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Tuesday, November 13, 2007

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Chair

Mr. Gary Goodyear

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•(1110)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Ladies and gentlemen, let's call the meeting to order.

Welcome back. I hope everybody had a productive and good weekend of remembrance.

Colleagues, I want to remind members that we are in the larger room today because members did feel we would need to room for staff and so on with respect to the carrying on of the Liberal motion for study.

I want to bring to the attention of the members that it is the usual practice of this committee to have our meetings in public; however, today's meeting is not being televised. Just so that you know, we can make a change if the committee sees fit to do that, but right now I want to let you know that the meeting today is in public but is not being televised.

We do have some legislation before the committee today. Bill C-16 has been referred to the committee. Members, I wish to remind you that Bill C-16 is the former Bill C-55 from last session. So we have that with us today. Documents regarding that are being distributed now.

I believe we should move to looking at Bill C-16 first. Perhaps we can entertain whether we debate that now, go to the witness lists, or whatever the committee wishes to do.

Madam Redman.

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

One of the things I hear time and time again from people in my riding is that they are very distressed with the behaviour of the House—all parties guilty, I might add—during question period, so I would question why at this juncture, when we have the ability to televise, we're not showing Canadians that we can work cooperatively and that we are substantively doing the business that parliamentarians were sent here to do.

So I would like to visit that first of all. I see no reason why this shouldn't be televised.

The Chair: Okay. Are there any other opinions on that?

It was my decision last week, knowing that we were going to move to Bill C-16 versus the original reason of dealing with the Liberal motion, which was the reason we chose a bigger room and televised it. Given that we have legislation, it was decided that we'd

stay in public and keep this room. I decided pretty much based on the costs of doing the televising, but I'm completely open to changing that. It was a judgment call on my part, given that we would be moving to legislation, but I'm completely open to making a change.

Are there any other comments on that? Are there any objections to televising?

Madam Redman, please.

Hon. Karen Redman: That being said, I have no problem with continuing on and becoming televised at whatever point that seems reasonable.

The Chair: Is that okay with members of the committee?

Some hon. members: Agreed.

The Chair: Then it is so ordered. I'll advise the clerk to make arrangements to televise this committee as soon as we possibly can, and we will move forward, then, with that.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Chairman, I have a point of order. I guess it counts as a point of order. I'm just trying to find out whether we are then going to basically come on camera at some point during these proceedings, partway through, whenever they can get the cameras set up. Is that how it works?

The Chair: I assume I'll get notice that they're ready to go televised and I'll instruct the committee that we will be televising within a couple of seconds.

Mr. Scott Reid: Thank you.

The Chair: I should remind members that we are on the Internet, by the way. We're being streamed out, as we always are when we are in a public meeting. But we'll get the cameras up and running as soon as possible, and I will be told when that will happen. I will give members forewarning that we will be televised in so many minutes or so many seconds.

Do all members have Bill C-16 in front of them? Okay. I think the usual procedure is that we would begin debate on Bill C-16. I will open the meeting for any discussions with respect to that bill, including call for witness lists, or whatever the committee decides to do.

I'm assuming the committee wishes to proceed in that way. Are there any other instructions?

Madam Redman, please.

Hon. Karen Redman: Just for clarification, though, at the end of the last meeting you asked that we end the meeting early, and Mr. Epp and I were on the speakers list for the other issue at hand. So we are today receiving the briefing book for Bill C-16 as well as the bill itself.

I would tell you that we are very interested in moving forward with this bill. I see no reason why we couldn't do both issues, probably concurrently. I would say that we're all aware of a piece of legislation that we're waiting to hear back on, and that is the voter ID. That was a piece of legislation that went through this committee and indeed did go through the Senate and ended up having very extreme, unintended consequences. Because of that, one of the concerns we had in the incarnation of Bill C-55 when this bill was before us before the session prorogued was the fact that there really hadn't been consultation or studies done on this bill, although it was the view of the government that it would increase voter participation. Because of that, I think it's absolutely essential that we do due diligence, again not holding this bill up in any way. I think this is an important bill and should receive active, intelligent, and informed discussion.

I would ask that Elections Canada be asked to appear before us to find out if there are any things they have concerns with or what their view would be, as well as some kind of expert that deals with electoral reform. I would put forward Professor Ned Franks, as well as David Docherty from Wilfrid Laurier University. I know those two individuals are well informed and make it their life's work to study these kinds of issues. So in order that we make sure this bill does what it purports to do and doesn't do something we're not aware of, I think it's absolutely fundamental that we hear those witnesses before we move forward.

The Chair: Thank you.

Madam Redman is absolutely correct to remind members that Bill C-16 is in front of us today.

We have Bill C-6, which received first reading October 26, 2007. That is the act to amend the Canada Elections Act regarding visual identification of voters. Bill C-16 is expanded voter opportunities, which is before us today, and our clerk is definitely writing down witness suggestions for the bill. I suspect this is the way the committee wants to proceed, with just a brief discussion about how we're going to go about studying Bill C-16.

I wasn't sure whose hand was up first over there. I'm going to go with Mr. Lukiwski, then Mr. Reid, please.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Quickly on a point of clarification, Chair, am I to understand that right now we're submitting potential witnesses for Bill C-16? Is that what we're doing?

The Chair: I believe the committee has indicated to me that they want to briefly begin studying Bill C-16 and how we are going to go about doing that. The suggestion has been that we bring in witnesses, which of course is the way we should do that. We can start discussing the bill as well today, Mr. Lukiwski, but right now we're writing down names of potential witnesses.

• (1115)

Mr. Tom Lukiwski: So you're just asking for witnesses today.

The Chair: Yes.

Mr. Tom Lukiwski: Thank you.

The Chair: Mr. Reid, please.

Mr. Scott Reid: There's one thing I had thought of bringing up on a point of order, and maybe it's just my own advanced age, but I'm finding it very hard to hear in here, for some reason. Normally the room has excellent acoustics, but there's something odd. I've had a bit of difficulty hearing, an echo or something. Seeing as you have the technical people looking at bringing on the cameras, they could also look at whatever is going on with the sound that's a little different from the usual.

The Chair: Just to stay with that point for a moment, I'm noticing an echo as well. Is anybody having difficulty hearing? Perhaps a couple of folks. All right, we will have the technicians see if they can deal with the sound problem.

Thank you, Mr. Reid.

Mr. Lukiwski.

Mr. Tom Lukiwski: Again, back to my initial point, since we're collecting witnesses' names, if we had a witness list for you within the hour, would that be sufficient, or are you trying to get them right now?

The Chair: The sooner you can get it to us the better, but I am seeing a no from another member, that this is too soon for a witness list. Okay, let's see how folks are coming up with witnesses—

Mr. Tom Lukiwski: Mr. Chair, I'm sorry, when is the deadline for witnesses to be submitted?

The Chair: Well, I'm going to say, at this point in time, as soon as possible. I will give a time limit on it once I hear from other members.

Monsieur Guimond and then Monsieur Godin.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Chairman, I propose that we organize a round table composed of the main parties, preferably the ones represented in the House of Commons. I believe 23 or 26 political parties are registered in Canada with the Chief Electoral Officer. I would not want to see a round table with 26 parties represented. Perhaps we could invite the four recognized parties in the House, along with the Green Party. I have nothing against the Natural Law Party or the Christian Democrats, but they could always submit their comments in writing. That is what I would suggest.

