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# Standing Committee on Procedure and House Affairs

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Chair: Ms. Ruby Sahota





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• (1100)

[English]

**The Chair (Ms. Ruby Sahota (Brampton North, Lib.)):** I call this meeting to order.

Welcome to meeting number 32 of the House of Commons Standing Committee on Procedure and House Affairs for clause-by-clause consideration of Bill C-19.

The public portion of the meeting will be webcast on the House of Commons website. Today's meeting is taking place in hybrid format, pursuant to the House order of January 25, 2021. Therefore, members are attending in person in the room and remotely using the Zoom application.

Is the meeting taking place in camera?

**The Clerk of the Committee (Mr. Justin Vaive):** Madam Chair, it's entirely public.

**The Chair:** The meeting is being webcast. Only the person speaking show on the webcast, not the entirety of the committee.

With that being said, I would like to take the opportunity to remind all the participants of the meeting that screenshots or taking photos of your screen is not permitted.

I believe everyone is attending virtually other than our clerk and administrative staff. Is that correct?

**The Clerk:** That's correct. There are no members in the room.

**The Chair:** For all those attending virtually, I'll just remind you to select your language of interpretation at the bottom of your screen. Raise your hand in the toolbar below if you would like to speak to something. If you have a point of order, just unmute yourself and state that you have a point of order.

Before we begin, I have a minor administrative matter to take care of. A request for the project budget was circulated to everyone. This is for Bill C-19. Did everyone see the budget for C-19? I was hoping we could quickly approve the budget before we proceed.

Is everyone okay with the budget that has been sent around?

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** It's supported.

**The Chair:** Perfect.

Definitely there has been a whole lot of cost savings with doing things virtually. The budgets look a lot slimmer than they once were, so that's good. There's some benefit to COVID.

The other thing is just be a little patient with me today. I'm having my butt kicked a little bit because of my second dose that I took yesterday. I was feeling great throughout the day yesterday, but all of a sudden, since last night, I have not been so well. I have taken some Advil, so hopefully, I can get through this meeting today.

We are meeting until 2 p.m., so we have been cleared for an extra hour today. Thank you to all of the whip staff who made that possible because I do feel we will need the full three hours to get through this. We have approximately 40 amendments. Forty amendments in a two-hour span would have been very difficult.

I should probably mention at the beginning that we have representatives from Elections Canada here today. They can answer any technical questions about the bill. We also have the PCO here, and we have our legislative clerk, Mr. Méla, here as well. He has been a godsend and really great at making sure we're doing everything appropriately from a legal perspective with the amendments in this bill.

We will start going through the package that has been given, amendment by amendment. I think there will be a couple of amendments that might be moved from the floor, which I have been informed about. There might be others that I don't know of, so please stop me along the way if you feel that you want to move something from the floor.

(On clause 1)

**The Chair:** We are going to start with NDP-1.

Should we formally move each of these or have they been deemed moved since they have been submitted ahead of time?

• (1105)

**Mr. Philippe Méla (Legislative Clerk):** Madam Chair, they need to be moved because they are not deemed moved.

**The Chair:** Okay.

Who would like to move NDP-1?

**Mr. Daniel Blaikie (Elmwood—Transcona, NDP):** I'm happy to move NDP-1, and I note, Madam Chair, as per the note circulated to the committee last night, that it's a new numbering.

What is now NDP-1 was formerly NDP-2, so this is a motion that would apply Canada-wide in terms of making ballots available in indigenous languages.

While I'm moving it because I'm the member of the committee, it's my colleague, who I'm very pleased to have here with me today, the member of Parliament for Nunavut, who will be motivating that amendment, Madam Chair.

With your permission, I would like to turn the floor over to her.

**The Chair:** Maybe we can deal with NDP-1 and NDP-2 together since they are similar and in the same vein. I will—

**Mr. Daniel Blaikie:** I'm sorry, Madam Chair. I would propose that we deal with them separately, because if NDP-1 passes, it essentially encompasses the subject matter of NDP-2.

