hon. Raymond Simard: I think we're all convinced, if you would just be quiet.

Hon. Jay Hill: Are we good to go, or did you want to talk us out of it, Scott?

The Chair: Okay, that's a yes.

On transfer certificates and accessibility, section 1.11, again, we just talked to Mr. Kingsley about a lot of this. It reads, "Section 159 of the Act permits an elector who is..."

Is everybody aware of this clause? We just spoke about this a number of times. Is everybody in agreement with this?

Mr. Joe Preston: Let's find accessible polling stations, but if not, this works.

Some hon. members: Agreed.

Mr. Marcel Proulx: He didn't answer my allegation very convincingly yesterday.

Mr. Joe Preston: Finding accessible polling stations is the real answer to this.

The Chair: Are we okay? Thank you.

On section 1.12, provision of transfer certificates:

The Chief Electoral Officer recommends that the Canada Elections Act be amended to permit the issuance of a transfer certificate to any elector who presents at the wrong polling station owing to a change in the assignment of polling stations or advance polls that occurred after the issuance of the original voting card to the elector.

Mr. Marcel Proulx: Yes, that has happened.

The Chair: I think we've all agreed to that. Yes.

On section 1.13, establishment of mobile polling stations, I think we were pretty much in agreement with that. Can I just have a—

Mr. Marcel Proulx: Except that we had a question that we didn't get to pose to him yesterday, because we weren't lined up on our B list, but you lined us up on our A list. We ran out of time.

This is the situation where we had questioned the fact that he could decide to set up a mobile poll for homeless people, or something.

• (1810)

Mr. Joe Preston: Part two of this was off.

An hon. member: It has to be clearer.

The Chair: Mr. Guimond, and then Mr. Hill.

[*Translation*]

Mr. Michel Guimond: We are not satisfied with the proposal as it is. We do not agree, especially with regard to persons who have difficulties travelling to regular polls due to age.

There are seniors who are 82 years old but are independent and who live in large apartment buildings for independent and semi-independent retirees. They have their own car and often do their own grocery shopping. I am sure they would like a mobile polling station to come to their building. Where it says, "Due to poor health or age", these are totally subjective criteria.

It used to be a crazy situation in establishments where people were hospitalized. Before mobile polling stations were created, political parties literally carried people out on stretchers and with oxygen masks. The Liberal Party always has been very efficient in this regard. Today, mobile polls go to these people.

In my view, this is a subjective concept. From what age onwards do we consider that a person has difficulty moving around? We have seniors who are 82 years old who are independent and still have a driver's licence.

[*English*]

The Chair: Okay, thank you.

Are there any other views on this?

Mr. Hill.

Hon. Jay Hill: I would just say that because of the dynamic argument just put forward by my colleague Mr. Guimond, I'm totally in agreement with his argument opposed to this.

The Chair: Okay, then I think we've been thoroughly convinced.

No? Okay. Let's keep going.

Mr. Godin, and then Mr. Simard.

[*Translation*]

Mr. Yvon Godin: I understand what my colleague Mr. Guimond means when he talks about age. I noticed that polling stations had been established in homes for senior citizens. These seniors have worked hard all their lives. This helped them to cast their vote.

There are people of a very advanced age. We should trust Elections Canada: its employees are not going to set up polling stations just anywhere. There is a difference between somebody who lives in a condominium and somebody who is in a nursing home in a very advanced state of dependency. I myself have visited a seniors' residence where hundreds of people lived and I can guarantee you that this helped them to vote. Many people in this home could not have voted otherwise.

[*English*]

The Chair: Mr. Simard.

[*Translation*]

Hon. Raymond Simard: Mr. Chairman, this is exactly what I wanted to talk about. In my riding, the returning officer has been very innovative. He went to a seniors' residence and made sure that people who would not have travelled to the polling station could vote.

I would like to know what the difference is between what we have now and what Mr. Kingsley proposes.

[*English*]

What is the difference? What is he proposing that is different from what we have now?

Hon. Jay Hill: He wants more power. He wants it broader—"any institution". It's up to his discretion.

Mr. Scott Reid: Yes. He wants to be able to make the decision himself.

The Chair: Mr. Proulx.