[*English*]

The Chair: All members heard Monsieur Guimond? That's a good one.

Mr. Godin, please, and then Madam Redman.

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Chairman, I would simply like to set some time aside for the witness list. I believe that we have already submitted a few names. I want to be sure that the information is correct.

[English]

The Chair: I would just like to confirm that we did receive your list.

My understanding then is that you are prepared to go, Monsieur Godin, because you've submitted your witness list.

Mr. Yvon Godin: I just want to verify that we don't have more to add, but I think it should be okay.

The Chair: That's fine. Thank you.

Madam Redmond, please.

Hon. Karen Redman: Thank you, Mr. Chair.

I guess we might have another opportunity if provincial chief electoral officers who have experience with Sunday voting specifically might be asked to come and share, either in person or in writing, what their experience was.

Again in the spirit of moving forward, if we want to hear from Monsieur Mayrand and some of the experts, we could roll it out over time rather than waiting.

I would also reiterate my other observation, that I see no reason why we have to put in abeyance the other issue that was before us while we wait for these witnesses to be called and scheduled as they are available.

The Chair: Madam Redmond, I heard, too, that you might have suggested that we bring witnesses and perhaps study—did you say this?—Bill C-6 and Bill C-16 at the same time because the witnesses are common to the two. No? I misunderstood.

Hon. Karen Redman: No, I was suggesting that there may be provincial chief electoral officers who have experience with Sunday voting, and that it would be useful to hear what their experience was.

The Chair: Are there any other comments?

I'll try to summarize what I'm hearing. Colleagues are ready to submit witnesses for Bill C-16. Most folks have in fact done their due diligence on witness lists, so we can probably move on that.

I'm also understanding that we don't just do Bill C-16, but that we work in conjunction with other matters before the committee.

Would it be possible to have the witness lists in so that we can have witnesses scheduled for Thursday?

Mr. Reid, please.

Mr. Scott Reid: I have no objection to Thursday. I actually wanted to make a request regarding research from our researchers. I can wait until you have finished coming up with a deadline.

The Chair: Okay. I just want to get a bit of a note from my support team here. Is it possible to get the witnesses in for Thursday and research done for Thursday?

What I'm hearing is that it depends on the witnesses' availability, which is always the truth, but I imagine we'll have a number of witnesses on the list who we can probably get here by Thursday, if we can have the witness list by.... What if I said three o'clock today for witness lists for Bill C-16?

• (1120)

Hon. Karen Redman: Could that be with the understanding that it would be a preliminary list?

The Chair: Of course.

Members should know that in the past we've been very lenient with regard to witness lists. We've often received names of witnesses after the deadline. It's not been my policy to say no to that. It's not been my policy, actually, to say no to any witness. We do kind of take into consideration the costs, and we might do some video conferencing, but members should know that the chair has been fairly easygoing with witnesses. So if you should happen to remember somebody at five o'clock, I don't see a problem with that. I'm just trying to set a time: three o'clock.

I did see a hand down here.

Yes, please, Mr. Angus and then Mr. Godin.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you, Chair.

I appreciate your saying that you're looking to be reasonable about witnesses. We have witnesses we'll be bringing forward.

I think it is something for all of us to remember, because the issue is sensitive for a lot of people. Most people in Canada probably aren't even aware we're discussing this. There will be people from various organizations coming who might take exception even to the discussion and who probably would want to participate in it. I think we have to be sensitive to that and be willing to be a little flexible if some people do want to bring forward a presentation on the issue of voting on a Sunday.

The Chair: Thank you, Mr. Angus.

Monsieur Guimond.

[Translation]

Mr. Michel Guimond: The Bloc Québécois would have one more name to add to the list. Therefore, we won't have everything wrapped up by 3 p.m. this afternoon. I propose Marcel Blanchet, Quebec's Chief Electoral Officer.

As for the suggestion of our colleague Karen Redman that we invite chief electoral officers who have already experimented with Sunday voting, since Quebec has tried it, I agree with my colleague's proposal. I would add to the list the former Chief Electoral Officer for Quebec, Mr. Pierre F. Côté, a prominent expert in this field in Canada. He has testified before the committee in the past and his expertise is very relevant.

That completes the Bloc Québécois' list of witnesses on Bill C-16.

[English]

The Chair: Are there any other comments on Bill C-16?

I'm hearing that we will submit our witness lists by three o'clock today. The clerk will make every attempt to set up witnesses for Thursday's meeting. You will be informed of who is going to be here. I suspect that with the number of witnesses coming forward we'll have a full meeting. So that's the nature of the meeting for Thursday.

Mr. Reid, did you have a comment?

Mr. Scott Reid: I was going to ask whether we could get our researchers to take a look at the questions that I think are germane here.

Obviously this bill is attempting to expand voting locations and the number of days on which voting can take place. I suppose the location considerations are not novel in that voting is anticipated to take place at the existing advance poll locations, and then on the final advance poll day they will take place at all locations where polls are typically held.

I'm thinking of other jurisdictions and would like to mention some that I think we should be looking at. A number of countries in Europe have adopted the practice of having their votes on weekend days, or more specifically on Sundays. Their experience would be germane, particularly if we can find jurisdictions that have had a vote on a Sunday versus a week day, such as the Mondays we typically have in Canada. I don't know all the countries that would be relevant in this case, but I know a number of European countries do this. I'm told that it's one of the reasons European voter turnouts tend to be higher than those in the United States, for example, where they're notoriously low.

We could certainly get very quick information, which might turn out to be relevant, from our friends at the Australian Electoral Commission. We relied on them in a previous incarnation of this committee, when a group of MPs from this committee went to Australia during the last Parliament. We met with some officials by teleconference here, as well. The Australian Electoral Commission not only does the federal elections in Australia, but also administers—

• (1125)

The Chair: I'm sorry, Mr. Reid, can I interrupt?

Colleagues, I should let you know that the cameras are probably on, or they will be within 30 seconds.

Mr. Reid, please continue.

Mr. Scott Reid: I'll turn mine off in a second, Mr. Chairman. I'm lucky that wasn't mine. I'm just as guilty.

Yes, I was saying that the Australian Electoral Commission administers not merely federal elections in Australia but also state and territorial elections. Therefore, you'd have about eight or nine jurisdictions to look at. New Zealand, as well, has cooperated with us. I think we have pretty good connections through our research branch with a number of European electoral commissions. A separate group of MPs from this committee went to Scotland and also to Germany as a part of that process. It was electoral reform that we were looking at, and we were talking to chief electoral officers. I think we can revive those contacts and hopefully get some germane information.

Thank you.

The Chair: Thank you, Mr. Reid.

Is there any further comment on preparation for the study of Bill C-16?

My understanding is that we will have witness lists in by three o'clock today. Our clerk will set up witnesses for Thursday. As well, we will have research available to members that I understand will be sent out tomorrow.

The other thing is that TV is ready, so I guess we'll just start the TV up at any time? All right, we're ready to go. Members, we are on TV in a public meeting.