**The Chair:** Okay.

**Mr. Daniel Blaikie:** NDP-2 is meant as a more limited proposal that might satisfy the committee in the event that they don't sign on to NDP-1, which of course would be our preference for the reasons that my colleague is about to make clear to the committee.

**The Chair:** Okay.

Go ahead, Ms. Qaqqaq.

**Ms. Mumilaq Qaqqaq (Nunavut, NDP):** *Matna.* Thank you, all, and thank you for the opportunity. I really appreciate it and the time and space here.

We have thought of great things happening, and of course we know that in this amendment we're looking at indigenous languages and ensuring that we see that on the ballot. Bill C-19 is about protecting democracy. It's about ensuring that indigenous peoples can be included in the voting process.

I look and think of my riding in particular where about 84% or 85% of the constituency is Inuk and where for the majority of those people, about 60%, their mother tongue is Inuktitut. That's not including whether or not they actually speak the language, that is just encompassing their first language. Nunavut in particular can be viewed as an already very indigenous language-based riding, if you will.

What we're talking about is expanding that and making that more entrenched in our actual policies and the things that we do to ensure that we can see indigenous peoples included in this democracy. Keep in mind that while I have spoken a bit about my riding specifically, there are ridings all across the country that are in the same situation. If we're talking about reconciliation and the need for promoting that, the need for promoting indigenous languages, this is an amazing opportunity of course to be able to do that as well, and it should quite frankly already have been something that's in place. I'm really glad that we're here at least starting the conversation and really have an opportunity to do some really cool stuff and create some change.

We know that the Commissioner of Nunavut has stated that indigenous people's voter turnout reduces when their language is not available on the ballot. We know that Minister LeBlanc acknowledged that a broad view is needed as to what's in the scope of Bill C-19 and said that the government will not object to something beyond the scope of the legislation if it's designed to further our collective best efforts to come up with the right mix of measures.

Again, this is something that should already be available. We should already be encouraging this. If the federal institution is really invested in reconciliation, here's an action item that we can do to show that to the rest of Canada. We also need to ensure that indigenous peoples like the Inuit can be included in the democratic process.

It was basically on day one of my election where people thought it was my fault as a newly elected member of Nunavut that there was no availability for them to vote in their language. There were so many elders and others who came up to me who said, I wasn't sure if I even voted right, or I decided not to vote. We can't have that happen because people can't have those kinds of clear barriers, and we can be lifting those up.

I really look forward to seeing support for this. Indigenous language is something that is so incredibly important and should be a priority to everybody here on the committee. You have all seen me talking about reconciliation and those talking pieces. Here's an action item. Here is something concrete to do to make change. It's so important that we ensure Inuit and indigenous peoples are included as a part of the democracy.

Let's take it a step further and show them that Canadians also want to learn about indigenous people, want to learn about indigenous languages, want to promote those kinds of things and want to see pride in that. This is Canadian history. This is Canadian people where indigenous peoples are the first of this country. These are the original languages of Canada. Why aren't they on the ballot? Today is an opportunity to see some of that change, to see that availability to be able to actually make change and progress and move forward altogether.

Thank you so much again for the opportunity to be able to speak.

I'll just leave you with this. Imagine if your voters could not vote in English or French. That is very much a situation similar to what many indigenous peoples are facing.

I look forward to your support, and of course this amendment is about ensuring everybody is included in this process, and we want to ensure that happens to the best of our ability.

Thank you, everybody, and I look forward to that support.

• (1110)

*Matna.*

**The Chair:** Thank you, Ms. Qaqqaq.

I think it's very important for you to have explained your amendment.

You made a very powerful and moving speech in the House the other day. I was grateful to have been a witness to that.

On a more procedural issue, this committee has dealt with these issues in the past as well, with the fact that indigenous languages now can be spoken in the House and translation can be provided. I know that perhaps there are still some delays in making the requests and making sure we can have those interpreted on the spot. We can still do better with that, but it's an important step that this committee had taken in the past to make that possible. I do believe that ballots should be available in many indigenous languages.

