



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Procedure and House Affairs

PROC • NUMBER 081 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, May 7, 2015

—
Chair

Mr. Joe Preston

Standing Committee on Procedure and House Affairs

Thursday, May 7, 2015

•(1105)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): We will call our meeting to order. We have two different subjects today and we have Monsieur Mayrand here on both of them.

We're happy to have you here for both sessions today. You have an opening statement, I would think, and then we'll have questions from members.

Members, if you'd like to be on the question list, by all means get your names in early and often.

We will go ahead and start. Please introduce the people you have with you. We're starting on estimates. Am I right?

Mr. Marc Mayrand (Chief Electoral Officer, Elections Canada): Yes, the main estimates.

The Chair: We'll start with an hour of that, and then we'll switch over.

[Translation]

Mr. Marc Mayrand: Thank you, Mr. Chair, for inviting me to discuss the 2015-16 main estimates for my office.

I am accompanied today by Stéphane Perrault, Deputy Chief Electoral Officer, Regulatory Affairs. I am also accompanied by Hugues St-Pierre, Chief Financial and Planning Officer, as well as Belaineh Deguefé, Deputy Chief Electoral Officer, Integrated Services, Policy and Public Affairs.

Today, the committee is studying our annual appropriation, which is \$29.2 million. This represents the salaries of approximately 350 full-time-equivalent employees. Combined with our statutory authority, which funds all other expenditures under the Canada Elections Act, our 2015-16 main estimates total \$396 million.

This includes \$317 million for the October 19 election. In total and over four fiscal years, the cost of the 2015 general election is estimated at some \$375 million. A number of factors may influence actual expenses, such as the duration of the campaign; the level of spending by political entities; adjustments to election worker fees and allowances; and prevailing market conditions for advertising and for the rental of local offices, furniture and equipment.

My office has just completed a three-year cycle of election preparation, modernizing its technological infrastructure and its approach to communications, and enhancing field training programs and business processes to respond to the ever-increasing expectations of voters and candidates that the electoral process be both

accessible and trustworthy. We will be deploying resources progressively and just in time for the call for the October 19 election.

Returning officers will be instructed to rent their offices for September 1. That window of two weeks before local offices are open to the public will enable us to set up field equipment, including computers and telephones. Over the summer months, final preparations, including hiring and training key personnel, printing materials, and releasing pre-election advertising aimed at encouraging voter registration, will be completed. These activities are monitored closely so as to avoid unnecessary incremental costs.

During the upcoming election, electors will benefit from a number of new or improved services.

Elections Canada has established an online service that allows electors to verify, update or complete their voter registration. The ability for electors to do so before they arrive at the polls may contribute to improving the accuracy of the voters lists used on election day. We expect that it will also reduce the number of electors who have to register to vote at the polls on election day.

We have also made a number of changes to allow electors to vote in a timely manner. Polling stations will now have a “fast lane” for registered electors who have the required identification and are ready to vote. Another lane will be set aside for electors who require additional procedures, like registering at the polls or having another elector attest to their residence.

[English]

In order to improve accessibility leading up to the 2015 election, Elections Canada worked with the disability community to identify 35 accessibility standards that returning officers will apply to select voting locations. Information about the extent to which polling stations are accessible will be included on voter information cards and on Elections Canada's website. Electors will be able to contact returning officer in advance to inquire about accessibility and to make special arrangements if required. Moreover, electors will have more opportunities to vote, with an additional day of advanced polls and special ballot voting at Elections Canada satellite offices in 56 institutions across the country, including college and university campuses, YMCAs, and aboriginal friendship centres.

As per the document on the electoral reminder program that I shared with the committee earlier this week, frequent reminders will be issued using a variety of vehicles to advise electors on when, where, and how to register and vote. Elections Canada will also focus on reaching out to electors before the issue of the writs through targeted promotion of online registration, as part of its effort to increase registration before electors arrive at the polls.

• (1110)

Following the 41st general election, Elections Canada began working towards improving its ability to respond to electoral incidents that may interfere with voter participation. In this regard, we will monitor the election environment to be better prepared to detect and respond quickly to any incidents that threaten the integrity of the election.

We have also undertaken a number of initiatives to improve how poll workers follow procedures known to be complex. Some of these initiatives include enhanced recruitment practices, modernized training, simplified procedures, and clearer instructions for elections workers. We have also renewed the role of central poll supervisors, who will be able to provide guidance to staff at the polling station and ensure that procedures are followed.

We have also launched a procurement process for the independent audit of poll worker performance introduced by Bill C-23. The agency is currently awaiting bids from interested parties. This process should be completed by the end of July, in time for the fall election.

In the 14 months following the election, I will publish three reports to provide a comprehensive perspective on the event. First, a factual chronology of the election will be published in early 2016 within 90 days of the return of the writs. This first report will include the measures taken by Elections Canada to improve the accuracy of the lists of electors.

In June 2016, a second report will present a retrospective of the 2015 election, drawing on the experience of electors and candidates. This report will include the official poll-by-poll voting results and the conclusions of the independent audit of poll worker performance.

By December 2016, I aim to table a final report that will recommend administrative and legislative improvements.

Mr. Chair, this brings me to the end of my remarks in relation to the main estimates. My colleagues and I are happy to answer any questions the committee might have.

The Chair: Thank you.

We will go to seven-minute rounds of questions. We'll start with Mr. Lukiwski.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you very much.

Monsieur Mayrand, thank you very much to you and your officials for being here.

I have a few questions based on your presentation. First, I notice that you say, "Returning officers will be instructed to rent their offices for September 1." The election is scheduled for October 19. I

know that the minimum writ period is 36 or 37 days. It could be much longer than that. What happens if it's a long writ?

Mr. Marc Mayrand: We would have to adjust accordingly. Normally, the writ, if it's a standard minimum period, would be issued on September 13.

Mr. Tom Lukiwski: That's correct.

Mr. Marc Mayrand: If it were to be issued earlier than that, we would do as we've done in the past. Again, sites for offices have been identified by returning officers. We would have to quickly move to signing leases and proceed as we've done in the past.

Mr. Tom Lukiwski: Are you saying, then, sir, that you already have all the office locations identified?

Mr. Marc Mayrand: They are identified as we go, and it's permanently reviewed. Some sites may be lost; others are found as alternatives.

Mr. Tom Lukiwski: Out of curiosity, what is the maximum period for a writ? I noticed, for example, the three byelections that you say are scheduled for October 19. We're six months out from an election. Does that mean we're in a pre-writ period for those three byelections?

Mr. Marc Mayrand: No. We're into the writ period for these byelections.

Mr. Tom Lukiwski: Right now.

Mr. Marc Mayrand: There are byelections ongoing right now. I think it will be a 170-day writ period for those byelections. They would be superseded when the call for the general election is made.

Mr. Tom Lukiwski: That's interesting. I probably should know this—maybe we all should know this—but I thought it was always that the Governor General, after consultation with the Prime Minister, established or dropped the writ.

Mr. Marc Mayrand: Yes.

Mr. Tom Lukiwski: But you announced these three byelections. Is that correct?

Mr. Marc Mayrand: It was at the request of the Governor General, and the Governor General sets the date of the elections.

Mr. Tom Lukiwski: All right. Okay—

Mr. David Christopherson (Hamilton Centre, NDP): I was just asking Craig exactly the same question, because the media reported that it was Elections Canada, and I thought, "Really? Do they have the right to just initiate an election whenever they decide?" But it's the GG and PM.

Mr. Marc Mayrand: I can assure you that we're not there—

Mr. Tom Lukiwski: Do I get extra time now? I'm just kidding.

The Chair: Go ahead, Mr. Lukiwski.

Mr. Tom Lukiwski: Actually, I'm glad the intervention came from David, because I think we were all wondering the same thing: who's running the show here?

• (1115)

Mr. Marc Mayrand: There was an order in council. I was ordered to issue the writs.

Mr. Tom Lukiwski: All right. Thank you for that. I appreciate that.

I next want to turn my attention to the voting process. I find it interesting and frankly appreciate the fact that you now have a fast lane. It's almost like the NEXUS lane in an airport.

How did this come about? Is this just something that you've observed over time and have already planned? This is the first time I've heard of it. I think it's a good move, frankly, but I'm wondering if you could give me some background on how this decision came about.

Mr. Marc Mayrand: It is something that we've been looking at for quite some time. In fact, we would have liked to do more for this GE. Due to lack of time and other factors we could not do more, but at least we're introducing some small administrative changes that will expedite electors who are ready to vote and segregate those who are in need of special exceptions. The staffing will be done accordingly.

Again, we hope that for the vast majority of electors it will be quick and they will not be delayed by other electors who are not ready. Those electors who are not ready will be treated in a separate channel. We will build in some procedures to improve and to ensure quality assurance with regard to the safeguards that need to be applied for those exceptions.

Mr. Tom Lukiwski: What do you anticipate in terms of additional staffing requirements because of this? Is it minimal?

Mr. Marc Mayrand: Because of this, it's minimal, I think, but I don't want to mislead the committee. There will be an increase in staff generally to deal with the fallout of the Neufeld Etobicoke report. We're adding staff to make sure that the procedures are handled properly and that there is proper supervision at the polls.

Mr. Tom Lukiwski: We might get into that a little later in terms of costs.

On the procedures, you're talking about trying to increase the efficiency of the operations of voting. Do you have any thoughts about introducing what's commonly known as the "New Brunswick model"?

Mr. Marc Mayrand: We're moving in that direction with some of the changes we're doing right now, and certainly it's a model that we've looked at closely. In fact, we have built a model for a federal election based on, among other things, the New Brunswick model. It is something that I would have liked to pilot during the GE. Unfortunately, for all sorts of other reasons, it could not be done but it is something that we'll bring back to Parliament after the election for sure. We need to redesign our voting process.

Mr. Tom Lukiwski: Thank you.

How much time do I have, Chair?

The Chair: You have about a minute.