The other thing I would like members to comment about, given that we're studying Bill C-16 on Thursday, is whether we still want this room. Do we still want that televised? My understanding from Madam Redman is that there is some value to televising committee meetings, but I want some indication from the committee itself on whether we'll be in this room and therefore televised. Are there any objections? Perhaps you can comment to me by the end of this meeting on whether or not we should be televised in this room on Thursday. I'm going to take the position that we will be in this room on Thursday, televised, unless I hear differently from the majority of the committee.

Moving forward, I want to remind colleagues that at the end of the last meeting we were on the subamendment to the main motion. Mr. Epp had the floor and the committee agreed to give Mr. Epp the floor today.

The other members I have on the debate list are Mr. Epp, Madam Redman, and Mr. Reid, and I'll still watch for names to be put up. We are ready to move forward.

Do members have copies of the main motion and the subamendment to the main motion in front of them? Okay, I think we're good on that.

Mr. Epp, please, you have the floor.

• (1130)

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Thank you very much, Mr. Chairman.

I think maybe just to refocus here we should look again at where we're at in this debate. If I'm not mistaken, I believe we have a motion by Ms. Redman that says:

That the Standing Committee on Procedure and House Affairs investigate the actions of the Conservative Party of Canada during the 2006 election, in relation to which Elections Canada has refused to reimburse Conservative candidates for illegitimate election campaign expenses.

Now, there were a number of amendments made. The word "illegitimate" was rightfully challenged. We also had the question as to whether or not it should refer to only the 2006 election or if it should go back to 2004. Also we debated, as we will all recall, whether or not it should be the Conservative Party only or also the Liberal Party.

As a result we had a motion to amend by Mr. Reid, which I would like to remind us of, and that is:

That the motion be amended by deleting the word “illegitimate”; and by replacing all the words after the word “expenses” with the following: “that are alleged not to be in conformity with the expenses limits under the Canada Elections Act”.

That motion was debated for a while and then later on, by unanimous consent, was withdrawn. So then we were back to the original motion.

Then my colleague Mr. Lemieux, for whom I am sitting in today, moved an amendment. His amendment, and that's the one we're on right now, was:

That the motion be amended by replacing the words “2006 election” with the following: “2004 and 2006 federal elections”; and by replacing all the words after the word “relation” with the following: “and in comparison to the election campaign expenses of the Liberal Party of Canada, and where Elections Canada has refused to reimburse some Conservative candidates for election campaign expenses”.

Now, I don't know whether people suffer from the same symptoms as I do after a week of exciting activity in the riding, but not all of the debate is fresh in my mind. Of course I'm older than most members here so I have the senior's moment to call upon as well. But we were debating this, and I recall that I appealed very directly to this committee to make sure the work of this committee is not tainted by a partisan thrust, which would, I believe, bring some discredit to this committee.

I appeal to the majority, who happens to be in opposition here, to think very carefully about the amendment my colleague moved because of the fact that it substantially removes from the original motion a very obvious political bias. Now, I'm not saying that we're not political as members of Parliament. We all are. We have points of view. We differ sometimes rather strenuously on how the government should conduct the affairs of the country, and indeed we differ on some pretty basic issues right along a wide spectrum. But I think this committee—as its name says explicitly, it's a procedure and House affairs committee—has to do with how Parliament runs.

In this particular case, the committee is given the responsibility of overseeing the Elections Act and the work of the Chief Electoral Officer. I can only appeal as strenuously as possible to my fellow members on this committee that we need to make sure that, as Elections Canada is to be non-partisan and treat all parties and all candidates equally under the rules, so this committee, which oversees Elections Canada, should very, very explicitly be non-partisan. To attack one party to the exclusion of others is not non-partisan, no matter how you slice it.

• (1135)

What this committee should be doing is looking at the broad principles being applied, and in this particular case the issue at hand is whether or not Elections Canada has properly administered the law. That is, in the broad stroke, the issue that's before the House.

So the amendment my colleague moved was to look beyond the last election to the 2004 election, which gives a little broader perspective to the implications and the administration of the rules, and also to include the other major party in the election. It has always been between the Liberals and the Conservatives primarily. We don't want to minimize the NDP and the Bloc, who of course are properly elected by their constituents and come to the House of Commons.

The Chair: Excuse me, please.

Mr. Angus, on a point of order.

Mr. Charlie Angus: I was not sure if I understood my colleague correctly when he said the main issue is between the Liberals and the Conservatives. Is he talking about electoral problems and misspending or is he talking about elections in general? Could he clarify for me?

The Chair: That's not a point of order, Mr. Angus. That's a debate. I will ask members to be very careful with their points of order. I've noticed it's a bit of a challenge to define debates and points of order, but I'll quickly recognize which is which. If I have to, I'll shut the microphones off.

Mr. Epp, please.

Mr. Ken Epp: Mr. Chair, I think perhaps I misspoke and did not communicate clearly, which is one of the things that happens occasionally to math-physics majors, but what I meant was that electoral contests in this country traditionally have been between the Liberals and the Conservatives as the two big front-running parties. That's what I meant, and then I proceeded immediately to say...not to minimize the important role that the NDP and the Bloc play in this, because they, being properly elected by their constituents, come to this House of Commons with full credentials as members of Parliament. I think they too have a responsibility in the issue that's before this committee now to ascertain that this committee is non-partisan in this particular regard, because we ought to be looking at what Elections Canada's rules are and whether the Chief Electoral Officer has been applying those rules in a non-partisan fashion.

That's why, Mr. Chair, I urge the members to support the amendment. And that amendment is to look beyond the 2006 election and include the 2004 election, for which records are readily available, which we could examine and find out whether or not the rules have been equitably applied across the two major parties, and then also, Mr. Chair, to include the Liberal Party explicitly. I contend that the original motion put forward in a very partisan fashion by the Liberals on this committee has targeted only one political party. To be non-partisan and to be fair and to give Canadians the assurance that not only is Elections Canada non-partisan, but the committee that oversees their work is in this regard also non-partisan, I urge members to include the Liberal Party also.

Now, I know it's a bit of an issue with the Liberals because they have had some major difficulties as well in using electoral rules, so they obviously want to resist that.

I'm trying to be very polite. I do not want to now become guilty of what I'm asking them not to do.

So I can see why they would probably, out of a political instinct, want to resist the amendment, but I think if they want to do themselves a favour—here I am being a counsellor to the Liberal Party—they can improve their electoral chances by showing Canadians they are able to act in a very fair way, and they will do that if they support this amendment.

Now, Mr. Chair, I obviously could speak for a long time beyond this, but what I would like to do is to give other members of the committee an opportunity to respond to the challenge I have laid out for them, and if they want to, they can engage me...we don't have questions and comments in committee generally, but I would certainly be willing to entertain that, if possible.

Thank you.

● (1140)

The Chair: Thank you, Mr. Epp.

Next on my list was Madam Redman, but Madam Redman had to leave. She was called away, so we're going to move to the next speaker on the list.

Mr. Reid, please.

Mr. Scott Reid: Thank you, Mr. Chairman.