As for Bill C-19, however, it is a temporary measure in order to make elections safer during the pandemic, and the original bill does not touch upon ballots being changed for this election. Therefore, after having consulted with the legislative clerk, it has been found that this amendment—along with amendment NDP-2—are beyond the scope and principle of this bill and are therefore deemed to be inadmissible as amendments for this bill.

That doesn't mean that.... We do have Elections Canada come and report to us after each election takes place, and I think it would be something that we should be considering as perhaps a change to the bill as is. Maybe Elections Canada officials or the legislative clerk, who is here today, could help explain what they think as to why they think this is beyond the scope of the bill.

• (1115)

**Mr. Philippe Méla:** Madam Chair, did you want me to go first or the officials?

**The Chair:** Sure. Maybe you can go first.

The officials can also let us know what is being done when it comes to the different languages that are being used, not on the ballot per se but in polling locations, to help those who speak other languages to exercise and practise their civic right to vote.

Mr. Méla.

**Mr. Philippe Méla:** Thank you, Madam Chair.

On the admissibility of amendments NDP-1 and NDP-2, since they amend the regular voting ballots—not the advance ballots or the special ballots—we felt that since the thrust of the bill is related to the health and safety of electors and electoral staff, adding new languages to the ballot would not enhance the safety of the people working during the elections or the electors themselves, since they still would have to come to the voting station to vote.

That's the reason why we thought the amendment would be beyond the scope of the bill, since the scope of the bill is quite narrow, due to the fact that it's a limited time span, if you like, in terms of its being limited to the pandemic. That's the reason why.

**The Chair:** Since this is a very important issue, I was wondering whether Ms. Lawson or anybody else could step in and explain what is being done to facilitate other languages and how Ms. Qaqqaq or any other members who wish to try to make this type of change for the future could do so without it being at this point in Bill C-19, since it is beyond the scope of Bill C-19 at this time.

**Ms. Mumilaq Qaqqaq:** May I interject, Chair?

**The Chair:** Yes, Ms. Qaqqaq.

**Ms. Mumilaq Qaqqaq:** I think that's, quite honestly, a ridiculous reason to say people will still be showing up at the ballot. Does that mean they shouldn't be able to vote in their language and

should only be able to vote in Canada's official languages? I'm just confused.

Since this is a public meeting, we'd like Canadians to know, really, why this isn't being viewed as part of the scope. What we're talking about is ensuring that indigenous people.... If you look at the text, this encompasses everything so that people showing up at the ballot box with indigenous languages can request a special ballot so that there's access. They don't necessarily have to go to the ballot box and shouldn't have to. They should be able to request a special ballot before and get it in their language.

I don't think it's reasonable to say that it's going to take extra work, that it's going to take extra time and that it's not within the scope. That's the job of the federal institutions: to ensure that people can be a part of the voting process and can be a part of the democracy. It's, quite frankly, shameful to give me the excuse that it's outside the scope. It's in no way, shape or form outside the scope. It's like telling me that, because I don't speak a certain language, I can't be a part of certain things.

That's not what should be happening in Canada. That's, quite frankly, a really shameful excuse. Basically, what you're telling all indigenous peoples, all Inuit from Nunavut, is that they're not worth having their own language on their ballot when they show up to go and vote. This is not at all out of any sort of scope. It's well within the scope. It's well within talking about changes that should already be there, changes, again, we can be making right here, right now. It's ensuring that Inuit and indigenous people are able to vote when we're forced into an election. It's ensuring that we see true representation across the country.

How can we see true representation if not everybody is voting, if not everybody is giving their voice? Right away I'm saying that there are 60% of people whose mother tongue in Nunavut is Inuktitut. Right away you're saying that 60% of people are not worth voting in their language by not discussing this, by saying it's outside the scope.