Mr. Tom Lukiwski: Lastly, I know you sent a document to our offices earlier, but can you give us a quick overview on the information to voters pre-election, on what the plan is to try to educate voters as to where and when, and perhaps more salient information about the election itself, to hopefully get a turnout that's a little better?

Mr. Marc Mayrand: As we get closer to the election, but before the issuance of the writs, you will see a new website appearing that will be focused on the election and all the changes for electors. We

will also do a bit of pre-writ advertisement or outreach, particularly to those who are less likely to be registered. The focus there will be on promoting online registration.

We will be working with various non-partisan NGOs to share information with their constituents, if I can use that expression, to inform them about the requirements for ID, the requirements for registration, and their options in terms of voting and registering.

Mr. Tom Lukiwski: Are any other formal media being utilized—television, radio, print ads—to try to better inform?

Mr. Marc Mayrand: It will be done during the election. We will increase our mainstream media advertisements during the election to help inform electors about the changes.

The Chair: Thank you, Mr. Lukiwski.

We'll go to Madam Latendresse, please, for seven minutes.

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Thank you, Mr. Chair.

Mr. Mayrand, this is interesting, and I will also talk about your promotion activities for voter registration. In the document you submitted to prepare us for today's meeting, various organizations with which you have established relations to this purpose are listed. I think this is quite interesting and very important.

I would like to ask you a question about homeless people. The document you gave us does not provide the names of the groups you have established connections with.

Could you tell me why? Do you plan on changing that?

● (1120)

Mr. Marc Mayrand: Community relations officers mostly work specifically on establishing relations with authorities that administer homeless centres, across the country, from riding to riding.

Ms. Alexandrine Latendresse: Okay.

Do you think some contracts will be concluded with those organizations?

Mr. Marc Mayrand: That's certainly a possibility we could consider should the situation arise. This is not really a closed list. Our objective is to reach those who are most likely to face obstacles to their right to vote.

Ms. Alexandrine Latendresse: Regarding disabled individuals, when we studied Bill C-23, a number of groups that came to testify talked about the accessibility of polling stations and some of Elections Canada's offices.

You mentioned in your presentation that offices will be rented before September 1. Is there any special emphasis on those offices' accessibility?

Mr. Marc Mayrand: A number of measures have been introduced for accessibility in general. What is new when it comes to polling stations is that we will try to exceed the legislated minimum standard—in other words, level access. In cooperation with disabled communities, we have established 35 criteria each of those stations must meet to the extent possible to ensure accessibility.

We have evaluated 22,000 stations in Canada based on those criteria. The results are available on the website. In general, voters will be given information on each station's level of accessibility through their voter card. Someone with accessibility issues could check whether the criteria they need have been met. If they have not, that individual could contact the returning officer to find an alternative and make arrangements.

We think this is a significant improvement. We will see how things go during the election.

Ms. Alexandrine Latendresse: Thank you.

As things currently stand, what would be the biggest challenges for Elections Canada if the election was to take place before October 19?

Mr. Marc Mayrand: In principle, we are ready to hold an election. Of course, we would like to use all the time we can—up until September. Returning officers were appointed and were trained this past winter. The material is complete and, in many cases, it has already been printed. For example, the set part of the voter card is already being printed. We are very advanced in our preparations. So we would be prepared to hold an election at any time.

Ms. Alexandrine Latendresse: I do not doubt that. We saw during the last general election and a minority government that it can always be done.

Be that as it may, do you think some challenges would be more difficult to face than if the election date was set?

Mr. Marc Mayrand: Some challenges would be more difficult to face. During the second hour, we will discuss the pending bill, which could be a challenge.

We expect to complete our preparations by July 1. Over the next few weeks, we will mostly be testing our computer systems. They have undergone many changes, and we continue to carry out tests to ensure that they can successfully manage any type of situation and provide the results everyone will be expecting the evening of the election.

Ms. Alexandrine Latendresse: Yes, indeed.

[English]

Craig, do you want to...?

• (1125)

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Chair, I believe I'll go ahead.

The Chair: Go ahead, Mr. Scott.

Mr. Craig Scott: Monsieur Mayrand, I have a very quick question. I'm wondering whether a mechanism has been worked out with the newly located Commissioner of Canada Elections for

involvement of his staff in some of the compliance problem-solving functions that you described when we were looking at Bill C-23.

One of the gaps in the government's understanding of what the commissioner does during elections is that a whole team of people helps respond to compliance issues. Will that happen in this election? If so, is it on Elections Canada's dime? Is it on the Department of Justice's dime? In any case, is that seamless transition from the previous state to this one going to happen?

Mr. Marc Mayrand: We've had discussions with the commissioner and also with the CRTC now with the recent changes, and I think all three organizations agree the process should be seamless to outside parties: electors, candidates, or campaigns.

Whoever gets an issue brought to their attention will assess whether it's something that falls under their jurisdiction. If not, it would be referred to the proper authority. We will all continue to be responsive, and we all know that during an election, time is of the essence, so we'll do real-time interventions to seek to address issues that may arise during the writ period.

The Chair: Thank you.

We'll go to Mr. Lamoureux, please, for seven minutes.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Thank you, Mr. Chair.

Welcome to the presenters.

I do have a few lines of questions I'd like to have answered. One is related to the cost. You made reference to the cost of \$375 million. That's for the 2015 election, and not just the election period, but the lead-up, getting the prep work, and all that kind of stuff. Am I correct in my understanding?

Mr. Marc Mayrand: Yes, absolutely.

Mr. Kevin Lamoureux: What was the cost of the 2011 election?

Mr. Marc Mayrand: It was \$290 million or something like that, I believe.

A voice: It was \$291 million.

Mr. Marc Mayrand: Yes, \$291 million.

Mr. Kevin Lamoureux: Would that have been a consistent or a fair comparison? It's the overall cost for the...?

Mr. Marc Mayrand: Yes. Generally, yes.

Mr. Kevin Lamoureux: On the issue with regard to inquiries, do you have any sense, offhand, that you can share with committee members, of how many inquiries Elections Canada typically gets? I'm thinking more of the last couple of months. I've had correspondence dealing with questions about Elections Canada. How many would you typically be receiving?

Mr. Marc Mayrand: During a non-election period?

Mr. Kevin Lamoureux: In the last couple of months.

Mr. Marc Mayrand: I would have to get back to you on that one.

Mr. Kevin Lamoureux: What would be a guesstimate, Mr. Mayrand? Are we talking a dozen? Are we talking 1,200 or 5,000? Are the phones ringing all the time?

Mr. Marc Mayrand: They ring regularly, yes, but again, depending upon what's happening on the horizon. Now we're getting a few more questions because byelections have been called. There are things of that nature. Depending on what's happening, we may get peaks in terms of inquiries.

Mr. Kevin Lamoureux: Sure. In any given election, you have all sorts of different levels of interest, from candidates to official agents to individuals just wanting to know how they can get on the voters list—

Mr. Marc Mayrand: And the media, yes.

• (1130)

Mr. Kevin Lamoureux: How do you feel about Elections Canada's response time? As a candidate, if I have a question—I'll use an example—such as “when can I put out a sign?”, how long can I anticipate that it would be before I get a written response for something of that nature?

Mr. Marc Mayrand: It depends on the question, but normally it would be within the day or the next day. It depends on how it's put, but if it's through the phone, yes. You can also ask through the Internet. You can put your inquiries through the web, but normally it would be within 24 hours. Again, during an election it would be much faster, if we can; it depends on what the question is.

I should point out that official agents and parties have special channels to access Elections Canada during an election period. There are also special channels among the lawyers for parties and lawyers at Elections Canada. There are different channels that are communicated to candidates and their agents and to Canadians as we get into the electoral period.

Mr. Kevin Lamoureux: In terms of the pre-writ period, the expectation for service, and responses to questions, if someone puts in a relatively straightforward question, you're relatively confident that definitely within a week they will get a response to it.

Mr. Marc Mayrand: They should, and if not, I'd like to be made aware of that. They should be—definitely.

Mr. Kevin Lamoureux: I'm pleased to hear that, because it's not necessarily what I've been hearing at the other level, but—

Mr. Marc Mayrand: Please let us know.

Mr. Kevin Lamoureux: —I will look into it in more detail and let you know, because then it becomes an issue of resources: do you have adequate resources pre-writ to be able to deal with the number of questions and the requests you're getting in the office? Obviously you have a high sense of independence in terms of access to resources, but what I'm hearing is yes to that.

Mr. Lukiwski made reference to a 36-day campaign. If the Prime Minister does not call the election on September 13, Elections Canada will automatically call it. Is that correct?

Mr. Marc Mayrand: No, no.

Voices: Oh, oh!

Mr. Marc Mayrand: The election still requires a royal proclamation.

Mr. Kevin Lamoureux: What happens on September 13 if you don't get a call from the Governor General?

Mr. Marc Mayrand: No election is called.

Mr. Kevin Lamoureux: Until the Governor General—

Mr. Marc Mayrand: That may something for Parliament or the courts to look into.

Mr. Kevin Lamoureux: What we know is that it's a minimum 36-day campaign. What is a maximum campaign in a general election?

Mr. Marc Mayrand: There's no limit per se on the duration of campaigns.

Mr. Kevin Lamoureux: So we could have the announcement of an election campaign on June 24 for October 19?

Mr. Marc Mayrand: There's nothing to stop that.

Mr. Kevin Lamoureux: If someone asks how to get on the voters list, how simple is it to get on the voters list today?

Mr. Marc Mayrand: With the online service, it's relatively easy. I would invite you to check it out. You go to the Elections Canada website and check the box for registration services, which will take you to the online service. You will be asked a few questions. If you are registered, you can confirm that you are registered and that it's your correct address. If you have moved recently, you can easily change your address.

If you're registering for the first time—if you've just reached 18, for example, and you want to register for the first time—additional questions will be asked of you, but generally you will be able to register online.