Mr. Chairman, I've just been going through the motion. The way it's worded here in the *Minutes of Proceedings* as drawn up by the clerk is that, as amended, it would now read as follows:

That the Standing Committee on Procedure and House Affairs investigate the actions of the Conservative Party of Canada during the 2004 and 2006 federal elections in relation and in comparison to the election campaign expenses of the Liberal Party of Canada, and where Elections Canada has refused to reimburse some Conservative candidates for election campaign expenses.

As you can see, this is a fair-minded and equitable motion as it is currently worded. It permits us to examine the behaviour of—and when I say this, I'm hoping I won't induce Mr. Angus to make a point of order—the two major parties, which is to say the two parties that have won the most seats. I mean that in a very non-judgmental way that is effusively respectful of the NDP's major status and that of the Bloc.

But the point is to turn this from what, frankly, as introduced, I felt was a motion designed for the purpose of presupposing guilt, of asserting that a wrong had been done and then finding the facts to allow what will pass as a demonstration that this wrong had been done, notwithstanding important considerations like context. In a sense, it's like looking for a frame out of a film. With one frame you can give a snapshot that is very different from the full picture that you would want to work with in order to get a proper understanding. A full picture is obtained by watching the entire film. A frame may be at a moment when the camera has zeroed in on one of the actors in the great drama that is afoot. It's at one point in time. It may be that the camera has zoomed right in for the close-up, so all kinds of contextual information at a broader level is excluded. All temporal considerations are also excluded—what came before, what came after, and what was going on in parallel.

This was the point of trying to expand it to include the Liberal Party of Canada, and it was also the purpose of expanding it to include not only the 2006 election but also the 2004 election.

As I understand the comments raised by Mr. Lemieux when he presented his amendment to the motion, his concern was to go back in time but to keep it in context, that is to say, to go back in time to the 2004 election, which took place after amendments had been made to the Canada Elections Act that relate to financing.

I should mention, though, as I point that out—and I think that was a good move—in theory we could go back and look at the elections of 2000, 1997, 1993, and so on, if we wanted to, but there are a number of basic problems with them. One problem is simply that if a contravention of the Elections Act were found on the part of either of the two parties that this motion contemplates investigating, nothing could be done even if it became clear that there was some evidence of some inappropriate actions in violation of the Elections Act, and that's because the statute of limitations for the pursuit of such infractions of the law was changed by the legislation that was introduced in this house and passed in 2003. Effectively, that extended the period of prosecutions.

● (1145)

Anything before the 2003 amendments to the Elections Act is now at least seven years in the past, and the statute of limitations has expired. This would include, of course, all those elections in which envelopes of cash were presented to Liberal candidates in assorted ridings. We're told that in 21 ridings in the province of Quebec—we don't know which 21, unfortunately—Liberal candidates were actually given envelopes of cash. They could not have been spent without violating a number of aspects of the Elections Act.

Clearly, the reporting requirements....

I'm sorry, Mr. Chairman, I just lost my track there for a second because you were chatting with another member.

That period would have been of great interest to us. I believe there is pretty extensive evidence—I would say overwhelming evidence—that the Liberal Party of Canada was violating the Elections Act in its reporting requirements. I think there were some other laws being violated too, Mr. Chairman. The Elections Act was being violated in 1997, and perhaps as well in 2000 by the distribution of this cash. This is evidence that came forward in the Gomery commission.

Specifically, it would have taken place in the form of these amounts being given and then not recorded on the filings submitted by those local campaigns. So there would be a very clear infraction of the law as it stood at the time, actually. The law was not different in that respect. You couldn't collect money from an anonymous source and spend it without recording where it came in and where it went out. So either the books had to be laundered to come up with legitimate-looking sources of information for the Liberal candidates in these ridings or, alternatively, the expenses weren't recorded.

These are elements that are not, to be sure, directly parallel to what is being alleged here by the Liberals, to what they claim are illegitimate practices of my party. They're a good deal more serious than what the Liberals are alleging with regard to my party. So that would be something, I think, essentially beyond the scope, not merely because the statute of limitations has expired, but also because the severity of the offences committed by the Liberal Party was so much greater than anything that even the Liberals have had the nerve to propose with regard to my party.

To make that point, Mr. Chairman, I want to go back to the original wording of Ms. Redman's motion, because I think how it's worded is interesting. It actually makes no claim at any point that unlawful or illegal activities were undertaken. This is very much in contrast to what the Gomery commission revealed with regard to Liberal Party financial activities in the elections that preceded the proposed ambit of the review under this motion.

Instead, because they know they can't say "illegal", because nothing illegal took place, they use the much fuzzier word "illegitimate". The original wording says "illegitimate election campaign expenses". In other words, there were campaign expenses that might or might not have been legal—perhaps they were all legal—but that, in some way that we aren't going to inform you of, violated what we regard as being an unwritten code of conduct, not the one that's written into the ethics code but another one that we've kind of invented on the fly. Mr. Chairman, that's essentially coming to a judgment in the very wording of the motion. So that is one of the things that Mr. Lemieux's motion corrects.

You'll notice the way the motion is now worded. Although it's bringing both the Conservative Party and the Liberal Party within its ambit, it makes no reference whatsoever to illegitimate action. One of the contentions that I think can be made—and the facts overwhelmingly now demonstrate this—is that these activities have been engaged in by both parties because they are completely legal. The activities I'm referring to—I'll get to those in a second—are completely legal. They're completely within the scope and spirit of the Elections Act. They are a common practice. They're a common practice pursued not merely by the Conservatives and the Liberal Party, but actually also by the other two parties represented in the House of Commons.

● (1150)

The practices I'm referring to are those of having regional ad buys for media. The Liberals want to argue these are illegitimate. A regional ad buy is where a group of candidates pool some resources and purchase ads covering more than one riding in a certain region. A region would typically be a media market, the Lower Mainland of British Columbia, for example, or the area surrounding the city of Ottawa covered by the circulation of the *Ottawa Citizen*, and the reach of the various television and radio stations emanating from the city centre. It's that kind of thing. The Toronto market would be another example. We could go on and on; there are a number of these, and they're fairly obvious examples. They tend to focus on an urban area and spread out from there. A regional ad buy serves the purpose of trying to promote the party in a region.

The argument that this is somehow illegitimate has always escaped me. The argument that it's unique to the Conservative Party is simply counter-factual. All parties do this—and they do it for a good reason. It's an effective way of promoting candidates. If one party were to be hobbled in so doing while others were permitted to continue, or worse yet, if one party were to be hobbled in doing this while others were permitted to continue it in the same election against that party, it would truly be a preposterous situation, Mr. Chairman.

As far as I can tell, that is the situation the Liberals seem to think actually should obtain, that effectively they can engage in regional

media buys in the very same media market as the Conservatives. They can do it, they can claim the expenses, they can be reimbursed by the taxpayers of Canada, but at that very same moment, the Conservative candidates in the same market should be forbidden from doing it and be prohibited from receiving payment of the reimbursements to which they are legally entitled. I guess, as well, they should be hauled before a court of star chambers, such as the one the Liberals propose to set up, so as to be attacked and vilified entirely out of context, as if they were somehow engaged in an illegal activity. But it's not an illegal activity, of course. They use the fuzzy word "illegitimate", so they can define it however they want.