I just would like to say on record—I'm glad it's on the record, first off. I'm glad this is public, and I'm glad we can see very point blank here again a committee saying it's not worth the time, it's not worth the effort and it's not in the scope, which isn't true. It's completely within the scope. It ensures that we include indigenous peoples in this. It ensures that we are promoting reconciliation and that we are promoting the surety that we have the representatives who should be there.

That's the thing. With such low voter turnout for majority-indigenous communities, are those the right people to be representing them? Did everybody in that riding have access to voting? The majority of indigenous communities don't vote, because of things like this. Here is a change, right here, right now, that we're able to make, and it's so important. We just want the same thing as the English and French get. We just want the same equality to voice our opinions and be a part of a democracy. To be saying this is out of scope.... It should already be happening.

Quite frankly, I don't think that's acceptable. I'm just glad the public can see that.

*Matna.* Thank you for letting me speak again.

● (1120)

**The Chair:** Thank you, Ms. Qaqqaq.

I agree. It should have already been done. I think there are ways to maybe do this in the future as well, but I will read my ruling.

I'm following the procedure laid out in the *House of Commons Procedure and Practice* for amendments to legislation.

Bill C-19 amends the Canada Elections Act. The amendment seeks to add that all ballots must be printed in the provided indigenous languages. Since the bill itself does not address this issue, it is therefore beyond the scope of the bill. The amendment also amends a section of the parent act not amended by the bill. Therefore, it's beyond the scope and principle of the bill.

That's my ruling at this point.

**Ms. Mumilaq Qaqqaq:** The committee here has the opportunity to change that, 100%.

**The Chair:** Sure.

Go ahead, Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

What I would like to add to Ms. Qaqqaq's remarks, just from my own experience here on the committee of having participated in the study of pandemic elections and then in the process up to now on Bill C-19, is that I think it's very clear, if you look at the study that the committee conducted and at some of the remarks that the government has made at this committee in respect of C-19, that the purpose of the bill and the things that we should take into account for consideration when we're talking about conducting an election during the pandemic certainly include public safety, but they also extend beyond that to ensuring that in a time when it's very difficult for people to vote—and we heard testimony from indigenous peoples at this committee during our study that there were additional barriers to voting because of the pandemic—we facilitate voting.

This is one thing that the committee might do and that Parliament might do through this bill, even as new barriers are being presented because of the pandemic, to eliminate some long-standing barriers at least on a trial basis.

I would argue certainly that it is within the scope of the bill, because I think the bill ought to be interpreted in accordance with that dual purpose of both protecting public health and safety, and facilitating voting and ensuring that people aren't disenfranchised at a

time when it's arguably going to be more difficult than ever to feel comfortable casting a ballot. We have seen in the example of Newfoundland and Labrador, for instance, the effect that can have on an election.

This is the kind of thing the committee could do in the spirit of facilitating voting and avoiding the kind of aversion to voting that we saw in Newfoundland and Labrador and all the challenges that lower turnouts present to the outcomes of a democratic election.

With that in mind, Madam Chair, I would respectfully challenge your ruling and ask for a recorded vote by the committee on whether or not to sustain your ruling.

**The Chair:** Okay.

Monsieur Therrien, would you still like to speak before we have that vote? There has been a challenge to the ruling. Can we move on to that?

[*Translation*]

**Mr. Alain Therrien (La Prairie, BQ):** Yes, Madam Chair.

I am a little ambivalent about the discussion we are having. At the outset, I agree that during a pandemic, we need to prepare for elections so as to ensure people's health and safety. From my perspective, that is the most important element, and you stated it very well, Madam Chair.

However, as a Quebecker, I must fight for the French fact in Quebec and for respect for my language. In fact, yesterday, we were very happy that the House of Commons agreed that Quebec is a French-speaking nation. The fight we have been waging for hundreds of years in Quebec to preserve the language and to be served in our language—

● (1125)

[*English*]

**Mr. Tom Lukiwski (Moose Jaw—Lake Centre—Lanigan, CPC):** I have a point of order, Madam Chair.

**The Chair:** Yes. Are you going to say it's a dilatory motion?

**Mr. Tom Lukiwski:** No.

Excuse me, Monsieur Therrien. I didn't want to interrupt, but my understanding is that if there has been a challenge to the chair's ruling, it's non-debatable and a vote must occur immediately.