If for whatever reason the online services cannot accommodate your circumstances, you will be guided as to how you can proceed to alternatives to get on the registry.

Mr. Kevin Lamoureux: Generally speaking, 95% of the population would be able to register online, if they so choose, with no real issues.

Mr. Marc Mayrand: Close to that, yes, because 93% of Canadians are already registered. If they change their address, they could do that relatively easily online.

Mr. Kevin Lamoureux: How confident are you of the accuracy of the list to date?

Mr. Marc Mayrand: Again, we did a recent quality study. As a member, I think you should have received a copy of the release—

Mr. Kevin Lamoureux: Yes, I did.

Mr. Marc Mayrand: —describing the quality measures. I believe the coverage was that 93% of Canadians are registered, and they are registered at the correct address at a rate of 90%.

Mr. Kevin Lamoureux: Finally, if someone does move, if they go online and three or five minutes later they are...?

Mr. Marc Mayrand: It's a very short transaction, yes. They'll need their date of birth if they are already registered.

The Chair: Thank you, Mr. Lamoureux.

We'll move to Mr. MacKenzie for a four-minute round.

Mr. Dave MacKenzie (Oxford, CPC): Thank you, Chair.

We've had two provincial elections in just the last two weeks and one provincial election in October, and there's an election going on in Great Britain today. I'm curious as to whether or not you monitor them, even at a distance, as to the effectiveness of some of the changes they may have made.

Mr. Marc Mayrand: We do. Very often, we will have observers attending on the election day, or a few days before the election, and participating in what we call the "visitors programs" that exist for other agencies. So yes, we learn from each other, definitely.

Mr. Dave MacKenzie: You're able to adopt good practices, I suppose, if there is something you see.

• (1135)

Mr. Marc Mayrand: Good administrative practices, yes, definitely, and sometimes we'll also get ideas for legislative changes.

Mr. Dave MacKenzie: Thank you.

I'll share my time with Mr. Richards.

Mr. Blake Richards (Wild Rose, CPC): Thank you very much.

I think I'm on the list again if I don't have enough time...? Okay.

I wanted to have a discussion and ask you some questions with regard to third party advertising, both during and prior to the writ period. Could you give us a brief summary of the rules for third parties during a writ period, and pre-writ as well, in terms of what they can do in spending, and your tools in being able to enforce those rules?

Mr. Marc Mayrand: Outside the writ period, no provisions of the Elections Act govern spending by third parties, or even by political entities, for that matter. During the writ period, if a third party spends more than \$500 in advertisements, they must register, and they are subject to limits in terms of how they can spend nationally and how they can spend in any specific riding.

Mr. Blake Richards: Okay. What about if that were to cross the line into promoting a specific political party or advocating against a specific political party? Would it then be booked as a campaign expense for the political party being promoted? How does that work?

Mr. Marc Mayrand: Unless there is a conspiracy or an agreement, which may be difficult to establish, they are treated as separate entities. The third parties are subject to their own spending limits.

Mr. Blake Richards: So there is currently no spending limit, but I know—

Mr. Marc Mayrand: Unless there's collusion—

Mr. Blake Richards: For a pre-writ period.

Mr. Marc Mayrand: Yes.

Mr. Blake Richards: However, for our campaigns, for example, in my understanding—and correct me if I'm wrong—as candidates we must report any pre-writ spending that's done specifically to further our re-election, essentially, and that must be reported as a campaign expense. That's my understanding. But that's not required of a third party at all?

Mr. Marc Mayrand: The spending you have to report is the spending that may be incurred before the election but for matters that will be used during the election. That's what needs to be reported.

For third parties, it's spending that occurs during the election period.

Mr. Blake Richards: Is there anything you do to monitor...? Obviously, there have been media reports of large unions that have undertaken very expensive campaigns, with some of them are reporting as much as \$6 million or \$7 million that they're talking about spending specifically to promote political parties they're—

The Chair: We'll have to get you in on the next round on that one.

Mr. Blake Richards: All right. Hopefully I'll get a chance to come back to it.

The Chair: Madam Latendresse, you have four minutes, please.

[*Translation*]

Ms. Alexandrine Latendresse: As part of your electoral reminder program and the means of communication you have established to reach voters before the general election—and here I want to come back to what you said earlier regarding online registration—have you found a way to obtain voters' email addresses to inform them that an election is taking place?

Mr. Marc Mayrand: The current Elections Act does not allow us to gather that type of information—either telephone numbers or email addresses. In an environment where technology is becoming increasingly important, Parliament might eventually consider that possibility. Email could in fact be very useful for reaching voters.

Ms. Alexandrine Latendresse: We will discuss this later, but Bill C-50 will focus on voters outside the country. However, I imagine that reaching those people without being able to use their email address is quite a challenge.

Mr. Marc Mayrand: That is in fact a challenge we occasionally face. The public increasingly prefers to communicate by email, instead of by telephone or in person. That is now the mode of communication the general public prefers.

• (1140)

Ms. Alexandrine Latendresse: So nothing is currently planned in terms of that.

Do you think this should be one of the changes made in order to better reach people over the next few years?

Mr. Marc Mayrand: That possibility should probably be considered. I think we will send 800,000 letters to new voters in the coming months. I am convinced that, if we were to conduct a survey, the vast majority of those voters would prefer to communicate with us electronically rather than by mail—where they would receive an envelope containing a form they would have to complete and send back. Unfortunately, the legislation is not up to date when it comes to that.

Ms. Alexandrine Latendresse: My next question is about Bill C-50, and we will likely have the time to discuss it in detail later on.

We briefly talked about issues this bill could bring up if it came into effect before the October 19 election.

Do you think that could in fact be a problem?

Mr. Marc Mayrand: I think we will discuss this a bit later, during the second part of the meeting.

[English]

The Chair: I am going to hold you back there. We have a whole hour for that in the next hour, so let's stay with estimates and finish this part.

[Translation]

Ms. Alexandrine Latendresse: It has to do with the estimates and the various challenges that will arise pertaining to the election.

[English]

The Chair: I understand that there's a bit of a mix, but since we've set aside a whole hour for that, starting in just 15 minutes, I'll hold you off until then and you can be excited about your questions then.

Go ahead, Mr. Scott.

Mr. Craig Scott: I want to follow up on my last question, Monsieur Mayrand. You indicated that the three agencies—the CRTC, the Commissioner of Canada Elections, and you at Elections Canada—in principle want seamlessness of communication once any one of you has received information that the other should know about.

But my understanding from previous elections is that there was a seamlessness of operational contact between your office and the commissioner's office when it came to bodies available to help with compliance, during the writ period especially. I'm wondering if you have assurances from the Commissioner of Canada Elections that, one way or the other, this system that worked is going to be replicated this time.

Mr. Marc Mayrand: We will be physically separated, but we will have a small core team at headquarters here in Ottawa at Elections Canada. It will monitor all incidents that are reported, do a triage, and determine which ones should be going to the commissioner. I expect that there will be daily communication with the commissioner's office to make sure it is aware of the issues and that whatever information it needs is transmitted.

The Chair: Thank you, Mr. Scott.

Mr. Richards, you're back on. You have four minutes, please.

Mr. Blake Richards: Thank you. We can return to where we were.

I'll make sure that I'm understanding things correctly, but let me just preface it a little bit first, because I didn't have a chance earlier. There have been a lot of media reports of large unions that have undertaken large campaigns, I think pre-writ, and I'm not sure if that carries over to the writ period, but I would assume that it would.

One that was reported in the media—I think over a year ago—indicated it was going to have about a \$6.7-million spending campaign to try to prevent our party from being put back into office. Specific unions in Ontario, Quebec, and other places are spending money even outside of their own provinces specifically to—in their words—beat the Conservatives and also to specifically promote

NDP or Liberal candidates in a number of ridings all across Quebec, Ontario, and I think in other provinces as well. It's pretty clear that there's a significant amount of spending being done there.

I know that as candidates we're required to report anything that specifically goes towards our re-election; even though it's spent pre-writ, it's to be reported to our campaigns. I think you're indicating that it wouldn't be required of a third party to do that. I'm just curious. Are you indicating that there's nothing that Elections Canada currently does to sort of monitor these kinds of things to determine whether they're appropriate and to determine whether they're following any rules, whether it be pre-writ or during the writ?

Mr. Marc Mayrand: We will monitor to the extent possible. If we see a clear case of a third party spending and of taking an advocacy position during an election, we may ask questions. We may invite it to register and make it aware of the limit on its spending, and we will invite it also to file its return after the election.

• (1145)

Mr. Blake Richards: What is their limit on spending?

Mr. Marc Mayrand: That varies, but I believe it's around \$300,000 nationally. That figure needs to be updated for the next general election.

Mr. Blake Richards: So if there is a union reporting a \$6.7-million spending campaign towards an election, you would obviously be wanting to keep a pretty close eye on that and to determine whether it's following all the rules. I'm curious about what you do both pre-writ and during the writ to make sure that happens.

Mr. Marc Mayrand: Pre-writ, one of the things that we will be doing shortly is issuing a guideline under the new provision of Bill C-23 regarding third parties, advising them of the rules, how they apply, how they should be administered, and what's expected from them. We'll do a bit of public consultation on that, but that will be broadly communicated to the public and third parties as we go. That's a new feature.

Again, we monitor during the election. I'm sure that candidates, as they see things happening, will bring them to our attention. I would welcome them to bring it to our attention or, if they think it's an offence, to the commissioner's attention.

Mr. Blake Richards: Just to get a sense as to what sorts of things there are, you mentioned that it's difficult for you to determine where someone is crossing the line and promoting a specific candidate or a specific party unless you can see some demonstrable, obvious connection where there's been an agreement made.

I'll throw out an example. Potentially, what if a union were to have paid employees for door-knocking or canvassing for a specific candidate? Would that be required to be reported by that candidate's campaign or that party's campaign? Or would that still be able to be third party spending?