Mr. Chairman, this is the standard pattern of the Liberal Party. You know, we Liberals do something and it's okay; you guys did it, and it wasn't okay. What's the reason? Well, it was a Tuesday or it was a month that ended in the letter y, or it was the full moon, or it was a leap year. There's always a reason, but there's one set of rules for them—which is a very, very expensive set of rules, may I say—and there's another set of rules for everybody else, particularly for anybody else who has a serious electoral prospect of replacing them in government. That's their concern. Their concern is simply to ensure that the rules are applied differently, at different times and different places, or maybe even in the same time and place with different actors, so as to achieve an outcome that ensures the Liberal Party wins every election.

The endlessly moving goal posts they propose should not be permitted. That's the reason for proposing a motion that deals with both parties, and in a way that permits—returning to my original metaphor—the motion picture to be examined, the whole thing, and not just a few stills of the choosing of the Liberals.

I pointed out in an intervention two weeks ago, when we were last seized with this topic, Mr. Chairman, that there were some additional considerations as well. This is not, in my opinion, a body well suited to producing findings of evidence. That's normally done before courts, and there are good reasons for it. We're just not structured the right way for that sort of thing.

● (1155)

Given my preferences, given my druthers, I would prefer to see this subject matter dropped entirely for that reason, because there are better ways of examining this.

There are court proceedings under way right now, as you know. What the court proceedings involve, of course—and this is something I have to stress over and over again, Mr. Chairman—is that the riding associations that have not been paid rebates by the Chief Electoral Officer for expenses they regard as being legitimate are then going after the Chief Electoral Officer and saying, "You owe us some money to which we are legally entitled, and you owe it to us because the activity we engaged in is an activity in which parties engage frequently, indeed, as a matter of course". The idea that you can't engage in these things unless you are a Liberal is clearly inappropriate and should not, in my view, be pursued.

This is the purpose of the amendment.

Mr. Chairman, I could go on at some length about this, but I'm worried that others who may have been swayed by my comments would be unable to take the floor and express their opinions, so at this point I will cede the floor to the next speaker.

The Chair: Thank you, Mr. Reid.

The next speaker on the list is Mr. Preston.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Thank you, Mr. Chair.

It is great to be able to speak to this, and I do thank my colleague for his intervention. He was able to share with us a great deal of why we are here and what we are trying to accomplish, and I do thank him for allowing me to speak to it, because he has convinced me wholeheartedly and fully that what he said is correct. It's not often we get the type of intervention here through which we can actually convince each other that where we're headed is right and just.

Mr. Chair, on the original motion by Ms. Redman, my colleague has mentioned for all intents and purposes the use of the word "illegitimate" and the reason for its use. Of course, it could certainly be used simply to fool or to knock out of sight why the words are chosen, but if I remember correctly, Mr. Chair, the original motion was in fact so poorly written you ruled it out of order. It took a majority of this committee to rule you as incorrect, sir, but it was originally even ruled out of order and not accepted by you, as the chair, as being a legitimate motion.

Here we are, back to it, arguing it again—or back to doing that for an amended version of it. The amendment was moved by my colleague to broaden the scope of it, to clean the motion up to where it could be back again and maybe even accepted as being in order. The amendment was moved to include not just one party but also the Liberal Party, and to include 2004 to broaden the scope and the length of time for which this committee would look at election activities, election financing of two parties. That would open it up to the review of the committee so that we would actually spend some time looking not narrowly, not just in an extremely focused manner and not just in a partisan way to make one guy look worse than the other guy. We're really going to open it up so that we can adjust and justly look at the finances, the election spending of the Liberal Party too during that time.

I'm not certain what they feel they have to hide, why they would want to narrowly focus the motion to be on just one small issue, and why Canadians wouldn't want to know the whole facts, all of the facts of at least that period of time, and to include their party.

While my friend was speaking, he also mentioned the other parties in this House, which we may have faulted somehow by moving an amendment that includes only the other, if you will, major party. Again, not to cause duress on the other side, but there are two other parties that sit currently in the House, and they're not mentioned in this motion at all. To be fair to all of them and not just the Liberals, perhaps our amendment should be amended further and we should add a subamendment to include the other major parties. I would suggest that we do that so that after the words "the Liberal Party of Canada" we include the words "and all other political parties" just so that they don't feel left out.

We had a member today who was under some duress because we forgot his party when we were discussing this. I would happily move that subamendment to open this process to all political parties so that we actually look at the financial books of all parties during those two elections and see if we then can satisfy the citizens of Canada that we're not being in any way partisan, so that we're not just picking on them and they're not just picking on us, and so that we're actually opening it to all.

• (1200)

The Chair: On a point of clarification, Mr. Preston, are you officially proposing a subamendment—

Mr. Joe Preston: I'm proposing a subamendment that adds, after the words "Liberal Party of Canada" in the amendment, the words "and all other political parties".

The Chair: Colleagues, we're now on the debate for the subamendment.

You may continue, Mr. Preston.

Mr. Joe Preston: Speaking to the subamendment, Mr. Chair—I'm more than prepared to do so—I attend a lot of hockey games and of course soccer games in the summer, and I compare this a lot to what we call "referee baiting". It's often evident at hockey games that certain teams will continually point out to the referee...not necessarily infractions, but moves that they dislike the other team using, whether they're hard bodychecks, trapping, or whatever. But if you continually yell at the referee and continually bait the referee, saying, "That's wrong. That needed a penalty. Where was the penalty on that call?", then eventually, after a hard bodycheck that really is.... Canadians will recognize that this happens a lot in international hockey. We usually blame the referees of some of the foreign countries we may be playing, but it certainly happens much more there.

Here we are talking about...exactly at this level. Here we have the Liberal Party yelling at the referee—in this case, Elections Canada—saying, here's a practice we all do, we all have legitimately done, that through many elections all parties have done, yet let's yell at the referee in this case. Let's yell loud and hard and see if he blows his whistle and we get a call. That's in fact what the Liberal Party is attempting to do in this case, referee-bait with Elections Canada and say, if we point at something long and hard and yell long and hard about it and continually point it out, even though we've done it ourselves or certainly have very similar practices, perhaps we can get a penalty called.

It happens a lot in a hockey game. A hard bodycheck will happen, or through trapping, something will happen. Then the screams come up from the home side, of course, that it was wrong. The referee, knowing no better, blows his whistle and drags someone off to the penalty box, and somebody wrongfully accused of a penalty gets two minutes. And of course, the team that yelled the loudest and got the call snicker behind their gloves or in their helmets—look at what we were able to do because we yelled long enough at something that was perfectly legitimate, but it must have been the other team's turn to get a penalty"

In this case, that's what we're getting. We can't find anything wrong, so let's just yell long and hard at what has been done by all parties over time, what has been done by all of us, legitimately so, and covered under Elections Canada. If we yell loud enough this time, somehow someone will find something wrong with it. And that's exactly what's being attempted here.

So I say shame on the Liberal Party. Let's just play by the rules, carry on, and continue to serve the people of Canada as best we can under the rules of Elections Canada, as we all have, and quit baiting the referee toward this.