Is that not correct?

**The Chair:** That is correct. Monsieur Therrien had had his hand up for a while. I guess it is my fault that I didn't move directly to the vote, but you're correct. It is dilatory and there should be a vote and no debate on the challenge.

**The Clerk:** Madam Chair, I can proceed with a recorded vote.

The question is shall the chair's ruling be sustained? If members want to support the chair's ruling, they vote yes. If members want to overturn the chair's ruling, they vote no.

(Ruling of the chair sustained: yeas 9; nays 2)

**The Chair:** Thank you, Mr. Clerk.

All I'll say is that I, too, think this committee can find a way to address this issue, separate from this piece of legislation, in the future.

If I'm still on this committee at a later time, I'll definitely do my best to make that change.

NDP-2 is also inadmissible for the same reason.

**Mr. Daniel Blaikie:** Madam Chair, I have a point of clarification. It wasn't clear to me if the ruling that we just voted on included NDP-2 or not. I'm looking for a little bit of guidance on that, because I think they are different amendments. We would like to have both amendments represented on the record.

My understanding is that.... I don't know if you can have ruled on something that wasn't moved or where we are exactly in that process. The outcome that I really want to avoid would be moving on and then not having NDP-2 appear on the record.

Could we get some clarity as to whether we just voted on the admissibility of NDP-1 or if we voted on the admissibility of both, and whether that would have been in order and how we proceed from here to ensure...?

I think my colleague would like the opportunity to speak a little bit about the virtues of NDP-2, because it is a different proposal and to certainly ensure that it appears on the public record.

**The Chair:** It's my understanding that we only voted on NDP-1 since you wanted them separated out.

Is that correct, Mr. Clerk?

**Mr. Philippe Méla:** Madam Chair, yes, it is, but NDP-2 should be moved before anything happens.

I'll add to Mr. Blaikie's question on the public record. Even if it was ruled inadmissible, it would appear in the minutes regardless.

**The Chair:** Okay.

Mr. Clerk, going forward, if I have already determined that a particular amendment will be inadmissible, is that something I can inform the mover of before they even move it, or should I only inform them after they move the amendment in case they withdraw it or don't move it?

**Mr. Philippe Méla:** No, Madam Chair, they have to be moved to be able to rule them one way or another.

• (1130)

**The Chair:** Okay.

Go ahead, Mr. Blaikie or Ms. Qaqqaq, on NDP-2.

**Mr. Daniel Blaikie:** If I may, Madam Chair, I would move it because I have to be the mover, but with your permission, I would like my colleague to be able to motivate it.

**The Chair:** Perfect.

**Mr. Daniel Blaikie:** Thank you.

**Ms. Mumilaaq Qaqqaq:** *Matna*. Thank you, once again.

Thank you all for sharing so honestly, through that vote, the fact that you're not interested in providing indigenous languages on the

ballot, even though we have the opportunity to do that. Thank for you sharing that we should be doing something and we can be, but we're not. Thank you for showing Canadians, quite bluntly through your vote, that you're not interested in action but just in talking about it, as I have been seeing.

That's what makes this job so difficult. It's heartbreaking to sit here and ask, to be a position of influence and say, "We can make change. We can show indigenous people they matter. We can show indigenous people that we want their languages to be recognized and supported. Instead of just talking about it, we can actually do something about it." I'm sorry it worked out that way, but thank you so much, each and every one of you, for very blatantly showing that to the rest of Canada.

Then you totally wanted to skip over Nunavut, which has very specific needs, as I mentioned, and can at least be.... You know, even the chair wants to say that if they're still here, they would be interested in working on something like this. Here's an opportunity to at least start with Nunavut, to at least start somewhere, to at least start a conversation and do something.