Mr. Marc Mayrand: Again, these are general rules that apply, whether it's a union employee or an employee of any other employer. If they're doing it on their own time, it's okay. If they're—

Mr. Blake Richards: What if they're doing it on their regular work hours?

Mr. Marc Mayrand: Well, it has to be reported as an expense.

Mr. Blake Richards: By the campaign while they're working...?

Mr. Marc Mayrand: Well, it's a non-monetary contribution in my mind—

Mr. Blake Richards: So for the campaign—

Mr. Marc Mayrand: Again, subject to all the circumstances being looked at, but to all appearances, it looks like a non-monetary contribution and it's—

Mr. Blake Richards: For the specific campaign they're working on, not from a third party?

Mr. Marc Mayrand: Yes, again, subject to all the circumstances, it could certainly be seen as a non-monetary contribution, so that's something that third parties have to be careful of.

Mr. Blake Richards: What other things would you be watching for from a third party in terms of making sure they aren't crossing the line into promoting specific candidates, things that should be booked as that candidate's expenses or the party's?

Mr. Marc Mayrand: It's like many, many matters. We rely extensively on the vigilance of Canadians, the candidates, and the campaigns to bring to our attention what they believe are issues.

In terms of monitoring third parties, we'll have a general idea, but again, I'm sure we will see many more third parties than we can imagine. I think those who are in the best position—maybe the returning officer—will be able to detect something and bring it to our attention, but mostly it will be local campaigns.

Mr. Blake Richards: Do you have directives that you provide to returning officers in terms of doing so? What directives do the returning officers receive or what directives would they receive in order to ensure that they are watching those kinds of activities?

Mr. Marc Mayrand: Well, they are generally made aware of incidents in their riding, and they get instructions to, first of all, deal with the incidents locally if they can and if not—

Mr. Blake Richards: Okay. It's specifically reactive. There's nothing proactive that's being done. It's only if something is being reported that you're—

Mr. Marc Mayrand: Unless we can identify them, and again, once they have been identified we will contact them, yes.

But again, we will do a few things during the next election. We will, for example, be monitoring the environment generally with regard to campaign incidents. We will be monitoring social media to see whether anything's happening there, whether there's some specific wording and all these things. That may allow us to detect things and trigger an intervention, but again—and I want to repeat it again and again—we rely heavily on candidates' local campaigns and Canadians to bring to our attention the issues they see.

Mr. Blake Richards: Understood, but I would strongly suggest that, given significant media reports of very large money being

spent, you would want to make sure that you're not being reactive but as proactive as possible.

• (1150)

Mr. Marc Mayrand: I don't want to give you the impression that we're ignoring the media. In fact, that's why we're coming out with this guideline for third parties: to make sure that the rules are as clear as possible.

Mr. Blake Richards: Thank you for clearing that up.

The Chair: Thank you, Mr. Richards.

I'm going to stop it there. That's the end of the round. Unless there are a couple of one-off questions for this hour, we will, if it's the will of the committee, go directly into the next hour.

Great. Let's do it that way. We won't even suspend. We'll just go ahead.

Mr. Lamoureux.

Mr. Kevin Lamoureux: I have a very quick question.

The Chair: Go ahead.

Mr. Kevin Lamoureux: It's a substantial increase from the 2011 election—from \$291 million to \$375 million—and my question is about the additional 30 seats. Do you have a sense of what that cost is offhand?

Thank you.

Mr. Marc Mayrand: [*Technical Difficulty—Editor*]...\$9.2 million for the election, the 30 ridings....

A voice: And \$3 million for implementation.

The Chair: Great. Thank you.

Monsieur Mayrand, I understand you have an opening statement under Bill C-50. We'll start there and then ask questions in the same order.

Mr. Marc Mayrand: Thank you, Mr Chair.

BillC-50 introduces a number of changes to the Canada Elections Act that relate primarily to the process of voting from abroad but that also touch upon various other aspects of our regime. I will keep my remarks relatively brief and, as always, will be happy to answer any questions that may assist the committee in its study of this bill.

The first change I wish to underline is the provision that would allow the Minister of Citizenship and Immigration to provide information on non-citizens. This is an important proposal. It would improve the quality of the register of electors by preventing the inclusion of non-citizens and by allowing me to remove those who may have already been included.

Over the last few years, my office has had discussions with the Department of Citizenship and Immigration, as well as the Minister of State for Democratic Reform, about accessing the department's information on non-citizens in Canada. Unfortunately, in the absence of explicit statutory authority, privacy laws prevent Citizenship and Immigration from sharing this information with us. The amendment proposed in this bill would remove that obstacle.

With access to information on non-citizens, Elections Canada could first match it against persons in the register of electors and contact them to clarify their status. If they are not citizens, they would be removed from the register. Second, we would ensure that on a going forward basis, when individuals wish to be included in the register, they would be checked against information on non-citizens.

The second and perhaps most significant change proposed by Bill C-50 is the elimination of the International Register of Electors. All electors abroad who wish to vote by special ballot, other than military electors, will now be required to make an application after the writs are issued. They would have to provide proof of citizenship, in addition to proving their identity and residence. If they no longer reside in Canada, they would have to prove what was their last place of ordinary residence here in this country.

It is clear that these new rules will make it harder for electors abroad to vote. The requirement to prove citizenship confirms a pre-existing administrative practice for electors who reside abroad.

It would now also apply to people temporarily away, such as snowbirds. These people normally have a passport, and this aspect of the proposed regime is not a concern.

Proving their last place of ordinary residence in Canada, however, is likely to be much more problematic. This is especially true for those who have been away for a number of years and who will not likely have kept any acceptable ID with their former address. Given that their former address will not change until they resume residence in Canada, it is unclear why it must be proven for each election that occurs while an elector is abroad.

Although the bill allows for the attestation of residence by another elector when no documentary proof is available, this procedure is burdensome. It requires attesting electors to provide documentary proof of their place of residence in the same electoral district. It also requires electors and attestors to each take oaths or make statutory declarations administered by a qualified third party. This administrative burden may well be a barrier for some electors.

Another concern for electors abroad, and probably the most significant one, is timing. Currently, once electors residing abroad have established entitlement to be included in the international register, they will automatically be mailed a voting kit after the writs are issued. In this regard, the international register was designed to reduce the number of situations in which an elector is unable to return a completed ballot in time for the election day.

Under Bill C-50, electors would now have to make an application after the issue of the writs and send it to Elections Canada from whatever part of the globe they find themselves in. The application will have to be processed, a voting kit mailed out, and their completed ballot returned by 6 p.m. on election day. While we would

strive to reduce the delays as much as possible, the challenge for electors abroad would be unavoidably increased.

•(1155)

Both of these concerns—that is, the problem with having to repeatedly prove a former residence and the difficulty for electors to return their ballot in time—result from the abolition of the International Register of Electors. I see no reason why the International Register of Electors should be abolished or how maintaining the register isn't compatible with the objectives of the bill.

As a third significant change, Bill C-50 proposes to harmonize the voter identification rules by extending to those who vote by mail the rules applicable to those who vote in person.

My concern is not so much with harmonization, which I support, as it is with a new requirement under Bill C-50 that would apply to voter identification, whether in person or by mail. This is the requirement that documents authorized by the Chief Electoral Officer be only documents issued by an entity that is—and I quote —“incorporated or formed by or under an Act of Parliament or of the legislature of a province or that is otherwise formed in Canada”.

First, it's not clear from a legal point of view what this actually means. Certainly, it is broader than simply entities incorporated under Canadian law, but what exactly is meant by “otherwise formed in Canada”? Does it include entities incorporated abroad but registered in Canada? What else does it include?

I cannot see how election officials, especially deputy returning officers at ordinary polls, will be able to decide whether a particular bank or credit institution, such as Amex or Visa, was incorporated or formed in Canada. This is equally true of a telephone service provider, such as Virgin or Koodoo, or any insurance company, especially when they operate both in Canada and abroad. It is not realistic to expect that election officers will be able to make these determinations or that candidates' representatives will have a clear understanding of what is acceptable ID and what is not. It is also difficult to see how this requirement can be easily communicated or understood by Canadian voters who want to make sure they have the right pieces of ID.

In the absence of clarity, the proposed rules will lead to confusion, inconsistent application, and, quite possibly, controversy at the polls. This begs the question of whether such a new restriction on acceptable pieces of ID is necessary. Documents, including utility bills and bank statements that include an elector's residential address in Canada, will most likely be issued by entities that operate in and have a connection with Canada. But in the event they do not, it is not clear how a communication from a bank or a university abroad is any less trustworthy as a proof of identity and address than a communication from a Canadian university or bank.

I strongly encourage the committee to examine this aspect closely, keeping in mind the fact that election officers will be required to administer these complex requirements. My view is that such a restriction is unnecessary and would not improve the integrity of our system, and that it should therefore be deleted from the bill.

• (1200)

[*Translation*]

The fourth point I would make relates to a number of more minor, but nevertheless significant, technical and operational concerns I have with the bill as currently drafted. I have brought a table that identifies these concerns and, to the extent possible, proposes solutions. In many, if not all, cases, you will see these are merely drafting adjustments to make sure the bill achieves its intended purpose.

While I do not think it is necessary for me to go through the table with you today, the proposed changes are nevertheless important. For example, with respect to expanding the mandatory procedural audit to include the administration of the special voting rules, the proposed wording may inadvertently prevent auditors from having access to election documents that are critical to the audit of the regular polls. I do not think this is the intent.

Finally, I wish to speak to the implementation of Bill C-50 and the proposed period of 60 days for its coming into force. This is an exceptionally short period for implementing changes to the electoral process.

With respect to receiving information to remove non-citizens from the register of electors, this will take some time to implement. We will need, first, to put in place an information-sharing agreement with the Department of Citizenship and Immigration. Once this is in place, we will be able to receive and process the data on non-citizens in order to match it with the register. Finally, we will need to write to those in the register who are identified as possible non-citizens and ask them to confirm their status. This is clearly not something that can be done in 60 days.