Mr. Marcel Proulx: I am specifically questioning where he says "may have difficulties travelling to regular polls due to poor health,"—that's fine—"age"—I can appreciate that—"or other circumstances." The "other circumstances" is—

Mr. Joe Preston: It's windy.

Mr. Marcel Proulx: Yes. Exactly.

Ms. Bonnie Brown: Or it's icy.

Mr. Marcel Proulx: I think that's too open, too broad. Poor health and age.... There's a bit of a problem in the translation in the sense that in French we're talking of *un "établissement"* and in English we're talking of an "institution". The word "institution" in English is much closer to hospitals, seniors homes, and so on than *un "établissement"* in French.

The Chair: That's fair.

Mr. Guimond, a final word.

[Translation]

Mr. Michel Guimond: I would like to reply to Mr. Godin. I am not opposed to having mobile polling stations for people who are in a nursing home, who have reached a certain age and have reduced mobility. These are often people in wheelchairs. I do not want to take away their right to a mobile polling station because it is normal to go to them. I agree with this. These are people who would not have gone to vote otherwise.

However, I do not agree with having mobile polling stations in luxury condominiums, condominiums for independent retirees who all have their car at the door. They go grocery shopping but now they want to give them mobile polling stations supposedly because they would not go out and vote because they are too old. This does not make sense in this case. They can just go to vote like they go to the bank!

•(1815)

[English]

The Chair: Yes.

Let's put the question. We're opposed to this because we think the status quo is working just fine. It's too broad—

Hon. Jay Hill: The status quo is working and this is too broad.

The Chair: —and it needs to be redefined.

Our recommendation is that it's worth consideration but it needs to be more defined. It's too broad. We are opposed.

Mr. Marcel Proulx: Unless we get clarification.

Hon. Jay Hill: I don't want clarification.

Hon. Raymond Simard: I'd like to come back to one of the points Mr. Preston made a little bit earlier on. He was absolutely right. Right now we're looking at the recommendations of the CEO. We're not looking at the whole act. I think this is fine, because we're responding to his report. But at the same time, it seems to me that it's incumbent on us to make the commitment that in the fall we would look at the whole act and maybe review this type of thing. It just doesn't make any sense for us to deal with this stuff piecemeal. It's out of context.

I don't know if our program would allow that to happen in the fall.

The Chair: We'll be reviewing the entire act in the fall.

Hon. Raymond Simard: Our population is aging, and I think we should give every opportunity to Canadians to vote. If we're not doing this right, I'd like to come back and revisit this in the fall.

Hon. Jay Hill: Hear, hear!

That's all our committee should do for the next year.

The Chair: Okay. There you go.

I notice there are two unmarked items here that we have not discussed before. Am I wrong? Did we discuss recommendation 1.15 the right to vote of inmates serving sentences of two years or more?

Mr. Marcel Proulx: No, we have never discussed that.

The Chair: We've never discussed it.

Shall we do that right now?

Mr. Joe Preston: What about the one before it?

Hon. Jay Hill: Why did you skip over one: access to multiple buildings?

The Chair: We had already dealt with that and it was agreed on.

Recommendation 1.15 says:

As a result of the Supreme Court of Canada's decision in *Sauvé v. Canada (Chief Electoral Officer)*, [2002] 3 S.C.R. 519 ("Sauvé"), all prison inmates who are otherwise eligible to vote in a federal election may vote regardless of the length of their sentences. The Court struck down the provisions of the Act which denied the right to vote to inmates serving sentences of two years or more. The government, however, has not tabled legislation to put in place a voting process to facilitate voting for these inmates, most of whom are held in federal institutions. The Act currently only authorizes a process in provincial institutions. The Chief Electoral Officer has had to rely on his power of adaptation in section 17 of the Act in each election held since the judgment in *Sauvé* to enable these inmates to vote. He seeks an amendment to the Act explicitly authorizing him to establish a process for voting in federal institutions.

Is anybody in disagreement?

We will report that it was not the majority of the vote, that it was a yes, but not by a majority.

Ms. Bonnie Brown: It was by majority, but it wasn't unanimous.

The Chair: I'm sorry. Correct. It wasn't unanimous.

Thank you. It's getting late.