But if they feel they must go forward, that we must go forward and examine this case—because if they've yelled loud enough there must be something wrong—then let's move forward on all parties, as the subamendment we're looking at now states, not just the Liberal Party but the other parties in the House also. Let's make sure we have a thorough examination of all the parties and of what are legitimate election expenses. And as we say, we will be proven to be absolutely accurate in what we've been able to do, as my colleague said, whether it's regional media buys or whatever, and these constituencies will legitimately be returned their money from an election spending point of view and be proven to have justly followed the rules.

Mr. Chair, I think it's important that we do state now that it is all parties being looked at and not just one, as was asked for by the referee-baiting Liberal Party, or even as we mistakenly did in our amendment, which was to call for only their books to be looked at. Let's look at everybody's to make sure we're all doing the same thing and following the same rules.

Mr. Chair, I yield the microphone to one of my colleagues.

• (1205)

The Chair: Thank you, Mr. Preston.

Just to remind members of the committee, we are now on a subamendment of the amendment. The subamendment expands to all parties. The amendment is expanded to the Liberal Party and the years 2004 and 2006, which I understand...

Mr. Preston, are you still including 2004 and 2006?

Mr. Joe Preston: I have not changed the dating at all, sir.

The Chair: We're on a subamendment debate.

Next on the list is Mr. Lukiwski, please.

Mr. Tom Lukiwski: Thank you, Chair.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): On a point of order, is this subamendment in regard to hockey?

The Chair: That's not a point of order.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Thank you, Chair.

Perhaps, Chair, you could give me some clarification. My understanding is that I'll be speaking to the subamendment, which is fine. I'm very pleased to do so. But will a discussion still be going forward on the original amendment?

The Chair: Of course, the two are interlinked, intertwined, and overlap. The subamendment simply includes the other parties. It's

virtually the same and it would be hard for the chair to tell the difference.

You go right ahead please, Mr. Lukiwski.

Mr. Tom Lukiwski: Thank you very much, Chair.

I am pleased to be able to speak to my colleague's subamendment, which in effect calls for the investigation by this committee of the election financing practices of all political parties in this House. I think that's only appropriate, because as Madam Redman originally argued before these proceedings became televised, these proceedings should be open for Canadians to examine so that they could see how all political parties could work cooperatively in terms of analyzing, dissecting, and hopefully making improvements, if necessary, to various pieces of legislation that come forward. I think in the same fashion, in the spirit of hopefully openness and collaboration, we could agree to this subamendment, because in effect what that would do is allow all Canadians to examine the advertising practices of not just the Conservative Party of Canada but also the Liberal Party of Canada, the Bloc Québécois, and the New Democratic Party. After all, Chair, if they have, as my colleague alluded to a little earlier, nothing to hide and they have done nothing wrong, then there should be absolutely nothing wrong in examining their practices in a side-by-side comparison with those practices of the Conservative Party of Canada.

Chair, as you well know, and as I know all members of this committee know, in response to these questions of the so-called in-and-out scheme raised by members of the Liberal Party in question period, we have quite consistently stated that not only did the Conservative Party of Canada do nothing wrong, but the practices that we followed were in fact similar to those practices of other political parties. In other words, what we have consistently stated is that we have done nothing different, certainly nothing that should be considered uncommon or illegal. We have only done what was allowed under Elections Canada rules, and every party in this House has done the same thing, which is quite legal.

We are not here to suggest that any party engaged in illegal activity. Clearly they have not. What we are contending is that our practices were similar and in fact almost identical, if not identical, to those practices of other parties, and every party in this House has followed those same practices, which are completely legal. If the Conservative Party of Canada, therefore, is being called into question—and some in the Liberal ranks would suggest that we have done something illegal in our advertising practices—then by consequence we should examine the practices of every other party and see if we have all done the same thing. We contend there is nothing wrong with what we have done. We contend that the practices of the New Democratic Party, the Bloc Québécois, and the Liberal Party of Canada are almost identical to those practices that we have followed, and that none of us has done anything wrong.

I think most Canadians would agree with me in saying, let's then examine those practices of every political party. I think most Canadians would rightfully contend and rightfully surmise that if only one party is being singled out, if only one party is being accused of doing something illegal when it comes time to dissect and analyze election spending practices or advertising practices, if that's the case, then probably the accuser is engaging in nothing more than a political witch hunt. I've always contended that.

We have not heard any members, at least in recent memory I don't recall any member, of the Bloc Québécois accusing the Conservative Party of doing something illegal in reference to our advertising practices in the 2006 election. I can't, quite frankly, recall anyone from the New Democratic Party accusing the Conservative Party of doing anything illegal with respect to our advertising practices in the 2006 election. Why is that? Probably because they know, as we know, that we did nothing wrong. They also know, as we know, that they engaged in exactly the same practices with respect to regional advertising buys.

• (1210)

Mr. Chair, it's only the Liberals who are making these accusations, these baseless and false accusations. If this is the case, then the Liberal Party certainly should have nothing to fear if their practices are examined by members of this committee. If they are confident in their assertions that the Conservative Party contravened the election advertising rules and regulations in some fashion and that they are squeaky clean, as pure as the driven snow, then they should have absolutely no problems with a thorough examination of their practices.

But I would contend, Mr. Chair, that they don't want an examination of their own advertising practices. Do you know why? It's not that they did anything wrong. It's that an examination would clearly conclude that they followed exactly the same practices as we and every other party in this House did in terms of advertising during elections.

The Conservative Party of Canada, to my understanding at least... there are affidavits being submitted today in Federal Court that will prove that we have done absolutely nothing wrong. I believe as well, or at least it's my understanding, that those affidavits draw a comparison to many other members of different political parties and how they have conducted their advertising during previous elections. In fact, it is my understanding that some members of this committee are named in those affidavits as proof of the type of regional advertising buys that have been conducted from party to party.

I think it's important that Canadians try to understand exactly what we're talking about here. In fact, it's a very simple, very appropriate, and completely legal method of advertising during elections. It's simply this. From time to time, a national advertising campaign is conducted. Local candidates can choose to air those national ads if they feel it's in the best interests of their getting elected. The only caveat on that is if a national ad runs in a local campaign on behalf of a local candidate, there is identification on that ad saying that it is authorized by the local candidate and authorized by the local candidate's chief official agent. Those are in the rules of Elections Canada.

I have some knowledge of what I speak, because in a former life I was involved with a provincial political party. I was the executive director of two provincial political parties in my home province of Saskatchewan. During one of those occasions, I was our party's representative on a committee that sought to make changes to the Saskatchewan Election Act. It was an all-party committee. The changes we made basically mirrored the federal Elections Act, in other words the Canada Elections Act, in almost all substantive ways.

One of the changes we made was in dealing with regional advertising buys. We examined the federal Elections Act. We called witnesses, of course, and did a lot of research. The changes we made were almost identical to what is contained in the Canada Elections Act with respect to advertising and how the advertising between a provincial or national party and a local candidate can take effect.

Mr. Chair, I can assure you that as head of the provincial parties that I represented, prior to provincial elections being called, I consulted directly with the chief electoral officer in Saskatchewan—this was prior to any regional advertising buys being made or purchased—for complete clarification to make sure that this was above board, legal, and fully within compliance of the Saskatchewan electoral act. I was given assurances that it was. We ran those regional buys during a number of elections, as every party in Saskatchewan did, and there was no problem.