With respect to implementing the proposed changes to the special voting rules and to the voter identification rules at the polls, this is possible, but not without important challenges and some risks. As you are aware, we have been busy implementing the changes introduced by Bill C-23 and getting ready for a general election.

The further amendments proposed by Bill C-50 would require changes not only to manuals, but also to instructions, forms and public information material for both the special voting process and the regular vote. With respect to the special voting rules, we will also need to develop workarounds for our IT systems, which cannot be redesigned immediately. While we will spare no effort, it can be expected that there will be some confusion, as well as procedural errors.

I will conclude by reiterating that there are aspects of Bill C-50 that I welcome, in particular the new provision allowing the Minister of Citizenship and Immigration to provide information on non-citizens to Elections Canada. I also support the requirement to prove citizenship when applying to vote from abroad. I am, however, concerned with the fact that the bill will make it more difficult for electors abroad to vote, and I expect that many will not be able to do so under the new rules. I am also very concerned with the new requirement that pieces of ID be issued by entities incorporated or "formed in Canada"—a criterion that is unclear and that cannot be administered by election officers. I urge the committee to consider

this aspect of the bill, and also to consider other changes set out in the table I submitted that are in line with the bill's objectives.

Mr. Chair, I would be pleased to answer any questions from the committee members.

[*English*]

The Chair: Thank you for your opening statement.

We'll go to Mr. Lukiwski, please, for seven minutes.

Mr. Tom Lukiwski: Thank you very much.

Again, thank you for your presentation, Monsieur Mayrand.

My first question is about the international registry of voters abroad. How accurate would you consider that to be? How often do you update it? How do you update it? Try to give me a sense here, because we're dealing with a document that currently allows people to cast ballots in Canada even though they may not have lived here for several years. What confidence level do you have that this registry is as accurate as possible?

Mr. Marc Mayrand: Well, we update it regularly. We—

Mr. Tom Lukiwski: How do you do that?

Mr. Marc Mayrand: We should know that there are about 10,000 names in that registry. I've seen other large figures out there, but we're really talking about 10,000 or so Canadians residing abroad who can apply to be added to the register. That's subject to all sorts of procedures and verification.

On the eve of the call of any election, whether it's a byelection or a general election, we will contact all those on the register and ask them to confirm their mailing address. Those who do not confirm their mailing address will be taken off the register. We do that regularly, and normally in the few months prior to an election call.

• (1205)

Mr. Tom Lukiwski: Let me get this straight. You contact all of the 10,000 people on the registry, say, asking for their current contact information and mailing address?

Mr. Marc Mayrand: Yes.

Mr. Tom Lukiwski: If they do not provide that to you in a reasonable amount of time, then do you strike them from the registry?

Mr. Marc Mayrand: Exactly.

Mr. Tom Lukiwski: What would be a reasonable amount of time?

Mr. Marc Mayrand: I think they're given three weeks, but I can get back to you on that. I'm not sure.

Mr. Tom Lukiwski: Okay. I appreciate that. That clarifies a few things in my mind. Thank you.

Here's something that I have a bit of a problem with in the current system. Correct me if I'm wrong on what I believe is the current situation. It's my understanding that currently for a non-resident elector, regardless of where their prior residence was before leaving Canada, the rules would allow non-resident electors to choose which riding they wish to vote in, on the assumption that they can demonstrate some connection to that particular riding. But that connection is so broad that it could be almost anything: that they have friends or relatives there, that they might have had a business interest there, or that they might have resided there for a period of time but it's not necessarily the constituency in which they last resided.

Am I correct in my analysis of that?

Mr. Marc Mayrand: You're correct. It doesn't have to be the constituency in which they resided before they left Canada.

The legislation provides alternative options such as a spouse's address, or a relative's, or a dependent's. There are these types of choices. I think there could be a debate as to whether it's proper to maintain that type of selection or those options for those electors. I would point out, however, that once they make that selection, it's frozen. They cannot change it. They could not be shopping, if we can use that expression, at the next GE. . Once they've opted for an address, their last address in Canada, that's the one that remains for the purpose of voting until they resume residency in Canada.

Mr. Tom Lukiwski: Okay. Thank you for that.

I assume they submit forms. Have you challenged anyone who is known to have had a former address in Canada, but chooses to vote in a separate riding because they've had some connection to that riding? Has Elections Canada ever challenged anyone on that or is it basically on the honour system?

Mr. Marc Mayrand: It's largely an honour system. They have to fill out the form and indicate what their relationship is to the address they selected. If there's an issue, it could be contested or disputed after the fact, but beforehand, I'm not aware that it's been challenged.

Mr. Tom Lukiwski: I have a problem with the whole system as it relates currently.... I don't know if it has been abused. I'm not suggesting that people have been abusing the system, but the ability to abuse the system, should a non-resident voter wish to do so, currently exists, simply by filling out a form and saying, "I want to vote in riding X and I have a connection to it somehow."

If one subscribes to a large conspiracy theory, it's possible that someone could take a look at a riding that perhaps has historically been very closely contested and wants to be able to vote in that riding to try to influence the outcome. They may or may not have any real connection to that riding, but simply by filling out a form and saying they do, it allows them to cast their ballot.

That's certainly not the case in Canada. No one in Canada would be allowed to vote in such a manner. Do you believe that's justifiable, appropriate, and proper for non-resident electors?

Mr. Marc Mayrand: That was the choice of Parliament many years ago. In this new environment and context, maybe it needs to be reviewed. My point here is that we may require them.... I guess what I'm questioning here is the need to repeatedly prove your address, which is always the same; I don't understand why we would require

electors abroad to do that. Once they've done it, that's crystalized. They cannot change it.

I leave it to this committee and to Parliament to decide whether to remove the other option that exists in the current legislation and strictly rely on the last address in Canada and require proof of that address.

• (1210)

Mr. Tom Lukiwski: I assume you're suggesting that not only the last address should suffice but that once they have chosen which riding they wish to vote in, regardless of residency, that should suffice and not have to be repeated. Is that your contention?

Mr. Marc Mayrand: They can no longer choose. Their ballots would be counted automatically in their last place of residence and—

Mr. Tom Lukiwski: Right, but my question here is, would you be comfortable with that? Would you be comfortable with someone saying that they used to live Thornhill, Ontario, but they wish to cast a vote in Winnipeg, Manitoba, because they had some connection there? Whether or not it's frozen is incidental. Are you comfortable with the fact that non-resident voters have the ability to do such a thing?

Mr. Marc Mayrand: I suspect that there could be a scenario in which it makes sense. Most of those Canadians residing abroad are doing it either because they work abroad or because they study abroad. I can't think of many students who, when they left Canada, were registered at the place where they study, and then, when they moved to study abroad, decided to bring their residence back to the residence of their parents.

Again, I leave it to the committee and Parliament to determine whether this is inappropriate in this day and age.

Similarly, when the spouse remains behind, if the spouse moves between elections, is it reasonable to allow the one who is working abroad to use the same address as his or her spouse or partner here in Canada? I leave that to the committee.

The Chair: We'll go to Mr. Scott for seven minutes.

Mr. Craig Scott: Thank you, Mr. Chair.

Thank you again, Mr. Mayrand, for being here.

I have three very quick questions to start with, before some of the more complex ones.

First of all, the Frank judgment struck down provision 11(d) in the Canada Elections Act, which said that if you've been outside the country and don't intend to return for more than five years, you can't vote, even if you're a Canadian. But when the government introduced Bill C-50, it presented Bill C-50 in an almost polemical way as being necessary to implement the Frank judgment.

Is Bill C-50 necessary for that purpose? The reason I ask is that my colleague from Halifax had Bill C-575 that would remove section 11(d) from the Canada Elections Act. She felt that was all you need to do to conform with the Frank judgment. Is Bill C-50 implementing the Frank judgment?

Mr. Marc Mayrand: There may be two things there. I'm not sure I'm the best person to answer that question. That said, we've already implemented Frank. It was implemented for the last series of byelections after the decision was issued. We would apply the Frank decision in the current byelections that are pending.

Mr. Craig Scott: That's because you read 11(d) as no longer existing because of the court judgment, correct?

Mr. Marc Mayrand: Well, we read the decision as saying that the five-year rule doesn't apply anymore.

Mr. Craig Scott: Exactly. So it isn't necessary. Thank you.

I wanted to clear up a confusion. It wasn't created here in these questions, but it has been in the House. When we're talking about maybe up to 40,000 non-citizens being on the register, people are confusing that with the other parts of the bill dealing with voting of citizens abroad. As I understand it, that's for the national register, not the international register.

Mr. Marc Mayrand: Exactly: it's for the national register. On the annual lists you're getting, there are a number of non-citizens. There's an estimated number of about 40,000.

Mr. Craig Scott: Great, and that's something in this bill that we support as a reform. I wanted to make sure it was clear because it's being put out there almost as a way to send a subliminal signal to people about why there's a need for the rest of the bill, which has nothing to do with that issue.

Last, apart from having signalled some time ago in your own report at one stage that this would be a desirable reform—and therefore we have to be thankful the minister has now done it in this bill—were you consulted on Bill C-50?

Mr. Marc Mayrand: I guess I'm providing today my views on the bill as I read it. That's the latest version I have.

• (1215)

Mr. Craig Scott: I won't go further. Thank you on that. I think it's very obvious to everybody.

With regard to the international register, you indicated to Mr. Lukiwski how it can be cleaned up for accuracy close to the election. Currently, Elections Canada will mail a special ballot when the writ drops, but even then, as you indicated in your comments—or hinted, anyway—that if people are not registered, they can try to register when they realize an election has been called, which of course they can still try to do under the current system.

Does that increase the chances that they won't receive the ballot or won't manage to get the ballot back in time? Is there any evidence from Elections Canada that waiting to register until the election is called can create some delays?