Mr. Marcel Proulx: I need a clarification on recommendation 1.14, the second paragraph:

The Committee fully supports this recommendation. It would, however, go further and recommend amendments to permit access to other premises such as schools, shopping centres and workplaces.

Then we go on to say that other people didn't agree. Do we agree or do we not agree?

The Chair: I'm thinking we did talk about Canadian communities.

Mr. James Robertson: The intent is to agree. We will reword that.

Mr. Marcel Proulx: Okay, thank you.

Thank you, Mr. Chair.

Mr. Joe Preston: On the same point, Mr. Chair, I don't remember talking about workplaces. I don't believe it's the right of anyone to come into my workplace to politic.

The Chair: I have to admit that I don't remember talking about workplaces either. I'm concerned about safety.

•(1820)

Mr. Marcel Proulx: Oh, workplaces.

Hon. Jay Hill: Who snuck that in there? Good grief.

Mr. Marcel Proulx: No, we didn't talk about that.

Hon. Raymond Simard: Schools and shopping centres.

The Chair: We will remove "workplaces" and reword this.

Ms. Bonnie Brown: How about the entry to workplaces?

The Chair: I think we'd have to have a big discussion about what that means. Then there's proprietary information, security, and identification—

Mr. Joe Preston: —and privacy. We should have the Privacy Commissioner.

Hon. Jay Hill: Let's get it back.

The Chair: Can we just leave “workplaces” out?

I think what's happening now is that we ask for permission to be on site, or whatever, and that seems to work out well. Is that fair?

Mrs. Brown.

Ms. Bonnie Brown: Yes, I do all right going to plant gates as the workers are coming. But I tried to stand in the parking lot of a large corporation, where people were parking their cars and coming to a sidewalk to go up to the main door, and I was asked to leave by the security guard. I thought that was outrageous. I could greet the blue-collar workers on the other side of the property. Nobody worried about that at all; they welcomed me. Then I went over to the head office building, and they asked me to leave the parking lot.

Mr. Marcel Proulx: Conservative owners.

The Chair: Probably.

Mr. Godin.

Ms. Bonnie Brown: But I think there's something wrong with that.

The Chair: Mr. Godin, please. Any further comments?

[*Translation*]

Mr. Yvon Godin: I went to a property and it was liberal.

I believe it is important to have at our disposal a place where we can meet people at their work place as long as it is done with respect. In a democracy, people should have an opportunity to meet their candidates and the candidates must be able to campaign.

We are ready to go meet people in schools and shopping centres. There are people working there.

But the issue that arises in work places and which disappoints employees is that some employers are friends of members of a given political party. These people can stand at the door and hand out leaflets while other candidates are expelled from the property. This causes internal strife, which is wrong. I think the playing field should be the same for all.

We must also respect the employer and not disrupt the company's operations. However, I do not see how one could disrupt operations by shaking people's hands at the doors of the business. I sincerely believe that workers expect politicians to come and meet them.

[*English*]

The Chair: What I would recommend at this stage is that we reword this so that in fact it does include those external aspects of a workplace, given that a shopping mall is obviously private property as well, but it is where the public is invited to be. But at a workplace, it's private property. Perhaps we could reword this to suggest that we can get to the gates, and we can review that.

I have Madame Picard first, and then Mr. Preston.

[*Translation*]

Ms. Pauline Picard: Mr. Chairman, I noticed during the last two elections that it is more and more difficult to enter work places. For

example, in my riding, there are 500 businesses. In addition, there are more and more candidates.

In 1993, when I first ran for office, there were three parties, the New Democratic Party being absent. Now, there are four, five, six and even seven. Business owners say that if they open their doors to a candidate, they will have to do so five or six times, which can indeed disrupt work. They would be willing to open their doors to one or two candidates, but obviously, they cannot make that choice.

I think all candidates should be able to greet people at the exit of their work place. However, if three or four candidates are there at the same time, it might bother people. Some would even tell us to stop pestering them.

I do not see how we could solve that problem. I know that the act should allow us to meet the workers. However, we should not forget that more and more candidates are running for election.

[*English*]

The Chair: Mr. Preston is next, and then Mr. Guimond.

We're going to have to wrap it up soon.

Mr. Joe Preston: Through you, Mr. Chair, we're talking about the report.