• (1215)

The reason I bring that forward, Chair, is to show that the relationship we had in Saskatchewan between candidates and the provincial party is the same relationship indicated in the Canada Elections Act between candidates and the national party. In other words, it's legal. There was absolutely nothing untoward that occurred in the 2006 election.

We've pointed that out consistently in the House of Commons during question period. We've pointed that out consistently during interviews with media members. And we have again, Mr. Chair, pointed that out—at least it is my understanding that we've pointed it out—in affidavits that have been filed in Federal Court today, which I'm sure all members of this committee will have a chance to examine in a day or two. Certainly members of the national media and the national press gallery will have a chance to examine those affidavits.

Then I think we can have a fulsome discussion of this very issue. And I think, Chair, that as soon as individuals, whether they be members of the media or members of this committee, have a chance to examine the documents contained in these affidavits that have been filed, they will conclude, as we have, that all political parties have engaged in exactly the same practices with respect to regional advertising buys and the relationship between the national party and its candidates.

Mr. Chair, for that very basic and fundamental reason, if all political parties have in fact been consistent in their practices, why then should only one political party be singled out for scrutiny, for examination? It doesn't make any sense.

Again, it goes back to my contention that this is nothing more than a partisan attempt on behalf of the Liberal Party of Canada to try to create a controversy, to try to create a scandal where none exists. Because clearly, if they have done nothing wrong—and we contend that they have done nothing wrong—they should have nothing to fear. They should be welcoming, in fact, an examination of their books, because if they are convinced that they are squeaky clean but the Conservative Party has done something wrong, they should welcome a side-by-side comparison of the practices of our party and theirs as a way of illustrating the fact that their point has been borne out under close scrutiny and examination.

Mr. Chair, every attempt we have made at this committee to bring forward an amendment to include the Liberal Party in this discussion they have rejected. I can only conclude from that, Mr. Chair, that they do not want any examination. And I'll let Canadians draw their own conclusions as to the motives behind that.

Mr. Chair, let's look at it in that context. We are saying that not only did the Conservative Party of Canada do nothing wrong, but we followed the same practices as every other party in this House. And we welcome an investigation and an examination of those practices of every party in this House to support our contention. We're not trying to block any attempt on this issue of examination—far from it. And I would welcome further scrutiny, Chair. As the affidavits we have filed today will clearly demonstrate, all the activities—the advertising expenses incurred by the Conservative Party of Canada and its candidates—were in total 100% compliance with the Canada Elections Act.

I do think an examination is required, Mr. Chair, because I know there is an interpretation in question here, and that is the interpretation that Elections Canada has made with respect to these regional advertising buys of the Conservative Party. That is very, very troubling and very disturbing to me, Chair, because there has been no change to legislation in the Canada Elections Act whatsoever. Unfortunately, it seems to be an interpretation made by some members of Elections Canada that seems to suggest that the ad buy the Conservative Party of Canada made is somehow in contravention of the Canada Elections Act. Yet the ad buy of the other political parties is not in contravention, and the practices were identical, Chair.

• (1220)

In fact, Chair, if I understand it correctly, the act suggests that in terms of electronic advertising, candidates are allowed to play an ad that may be national in scope as long as it again refers to and is authorized by the local candidate. That has been in effect for several years now, Chair. I think you'll find, if you examine not only the 2006 election but the 2004 and previous elections, that this is a practice that again all candidates and all parties have followed.

My understanding now, Chair, is that for some reason Elections Canada is saying that they want to change the interpretation so that if a local candidate runs an ad, that ad must refer only to the candidate himself or herself or to the candidate's opponents, and no reference whatsoever may be made to the national party.

Mr. Chair, I defy anyone in Elections Canada to come before this committee and show me where in the Elections Act it states that, because it does not. Mr. Chair, if that is the interpretation of

Elections Canada, why in fact have they arbitrarily determined that the interpretation should apply only to the Conservative Party of Canada and not to the other parties? I'm not making any accusations. All I'm saying is it's a very serious question that I would like to get some answers to.

So I certainly hope that when we begin the examination of advertising practices of, hopefully, all parties, we will be able to agree to bring forward representatives from Elections Canada to answer this very basic question: why has Elections Canada changed their interpretation of the act with respect to advertising arrangements between national parties and candidates? I don't know why. The act is quite clear. It allows the things that we call regional ad buys. It allows the practice of having national advertising played in a local riding as long as the local authorization is in place. Yet my understanding is that the primary reason behind Elections Canada's disputing some of the Conservative candidate claims is that they've arbitrarily changed their interpretation of how this relationship between the national party and the local candidate should work.

Mr. Chair, I would just like to know from representatives of Elections Canada how they can arbitrarily change an interpretation when in fact they have not changed the act itself, or the legislation itself. It makes no sense to me. It defies natural law. Chair, I think that is one very primary question we should be asking members of Elections Canada. But it has to be put in context, because if all parties have engaged in a similar, or the same, or the identical practice when dealing with advertising nationally and locally, why then is only one party in question? Not only should Elections Canada answer that question, but all members of this committee should answer that question.

Hence, the subamendment by my colleague states not only that we should examine the advertising practices for the 2006 election of the Conservative Party of Canada, but that we should examine the advertising practices of all parties represented in this House for both the 2004 and 2006 elections.

Mr. Chair, I respectfully suggest to you that I will be back for further comments on the original amendment, but I know there are others around this committee table who wish to comment. I will cede my time to the next speaker.

Thank you, Mr. Chair.

• (1225)

The Chair: Thank you, Mr. Lukiwski.

Next on the list is Mr. Poilievre, Madam Redman, and then Mr. Reid.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Thank you, Mr. Chair.

The great irony is that the opposition, who claims to seek so desperately to examine the financial and electoral practices of the Conservative Party, would be doing just that in public hearings right now if it had voted for the motion we put forward that asked for such an examination.

The second great irony, Mr. Chair, is that the Conservative Party, according to the opposition and sympathetic minds at the Elections Canada bureau, is the party that has something to be defensive about. Yet the Conservative Party is the only party asking for its own finances to be scrutinized by this committee. Of the four parties represented in this room, the Liberal, Bloc, and New Democrat have all rejected requests to have their finances scrutinized before this committee. Only one party has voted in favour of having its finances scrutinized. If it really is the case that the Conservative Party is the only party that has done anything wrong, why would that be the only party that actually wants to investigate its finances under the glaring light of a national television camera?

Further, if we accept the claims of the oppositions parties that their practices are incomparable to those of the Conservative Party, then why would they not want a comparison of all practices to be done before the public? If, as they claim, their practices are entirely different from those the Conservatives practice, then one would think that would become very evident after mere days of public scrutiny. I call upon them to support their allegations against the Conservative Party and to defend their actions by voting in favour of a motion that will allow both to come under the scrutiny of the public.

We in the Conservative Party have our finances in order. We raise our money legitimately, through everyday people. You know the kind of people I'm talking about, Mr. Chair. They are those who work hard, pay their taxes, and play by the rules. They know that we manage our money with great ethical care and that we've always followed all the rules. We know the same, and that is precisely why we are prepared to have all of our actions scrutinized. It is precisely why we want hearings. It is precisely why we want our party officials to come before this committee and answer any of the questions that the most partisan and vitriolic opposition member can conjure up.