Mr. Marc Mayrand: The evidence we have when we look at these things after each election is that, on average, for those who are in the international register, about 8% of ballots are returned late and so cannot be counted due to delays. For those who are not on the register, that number goes up to 15%, and that does not include the potential impact of the additional requirements that are built in here. I expect that number to remain and maybe grow a bit.

Mr. Craig Scott: So experience suggests that waiting to register until the election has been called already increases the chances that a

ballot won't come in, and that's even before all these additional procedural components in Bill C-50. I think you would agree—and I think you've already said—that the dangers of delay created by having to wait are real. Is that correct?

Mr. Marc Mayrand: Yes, because the standard campaign is relatively short. It doesn't give much time. When we look at the data, we see that it takes roughly 24 days for the transaction to be processed, so it leaves very little free time in an election period.

Mr. Craig Scott: Yes, and especially, for example, if there were a surge in interest from electors outside. At the moment, it's only about 10,000, on average, who seem to be interested in the international register, but there are many more Canadians who might be. If they ever decided to make the next election the election to register for, you would have a big task on your hands. Is that correct?

Mr. Marc Mayrand: Yes.

Mr. Craig Scott: Thank you.

Even if one assumes that the international register should go and that there should be this merging with the national register but you can't really register or apply until every election has been called, what could possibly be the reason for waiting so late? For example, the Americans have to do it annually, but as of January 1 each year, they can re-register for any elections that year. Is there any reason that you've heard for making the date of the dropping of the writ the only date on which you can both register and apply for a special ballot?

Mr. Marc Mayrand: Again, I'm not sure that I'm the right person to handle that question. I'm not sure what's driving this requirement.

Mr. Craig Scott: Okay. I will leave that one too. Thank you so much.

I'll pick up on this in the next round, Mr. Mayrand, because I only have 20 seconds left, but to clarify this for everybody here, the government hasn't seemed to acknowledge the concern about all the chaos that new proposed subsection 143(2.11) could produce with respect to voting in Canada, because it changes the requirement for what is acceptable ID for all voters. I simply want you to confirm that this is the problem.

Mr. Marc Mayrand: Absolutely, and that's why I emphasize it so significantly. The new requirement with regard to the issuer of the pieces of ID applies in all circumstances to all electors whatever channel they use to cast their ballot, whether it's advance polls, ordinary polls, special voting rules, or anything.

The Chair: Thank you, Mr. Scott.

We'll go to Mr. Simms.

Welcome. You have seven minutes, Mr. Simms.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Thank you. I apologize for my lateness. If I touch on a subject that's already been discussed, please forgive me in advance, because I had two committees scheduled at the same time.

I'm going to follow off a lot of what was asked earlier, since they were a lot of my questions, but according to the minister, in that election period, the writ period, which allows.... As you know, they have to go through the registration process, the special ballot, and so on and so forth. The minister said that because it can be done electronically now from anywhere in the world, that should facilitate it in a much easier way. Would you say that with the mechanisms we have now, through email and so on, and how you are able to scan the documents and put them through to people....?

• (1220)

Mr. Marc Mayrand: We already provide a system, but again, the application now has to be prepared by the elector after the writ is issued. Yes, they can go to the website, download the application, fill it out, and scan it back, or they can fill it out on the screen and scan their ID and documents, as required by the registration, and send that to us electronically. It still has to be reviewed and—

Mr. Scott Simms: So you've heard this argument from the minister, obviously. Well, I don't know if you have or not, but do you still have concerns as to the timeliness, despite what the minister might say?

Mr. Marc Mayrand: Yes, because right there, first of all, electors need to be aware that the election has been called. They have to take the initiative. Even though it's done electronically—I don't know how long it will take—they will have to fill out the form, and then the rest of the process still has to be done by mail. I still have have to send the ballot kit by mail, and it has to be returned by mail.

Mr. Scott Simms: In regard to the international list of electors, I want to put this into an international context. There are nations around the world—many nations—that have allowed their citizens abroad to vote in their elections. Are you aware of whether, for the most part, they use the same sort of thing as this international list of electors mechanism that we're getting rid of?

Mr. Marc Mayrand: I must say that when I look at what's happening internationally, what I see is that it varies significantly from country to country, honestly. I'm not aware of any country that has anything that is equivalent to the International Register of Electors that we have in Canada, but again, they have other alternatives. In many countries, their foreign residents can vote at the local embassy, or consulate, or mission. We don't have that in Canada, for example. We have to be careful when we compare these things.

Mr. Scott Simms: One of the provisions in here is that military personnel are obviously exempt from this. What does it mean to say that the military personnel are exempt?

Mr. Marc Mayrand: Military personnel are subject to special voting rules. They have their own rules that see the vote being administered by military personnel on the bases around the world.

Mr. Scott Simms: Okay. Would their extended families—a spouse, let's say—also be available to...?

Mr. Marc Mayrand: Normally, family members would have to register in the international registry.

Mr. Scott Simms: Okay. In other words, spouses of the military personnel have to go through the process.

Mr. Marc Mayrand: Yes, they cannot vote on the base.

Mr. Scott Simms: All right. To me that seems a little unfair. Obviously if they're in the same household, they're there for that reason. In other words, they're military personnel abroad. Do you think that would be a problem for them?

Mr. Marc Mayrand: The approach of the act is to treat every Canadian citizen residing abroad the same way, so they would all have to apply after the issuance of the writs and meet the requirement of the new legislation, including having to prove what their last place of residence was in Canada, while for the military the place of determining where they should cast the ballot is the form they sign when they enter the service.

Mr. Scott Simms: That's where their vote is cast? In that particular riding?

Mr. Marc Mayrand: Yes.

Mr. Scott Simms: Okay.

One of the issues the minister brings up quite a bit is this idea of “riding shopping”, or being able to vote indiscriminately in any riding they choose, as one of the reasons why Bill C-50 exists. Did you see that as a major problem?

Mr. Marc Mayrand: Again, as I indicated earlier, once you first register in the international registry, the act provides you a range of options to determine your place of residence in Canada. Once that choice is made, it's crystallized. You cannot change it afterwards. You cannot have a place of residence in Canada for one election and then for the next one have another place. Your ballot will always be counted for the place of residence in Canada that you first selected.

Mr. Scott Simms: That existed with the former international list?

Mr. Marc Mayrand: Yes.

Mr. Scott Simms: Okay. Did you want to add to that? No?

I have a final question on the coming into force. We're not far away from October 19. In light of the changes made by Bill C-23 that have to go through, and now this, Bill C-50, time is really tight. Is it possible to enact all this?

• (1225)

Mr. Marc Mayrand: It is going to be very tight, as I indicated in my opening remarks. I doubt very much that the arrangement with Citizenship and Immigration can be put in place and implemented usefully for the next GE.

Mr. Scott Simms: Sorry? It cannot be put in place usefully for the next GE?

Mr. Marc Mayrand: Implemented for the next GE.... As for the other changes, we'll have to find workarounds.

My biggest concern remains with the changes to ID requirements in terms of the issuer of those ID documents. This is less a timely implementation issue than an effectiveness implementation issue. What I mean there is that I haven't figured out how I can instruct field personnel on the polling day to determine reliably whether the issuer of a document is Canadian or not, has been incorporated in Canada or not, or has been formed or otherwise established in Canada or not. I don't know that we can effectively, reliably, and consistently provide guidance on administering those provisions.

Mr. Scott Simms: For this upcoming election?

Mr. Marc Mayrand: Yes—

Mr. Scott Simms: For all—

Mr. Marc Mayrand: —and ever, honestly. These are legal concepts. Normally if you want to know the nature of any entity, you will have at least a law clerk to a bit of research to determine whether it's a company in Canada, a foreign business registered in Canada, a co-op, or whatever other form of entity that can exist. The act doesn't provide any guidance there, so I don't think it's fair to ask electoral official poll workers to do that analysis and come to a reliable conclusion.

Mr. Scott Simms: Thank you very much.

The Chair: Thank you.

We're going to go to Mr. Reid in this second round, please, for a four-minute round.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): In the absence of a clarification to that particular part of the bill, would you essentially issue an interpretation bulletin on what would be considered to qualify and to not qualify?

Mr. Marc Mayrand: I'm not sure I could, because first of all, there's not sufficient direction in the act. It doesn't say what is meant by being “formed in Canada”. It's not a legal concept. It's a new concept, and it would have to be defined in the act.

The other thing is that I'm not sure of the criteria. The only criteria that comes to mind—and I'm not sure that it's even very useful—is that if the document shows the issuer with an address from another country, then that document should be excluded. But again, you may have, for example, a statement of dividends that is issued by a foreign company for which there is very little reason to doubt that this is a legitimate address on the document.

Mr. Scott Reid: What about “incorporated in Canada”?

Mr. Marc Mayrand: On “incorporated in Canada”, I'm sorry. The problem is that it's up to the poll official to determine if a company has been incorporated in Canada or not.

For Amex, most of us would assume it has some form of incorporation in Canada, but who knows for sure without looking at the corporation registry? That's the thing that we're asking poll officials—

Mr. Scott Reid: Amex, of course, is actually incorporated both in Canada and in the United States.

Mr. Marc Mayrand: I would assume so, and in many other countries.

Mr. Scott Reid: That raises the question of whether the document you have is from which of those two branches.

Mr. Marc Mayrand: My point here is that we're tasking poll officials with a function that they cannot reasonably be expected to fulfill as accurately as we would expect normally for their other functions.

Mr. Scott Reid: Thank you. That's helpful.

In my remaining time, I will note that the problem of dealing with overseas voters is one that Canada is not unique in having to face. Other countries in fact have much larger expatriate populations as a percentage of their own population, and indeed just in absolute numbers, including a number of European countries that have been the source of large numbers of immigrants.