All the report asked for was access to multi-residence buildings and gated communities. To that we've somehow added that we fully support the rest of this stuff: schools, shopping centres, and workplaces. I think we were asked to talk about gated communities, and we all agreed, as a committee, that we needed to add gated communities to what we would call multi-family residential buildings. I think there was some discussion by some of the three parties that were here about shopping centres. Other than that, I don't think we've gone into this discussion.

I think workplaces are handled by a permission-only situation, and should be. I don't think you enter anybody's workplace without asking if you can be there.

• (1825)

The Chair: Mr. Guimond is next, and then Mr. Proulx.

[*Translation*]

Mr. Michel Guimond: I shall be brief. We are all elected. Would it be beneficial to make use of the Canada Elections Act and go see the owner of a small company that manufactures windows and doors and tell him that we demand entry? We must ask ourselves if this would be politically effective. We are talking about large shopping centres because the general public goes there. We are going to shopping centres, but not everyone—Ms. Brown has difficulty hearing me—is happy to see us, even in a shopping centre. They say they came here to shop in peace and not to be bothered by politicians.

When we go door to door, most people—let us face it—are polite and open their door. Maybe one or two percent refuse to open the door because they do not want to have anything to do with elections and politicians who are all the same. If we showed them the Elections Act and told them they are legally required to open their doors to us, do you think they would vote for us? Let us leave work places to the discretion of their owners.

[English]

The Chair: Mr. Proulx is next. Then we'll make a decision here.

Mr. Marcel Proulx: Mr. Chair, I agree with both Mr. Preston and Mr. Guimond, in the sense that I was the one who originally brought in shopping centres—that is, to allow us to be inside the shopping centres, not necessarily the individual stores.

As far as the schools are concerned, my colleague can answer for himself, but if I remember rightly, we discussed schools not in regard to campaigning, but rather in regard to whether we could force them to accept Elections Canada on election day and have voting stations in schools. I don't see the advantage, as Mr. Guimond says, of forcing schools with our little booklet to say they have to.

As far as workplaces are concerned, I think we've developed a further step that entails all kinds of different problems. I think we have to leave it out of there, along with schools, shopping centres, with the gated communities—that's another story.

The Chair: There are some schools, obviously universities, that have voters inside them. Perhaps we should try to reword this and then bring it back to the committee, taking the workplace out of it. That, it seems to me, is the big contentious issue.

Are there any other issues?

Mr. Reid.

Mr. Scott Reid: I'll mention campuses. The University of Ottawa is a good example. Carleton University is a good example. Most university campuses are like this; there's lots of room to get in there without having anything written into the act. There's plenty of room; there are multiple buildings, public spaces, and university centres. There's just no need for this stuff.

In the case of a one-building school, meaning you would have to enter the building, I don't think we should have access. I might point out that all parties are respectable in a sense, but in addition to the parties that are advocating things we think are okay, do we really want the Marijuana Party of Canada having the right to have access to our schools? I think we ought to think that through.

The Chair: All right. We will reword this. Is that okay? No? You don't want to reword it?

You want schools out, and workplaces out?

Hon. Raymond Simard: That's it. We want schools and workplaces out, and then we're done. Pass it.

The Chair: We're not going to reword it; we're going to move it.

Okay, very quickly, before we break for the evening, please, one more.

Mr. Godin, please.

• (1830)

Mr. Yvon Godin: It's 6:30.

The Chair: I've got 6:29 on my clock here.

All right, ladies and gentlemen, I will remind you that tomorrow we do have our meeting, and we will continue with our discussions on this report. Next Tuesday, June 20, at 11 a.m., I hope we will get through this further, if not finalize it. The goal is obviously to get this report done by next Wednesday.

An hon. member: We missed recommendation 1.15.

The Chair: That's what I was hoping to get through.

An hon. member: We did.

The Chair: We did say yes for recommendation 1.15.

But it's now almost 6:30. Is there any further business? We'll see everybody.

Elections Canada did get back to us. They wanted to reschedule that meeting. My advice was that they get in touch with you individually, not through the committee.

Ms. Bonnie Brown: I just wanted to thank you, Mr. Goodyear, for having me over for dinner. It was very pleasant.

The Chair: It was an absolute pleasure.

With no further business, we'll see you tomorrow at 11 a.m.

Thank you very much.

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