If, as the opposition claims, there is some wrongdoing on the part of the Conservative Party, should this motion pass they will have the chance to expose it. If, as they further claim, their practices are entirely different and above reproach, they will have the opportunity to demonstrate that as well.

●(1230)

So once again, Mr. Chair, we ask ourselves why they would have voted against such scrutiny. Why would they have voted against having hearings into their own affairs if they believed they had nothing to hide?

Ironically, there hasn't been a single motion put before this committee calling for our finances in the Conservative Party to be scrutinized that we voted against. We have not voted against a single, solitary motion looking into our affairs.

An hon. member: We have nothing to hide.

Mr. Pierre Poilievre: We are the only party that can say that. The Liberals, the Bloc, and the NDP all voted against having their finances scrutinized. I wondered why that was the case, Mr. Chair, and today I found out why. The reason, as we learned and as the courts have learned through an affidavit, is that every single party has engaged in exactly the same practices for which Elections

Canada has singled out the Conservative Party—every single party. They have all decided how to spend their own money, and their own candidates have decided how to make their own expenditures.

What is really at stake here is that the Conservative candidates spent Conservative funds on Conservative advertising. It's shocking, really, that in a democracy a political party or one of its candidates might advertise for itself, and that it might decide without encroachment from a federal agency on what content it inserts into that advertising. That is really the extent of the accusation: Elections Canada has said that the Conservative Party and its candidates cannot decide what goes into their advertising.

A Conservative candidate, according to Elections Canada, must advertise exclusively on local issues in order for the advertising to be considered a local expense. Quite frankly—and I hope this message gets back to Elections Canada—we are not going to have a federal agency tell us how we can do our advertising, and we are not going to have them determine what content is going to be in our ads, because we live in a free country where agencies that might wish to augment their powers do not have the ability to dictate to us what we put in our ads. This is the extent of the accusation. Elections Canada is not suggesting that on the whole the Conservative Party or its local campaigns spent too much. It is alleging that local campaigns must have certain kinds of content in order for their expenses to be accounted for as local expenses.

I've run for Parliament, Mr. Chair, and so have other members in this room, and we have a God-given right in this country, as local candidates, to speak freely in our efforts to convince local voters. I am not going to have some national agency tell me what I can and cannot put in my advertising, because there's a thing—for which our veterans died—called free speech. It's something that we're not willing to surrender because a powerful government agency has decided that it wants to control what local campaigns say in their advertising. Elections Canada will have to get used to that, because it's not going to change.

●(1235)

That is why we are taking Elections Canada to court. The Conservative Party and its members are the plaintiffs. We are the ones with a grievance against Elections Canada, and Elections Canada has to explain its actions in defence. Not only are we unafraid of having our conduct examined, but we're the ones who made public issue of our conduct. We're the ones who brought it before the courts; we're the ones who asked that an independent judiciary examine our conduct; and further than that, we are the ones who appeared before a public committee, which is televised, and asked that our conduct be further scrutinized by members of all political parties. The only thing we've asked for is that if we are willing to subject ourselves to that sort of scrutiny, all parties do the same. That has been our request from the very beginning. It has not changed.

So we wait with some anticipation to find out if the opposition parties will come clean, whether the Liberals, the Bloc and the NDP will come clean and will accept the same scrutiny we have proposed for ourselves, or whether they will continue to cover up their practices and continue to hide their conduct in a coalition of shame—three parties united in their shame of their own practices.

And for the benefit of our viewers who cannot see them right now, they do look ashamed.

An hon. member: Oh, oh!

Hon. Karen Redman: I have a point of order.

Mr. Pierre Poilievre: And they should be ashamed.

Hon. Karen Redman: This is a man who was reading a newspaper halfway through the meeting.

The Chair: Order, please.

Focus, focus, colleagues. Let's get back to the debate.

Mr. Marcel Proulx: I have a point of order.

Why is it, Mr. Chair, that when you speak, the other microphones are on? You have the floor. The other microphones should be turned off, so we can hear you.

The Chair: Thank you, and we'll make that reference to our technicians, that when I have the floor the other microphones are turned off.

Let's stay focused on the subamendment and keep the debate to the subamendment, please.

Mr. Pierre Poilievre: Thank you, Mr. Chair, for calling the members across into order.

So I go on, Chair, making the point that we are the only party willing to have hearings about our own conduct. And if other parties are as convinced of the ethical nature of their ways, then they will support this subamendment.

This subamendment, Chair, calls for all parties to have their financial and electoral practices examined—all of them. That's what we're debating here—a thorough discussion of all of our finances. And we are the only party that is supporting that public examination of our finances.

What have they to hide, Chair? What worries them? Why are they are so vitriolically opposed to having any public scrutiny of how they have managed their own affairs? They argue that it's because they are blameless and there is nothing to examine. Well, if that's the case, then these proposed hearings would be nothing more than an infomercial for the unimpeachable ethical conduct of their parties, if, as they claim, they are as pure as the maiden snow. But in fact they resist and they protest, and they provoke great suspicion as to their cause for such protestation.

Mr. Chair, I might also add that this is not the first time we've seen Elections Canada raise high drama, only to disappoint later on. You'll remember that about a year ago Elections Canada was very concerned about convention delegate fees. Do you remember that, Mr. Chair? Most people don't remember it, but there was this great scandal that all of these conservatives had come together at their Montreal convention and had paid for their own delegation fees and hadn't counted those delegation fees as donations, and as a result

they had gone over their limit. This was an “enormous” scandal, a big conspiracy of thousands of party members from across the country conspiring together to come and donate more than they're allowed to out of their own pockets. And the Liberals were up in the House of Commons, and the NDP and everyone was furious, banging fists, that this was the biggest scandal ever. I even heard some Liberals suggest that this was going to bring down the government, that it was such a huge scandal.

At the end of the day, what we learned was that it was a mere disagreement as to whether or not delegate fees should be considered donations or not. We felt they shouldn't; the opposition felt they should. If these were considered donations, then the convention attendees could get some sort of a—

[*Translation*]

Mr. Michel Guimond: I have a point of order, Mr. Chairman.

[*English*]

The Chair: Not for debate, but for a point of order.

• (1240)

[*Translation*]

Mr. Michel Guimond: Yes.

As you will note, Mr. Chairman, there are currently six of us seated at this table and the quorum for this committee is seven members. We the members of the opposition parties have put up with this charade since September, but we've decided that enough is enough.

Mr. Chairman, if the Conservatives have nothing to hide, then they will not mind if we proceed to consider the motion duly endorsed by the majority of committee members. The Conservatives' attitude at this time shows contempt for democracy and proves that they have something to hide.

[*English*]

The Chair: Order.

Monsieur Guimond, please, I don't think we need to have a debate here. If the point of order is for a quorum call, I'll do a quorum call. That's the point of order. There's no need for any further debate on it.

Is that what you're asking for, a quorum call?

[*Translation*]

Mr. Michel Guimond: Yes, Mr. Chairman, but let me just explain...

[*English*]

The Chair: That's a simple request. I do see six members at the table. You are not substituting, so we have four Conservative members and one Bloc member.

We do not have quorum, so the meeting is over.

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