A number of these countries have dealt with this by creating what are known as “overseas constituencies”. For example, I'm looking at a map right now of how Italy deals with this. They have one constituency for the Americas, one for North America, one for South America, one for Europe, including Russia and Turkey, and another one for Africa, Australia, and most of the rest of Asia. Similarly, France has this and Macedonia has it, as do a number of other countries. There's even a Wikipedia article that provides a helpful list of about a dozen countries that have such things.

That's one way of dealing with the problem. It's not the status quo, and it's not what's being proposed by the government, but the danger is always that you get the way that Canada dealt with this a century ago. Temporarily, we had a large number of overseas voters in the form of soldiers serving in the battlefields of Europe. Something called the Military Voters Act was proposed at that time and put in place. It allowed for large numbers of voters to have their votes moved to ridings chosen by the parties. This gave the incumbent party, Robert Borden's national government, a huge and, I think we would all agree, unfair advantage.

That's the danger that one has to worry about, albeit on a much smaller scale. There are places in the world where there are large numbers of Canadians, legal Canadians, Canadian citizens with a nominal or no real connection with Canada. We saw what happened in 2006 in Lebanon when large numbers of people purporting to be Canadian—some of whom were, some of whom may not have been—said that they expected their government to help them move out of that country. I thought we dealt with that difficult situation competently.

The danger is that something similar could occur with regard to voters being collected and their names and identities being submitted. I believe that is the issue that we would need to deal with.

● (1230)

The Chair: Thank you, Mr. Reid.

We'll go to Mr. Scott, please, for four minutes.

Mr. Craig Scott: Thank you.

The minister has said that Bill C-50 simply extends the rules in Bill C-23 on what the forms of ID are, and that's actually completely erroneous, because the new proposed subsection 143(2.11) is a new restriction on what you, as the Chief Electoral Officer, are allowed to delegate as ID across the board. Is that correct?

Mr. Marc Mayrand: It introduces new criteria for determining which pieces of ID are acceptable.

Mr. Craig Scott: So in no way is it an extension of Bill C-23, and you have recommended, I believe, that this provision be deleted, correct?

Mr. Marc Mayrand: Yes.

Mr. Craig Scott: There's another issue. I'm getting technical here, but hopefully we'll also have your staff who we can call back later for the more technical stuff. In my reading of this, the references are to entities, governments, and agencies. Rental leases, which are one of the more common forms that students will often use to show address, can often be issued by individual landlords—persons not incorporated. Are they entities under this new provision? Will you be allowed to use a lease from somebody—me, for example—or do you have to be in an organized corporate form of some kind?

Mr. Marc Mayrand: First of all, I'm not sure that entities include physical persons. I doubt it. Unless it's there in the act, but I doubt it. These new criteria would apply only to non-physical entities, non-human entities, if I can use that expression.

Mr. Craig Scott: That's my reading too, so that kind of rental lease would not be possible.

Also, just to confirm what you've already said, “formed in Canada” is not a concept that is clearly used or clearly known to Canadian law. You would agree with that?

Mr. Marc Mayrand: Yes. I'm not aware that it's a legal concept.

Mr. Craig Scott: The last thing is that it's important to note that whatever “form” means, the word “incorporated” in Canada, for the kinds of documentation that can be used now, that you're limited to allowing...the idea of being incorporated is not a necessary outcome of operating in Canada, correct? You can have corporations or bodies operating in Canada that have their formal legal existence from another legal system.

Mr. Marc Mayrand: They're foreign. Exactly. A foreign corporation can carry on business in Canada.

Mr. Craig Scott: Exactly, so the bottom line is that whatever the reasons were for this—and I believe the reasons are that the minister was trying to find a formulation that excluded any documents from being issued from outside of Canada because I think he was trying to get at I think the fictitious concerns he has about how identity would be approved abroad—in the process we've created a monster, a Frankenstein's monster of a provision that you now have testified could cause serious problems at the polls in Canada. Is that correct?

• (1235)

Mr. Marc Mayrand: Yes, I'm concerned that no one will be clear as to what are the documents that are acceptable for establishing ID or not acceptable. Depending on the circumstances, it may give rise to all sorts of disputes during voting but also after the voting period.

Mr. Craig Scott: Right. Thank you.

The last question—

Mr. Marc Mayrand: That's why I implore the committee to look at how it can best be clarified to avoid future disputes.

Mr. Craig Scott: I hope we will.

Lastly, is there anything in the bill that says that the vouching declarations, apart from the problem of whether they're statutory or not, can be done in advance of the election and be ready to be sent to the voter outside? Or do they themselves also only have to be done once the writ drops, which adds an extra layer of delay?

Mr. Marc Mayrand: I'll have to double-check that. The one thing that comes to my mind is that in some cases you need to have the polling division, and you may not know that until a few days after the writ is issued. It would be difficult to do.

The Chair: Mr. MacKenzie, please, for four minutes.

Mr. Dave MacKenzie: I know that one of the issues that has been brought up a couple of times, not only here—I think by Mr. Simms—but in the House, is the issue of military families. Having military family as part of my family, I have the sense that the part dealing with members of the military covers a whole range of military activities outside the country. Many of these people would be on the battlefield or in an office. It is illogical that you would necessarily have the same rules for families who may be at a base somewhere far removed, and they have the opportunity to do that.

Is it your sense, too, that you're dealing with two different bodies, a military person who may be—

Mr. Marc Mayrand: The military has special circumstances and they are governed by a different regime. The purpose of the international register was to allow their relatives who accompanied them to also have some mechanism to ensure that they can return their ballots on time.

Mr. Dave MacKenzie: Sure, and that's reasonable. They are not in the field, as the member of the military may be.

Mr. Marc Mayrand: No, but they may be living on the base with their spouse.

Mr. Dave MacKenzie: Yes, but they have access to...

Mr. Marc Mayrand: Yes, they do, but now it will be more difficult. I just wanted to point that out.

Mr. Dave MacKenzie: Thank you.

I saw the same number of 10,000, plus or minus a little bit. I also saw that about 6,000 people, plus or minus, exercise that right to vote.

Mr. Marc Mayrand: Yes, roughly.

Mr. Dave MacKenzie: I think that's probably not far off national averages on voting.

Mr. Marc Mayrand: Yes, and if the committee is interested, I could provide a table for the last few elections as to the distribution.

Mr. Dave MacKenzie: I appreciate that.

Do you have a record of where those 10,000 people who are on the registry reside? Are they spread equally across the globe, in the sense that there is a large number in the United States and a large number in Great Britain?

Mr. Marc Mayrand: I suspect that there are larger concentrations in certain countries. Certainly the United States comes to mind, and probably the U.K. There are probably a few other countries in Europe—maybe France. That's an analysis that could be done. I don't have it.

Mr. Dave MacKenzie: Okay. The other part of my question would be, do you have a sense of where those 6,000 votes went? Did they basically go across the country in some sort of an equal pattern?

Mr. Marc Mayrand: It's very much distributed. I am not aware of any significant concentration in any riding. There are always a few in pretty much all ridings. It's fairly distributed.

Mr. Dave MacKenzie: When we're talking about 6,000 and 308 ridings, it would be interesting to see how they are distributed. I'm wondering if it's possible for you to give us at some future time the location of where those 6,000—or 10,000, actually, who would have the right to vote—are distributed.

Mr. Marc Mayrand: It's probably doable. I'm just thinking that with the official voting results candidates probably have a good sense of how many Canadians from abroad voted in their riding, but I can try to do an analysis.

• (1240)

Mr. Dave MacKenzie: I have no idea in my own riding.

Mr. Marc Mayrand: You could probably find it if you were to look at the official voting results. How many voted by—

Mr. Dave MacKenzie: Okay. I know that we see the military number, but I...

Mr. Marc Mayrand: You would get the others, too, for all groups using special voting rules.

Mr. Dave MacKenzie: Okay, but I'm thinking your office would have that, if you would.

Mr. Marc Mayrand: Yes. We'll provide you a table.

Mr. Dave MacKenzie: I appreciate that very much.

That's the end of my questions.

The Chair: That's the end of your time.

We'll go on to Mr. Lukiwski for four minutes, please.

Mr. Tom Lukiwski: Thank you very much.

I have one question to ask, but before I do, I think I am going to follow up a little bit on what Mr. Reid was saying.

I believe he was trying to get at a situation that might be best summarized as this. Currently, as I understand the rules, someone could have lived in Canada for 10 years and then have moved back to Lebanon, to use Lebanon as an example. He has never returned to Canada but has maintained his Canadian citizenship. He has fathered many children, who are of voting age. They would become Canadian citizens, but they have never set foot in Canada. They would be allowed to vote under the current rules. Is that correct?

Mr. Marc Mayrand: No. You must have resided in Canada at some point. Even with the Frank decision, that's my understanding. You must have resided in Canada at some point.

Mr. Tom Lukiwski: Okay.

Mr. Marc Mayrand: "Residing" means more than just visiting.

Mr. Tom Lukiwski: Okay. I'll go back to my initial question, which you answered. Once they have chosen or been allocated a riding in which they cast their ballots, it's frozen. They can never change. What happens if someone comes back to Canada, changes residency, and then goes abroad again?

Mr. Marc Mayrand: They would have to go online and register again, because they would have been struck from the National Register of Electors when they moved out of Canada.

Mr. Tom Lukiwski: How long would they have to be in Canada to be considered a resident?

Mr. Marc Mayrand: The act doesn't provide a time test, a substantive test of whether they're actually a resident in Canada: is that their ordinary place of residence?

Mr. Tom Lukiwski: That's interesting, because then, theoretically, or hypothetically I suppose, someone could come back to Canada for a visit for a month.

Mr. Marc Mayrand: That's not ordinary residence. On that point, I would argue, and we would decline to register them, saying—

Mr. Tom Lukiwski: How do you determine ordinary residence?

Mr. Marc Mayrand: Is that the place where you normally go when you have visited all the other places you wanted to visit? Is that the place to where you return?

Mr. Tom Lukiwski: No, no, I'm saying this. If someone had lived in Toronto, had been abroad for five years or more, had come back, went to Vancouver, stayed there for a month, and then went abroad again but wanted to change a residency to Vancouver, would that currently be allowed?

Mr. Marc Mayrand: He went abroad. Again, there is no test based on duration of your residence. It's a substantive test: did you intentionally and actually resume your residence in Canada? If yes, you're allowed to.

Mr. Tom Lukiwski: But it's on the honour system, correct?

Mr. Marc Mayrand: Largely, yes, unless there is other evidence coming up that suggests it could be disputed.

Mr. Tom Lukiwski: So it's hypothetical—

Mr. Marc Mayrand: It's like citizenship in many cases, yes.

Mr. Tom Lukiwski: Hypothetically, as I suggested, individuals could come back for a month and change their residences by merely going online and indicating their that new residence is now Vancouver and that's where they would like to be able to vote.

Mr. Marc Mayrand: They would be able to vote in Vancouver provided they meet the ID requirements. Yes.

Mr. Tom Lukiwski: So again, to me, it just seems as if it's somewhat open to abuse. Someone could, if they wished.... I know it may sound elaborate and a bit extreme, but there's nothing that would prevent that from happening. Is that correct?

Mr. Marc Mayrand: Well, we can't stop people from moving around. It's the same thing whether they move from abroad to here, or whether they move from Vancouver to Toronto, and then specifically move back to another riding for specifically casting a ballot.

Mr. Tom Lukiwski: I guess what I'm getting at is this. Even though this may seem somewhat extreme, do you consider that there should be provisions that would be a little bit more precise as to what constitutes permanent residency or a change of residency? One provision could be a time factor or some sort of other tangible evidence that the person has actually put down roots and is not just merely visiting and wanting to change the riding in which he can cast a ballot.

Mr. Marc Mayrand: We already rule, as an organization, that simply visiting Canada while you reside abroad doesn't interrupt your residence abroad: you're still a resident abroad. That has been our position in administering the current provisions. I leave it to the committee and Parliament to decide whether they want to introduce additional requirements. Be careful about section 3 of the charter.

• (1245)

The Chair: Thank you.

We'll go to Mr. Christopherson for four minutes, please.

Mr. David Christopherson: Thanks very much, Chair.

Thank you again, Monsieur, for attending. It's always enlightening to have you here.

I'm somewhat jarred by this one issue, and oftentimes there's maybe a part of it I'm not getting.

First of all, there's the elimination of the International Register of Electors. Bill C-50 would get rid of it. Are you aware of problems? Is it broken and obviously in need of repair?

Mr. Marc Mayrand: From what we can see, the register serves its purpose. It allows electors who are residing abroad to register ahead of an election, and it ensures that they get a voting kit early after the writ is issued.

Mr. David Christopherson: Under the changes, it's going to be eliminated and voters abroad can't even apply until after the writ is dropped. Is that correct?

Mr. Marc Mayrand: That's correct.

Mr. David Christopherson: That's problematic for a whole bunch of reasons on your end in terms of time, resources, and the ability to get people in a position such that they can vote. But it also makes it more difficult for people to vote, which takes us right back to some of the problems we had with Bill C-23.

So I want to say to the government right now that on these two issues, unless they have a good explanation of why they're here—I'm going to raise the other issue about voter ID—both of these things look just like the problems we had with Bill C-23. The government is doing whatever they can to put in bureaucratic hoops that make it more difficult for people to vote by virtue of the steps that are

involved, so that eventually they'll just say, "Aw, to heck with it." That's what this looks like.

If we're wrong and I'm impugning the motives of our government, then I'm quite ready to hear quickly from Mr. Lukiwski that this is wrong and that is not the case, but so far it's looking like that to us.

Now, on the other one, voter ID, this was an even bigger issue in Bill C-23. We went through this whole thing. This whole issue of voter ID was part of why we had filibusters. Now it looks as if the government's trying to bring in through the back door with Bill C-50 what they couldn't achieve through the front door in Bill C-23.

My understanding is that the language is pretty clear, and you're very clear in your language, sir, and as an agent of Parliament, you folks are always very careful about words you use. You state in your analysis sheet that:

There will be no way for deputy returning officers or those receiving applications for special ballots to readily ascertain whether an entity is incorporated in or otherwise formed in Canada. The restriction is likely to cause confusion at the polls on the part of election officers, candidates' representatives and voters.

This sounds like the makings of a huge problem. I'm trying to understand—and my sense is that you are too—what it means when the law is now going to say “an entity that is incorporated or formed by...an Act of Parliament” or a provincial legislature “or that is otherwise formed in Canada”. That doesn't make any sense to me. What I'm hearing from you, sir, is that you're not clear on what that means either, or am I missing the point?

Mr. Marc Mayrand: It's not clear, to say the least.

Mr. David Christopherson: It's not clear exactly what that means, so therefore, sir, if we aren't clear as the lawmakers, and if you aren't clear as the one who interprets and applies the law on behalf of Canadian voters, how the heck are they ever going to figure it out at the voting stations with polling clerks and returning officers who don't have half the resources that you do?

Mr. Marc Mayrand: Yes, and also, I think one thing we should not forget is that we're asking electors to be ready to vote when they show up at the poll. They should have clarity as to what are the acceptable pieces of ID they need to bring. Are we now asking electors to assess whether the originator of their piece of ID has been formed or otherwise established in Canada?

Mr. David Christopherson: Are you aware, sir, of this language being used anywhere else in any of the legislation you're responsible for?

Mr. Marc Mayrand: I'd say no.

Mr. David Christopherson: Thank you, Chair.

The Chair: We'll go to Mr. Lukiwski.

Mr. Tom Lukiwski: Thanks.

I'll be very brief. I just want to respond to Mr. Christopherson's earlier comments. I don't know if he said that he didn't want to impugn the motives of the government or would certainly almost retract his statements if he had impugned the motives of the government on some of these key questions. Unfortunately, of course, the minister has not yet appeared before committee to answer the questions that the opposition may have, and frankly, some of our questions as well, but I know he will be coming. I believe he's scheduled for the 28th. Frankly, I wish he could come a bit before then, but unfortunately his schedule doesn't permit.

I can assure you from the government's standpoint that there's no ulterior motive here to deny people the right to vote. That is simply not the intention nor the objective of this bill. If there are problems or perceived problems as identified by members of the opposition, the person to speak with obviously would be the minister. But for the record, I want to point out that all we are attempting to do in Bill C-50 is to ensure the propriety, the accuracy, and the legitimacy of the vote. If that is not understood by the opposition, I'm here to enforce that.

Thank you, Chair.

•(1250)

The Chair: Thank you very much.

We're going to end there, but please allow me one question from the previous hour that I forgot to ask because the chair doesn't ask very many questions.

You mentioned that you're well ahead even on preparing voter identification cards.

Mr. Marc Mayrand: Yes.

The Chair: Do you have an idea when numbered polls or poll maps will be out to the individual ridings? I was asked to ask you that.

Mr. Marc Mayrand: As soon as the writ is issued....

The Chair: We will not know poll numbers in individual ridings until—

Mr. Marc Mayrand: You have received a list recently. The problem is that we're changing to the new maps, and that is coming into effect only when the next election is called. What we provided as an alternative is that you have a key in the documents we send you, the data we send you, and that allows you to transfer the data under the 308 ridings to the data under the 338 ridings, but I cannot provide you with an exact poll division at this point in time.

The Chair: It was my understanding that May 1 was the date. Was I incorrect on that? It will be when the writ is dropped before individual ridings can tell where polls are?

Mr. Marc Mayrand: Yes, that's something I raised before. Again, we need to change the legislation. That's how the legislation reads—

The Chair: Okay. That's our job.

Mr. Marc Mayrand: —and mind you, we're running byelections now. We're running them under the 308 ridings until they are

superseded. The candidates who are running in the three byelections right now are running under the old map.

The Chair: I see that I've started some questions here, but my understanding in correspondence from you was that for any election that came after May 1 of this year you would be able to run it under the 338.

Mr. Marc Mayrand: I'm able, but I cannot until the election is called, so all byelections have to be run under the old map, and that's something we need to discuss with political parties and candidates, because it could raise all sorts of issues.

The Chair: Certainly.

Mr. Lukiwski, real quick, for a one-off, and then Mr. Scott for a one-off.

Mr. Tom Lukiwski: Yes, this is back more on the main estimates than Bill C-50. I forgot to ask it originally, so my apologies for that.

I just received information that I need some clarification on from you. It's in regard to what's considered to be pre-writ expenses for an EDA, and it's in regard to polling. If an EDA conducted a poll that was requested by the EDA and not promoted whatsoever by the candidate, and that poll was on a number of questions, on policy questions and other questions, including the horse-race question—electoral preference—I know that in previous years if it was conducted outside of the election period it wasn't considered a campaign expense. My understanding is that now it might be considered a campaign expense. Can you clarify that for me?

Mr. Marc Mayrand: The short answer is no. We're just in the process of issuing a revised handbook as a result of changes in Bill C-23. That's in process. We have consulted with political parties, and again, there's been no change there.

Mr. Tom Lukiwski: Thank you.

The Chair: Mr. Scott, on whatever issue you want to talk about.

Mr. Craig Scott: Yes, I have a very quick question. It almost merges not with a point of order but with a procedural matter.

Monsieur Mayrand, would you be prepared to allow any of your officials to come back, with you or not, on some of the more technical aspects of the bill? Because many of the things in this document were just too much to get through in an hour.

Mr. Marc Mayrand: Our rules can be complex, yes.

Mr. Craig Scott: If the committee were to want that, would you be open to allowing your officials to come?

•(1255)

Mr. Marc Mayrand: Absolutely, as we've done in the past, yes.

The Chair: We certainly found Monsieur Mayrand and his staff to be more than accommodating to answer our questions in whatever way the committee asks.

I thank all of you for coming in today, and thank you again for appearing for a whole two hours of our meeting.

If there's nothing else for the committee today, we are adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>