I'm trying so hard not to be shaky right now because again, right now, indigenous people are being denied another right. Right here, right now, indigenous people are being told that they're not worthy of participating in the democracy. Right here, right now, indigenous people are being told their languages are not worth it and Canada is not proud of them. Right now, indigenous people are being denied an opportunity. They are being told they are not worth it and being given another excuse.

It's shameful to have to sit here and listen to each and every one of you, with the exception of my colleague, of course. Honestly, it's a bit surprising from the Bloc, but I'm incredibly grateful to see some sort of.... I can't even say "discussion" because there's no room for that. There's barely any room for comments. I hope you all feel really uncomfortable right now. Imagine not being able to vote in your language. Imagine not being included in a democracy. Imagine being told point-blank, "We have an opportunity for change right here, right now, and you are not worth it. This is not worth it", and being given another excuse to not have it within the committee's scope, within our workability. That's not true. It is within the scope and it is within your ability.

Thank you for showing the rest of Canada that this institution is just about talking. It's not about doing. Thank you for voting in a way that very clearly shows Canadians, and indigenous people especially, that reconciliation is just something you talk about. It's not something you actually do in Canada. Thank you for sharing and being so bluntly honest through your actions here today.

I'll leave it there. *Matna* and thank you for letting me have the space to be able to speak.

**The Chair:** Thank you, Ms. Qaqqaq.

Your words have had an impact on me, and I'm sure they have on others, as well. You're right in many ways. Hopefully, we can figure out a way to make this happen and make action happen.

Once again, like the previous ruling, this is found to be outside the scope of Bill C-19 and the principle of the bill.

Go ahead, Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

For reasons similar to the ones I expressed under NDP-1, particularly in light of the fact that this amendment is more narrow in scope and would apply only to Nunavut, my colleague has illustrated very well the high percentage, in fact, the overwhelming majority of people who speak indigenous languages in that particular riding.

I think this is even more in keeping with the spirit of the bill. We're talking about trying to enfranchise people at a difficult time. This would essentially pilot that—in one riding out of 338 in the country—on a very limited basis. We're not talking about dozens of languages on one ballot here. We're talking about a limited number of languages in the one riding out of 338 in the country where the overwhelming majority of people speak that language.

Madam Chair, I think the argument is even more compelling in respect of this amendment and the scope of this bill. For those reasons, I would once again challenge your ruling and ask for a recorded vote as to whether the committee will sustain or overturn your ruling.

• (1135)

**The Chair:** Sure.

I just wanted to add for further clarification that the form of the actual ballot has not been mentioned in C-19 and is not touched by the bill. That's another hopefully clearer explanation as to why it's outside of the scope. The bill does not affect the ballot.

We'll go to the vote.

(Ruling of the chair sustained: yeas 9; nays 2)

**The Chair:** We're now on NDP-3.

Mr. Blaikie.

**Mr. Daniel Blaikie:** Madam Chair, as NDP-3 and NDP-4 are consequential to either NDP-1 or NDP-2, we'll decline to move them at this time.

**The Chair:** Okay.

Mr. Blaikie, I just want to be clear. I'm not sure why we're skipping over these. Just to let you know, because they deal with the special ballot, I would find them to be admissible if you did want to move them. I don't know if—

**Mr. Daniel Blaikie:** I appreciate that, Madam Chair, but both NDP-1 and NDP-3 were designed to give indigenous people across Canada access to voting in their own language. NDP-2 and NDP-4 were designed to pilot that initiative within Nunavut. The amendments work together as a pair.

Given that the committee has already expressed support for your decision to rule them out of order, I don't think it would behoove the committee to spend time to relitigate issues that have already been decided by the committee, given the limited amount of time we have and the importance of getting C-19 through committee today.

If an overwhelming number of members on the committee have changed their minds since our last vote and they would like to disclose that to the committee, I would be very happy to hear that. In that case, I'd also be happy to move those amendments. However, given that I doubt that is the case, I appreciate that we now need to move on to the other important issues that the committee will be considering today.

**The Chair:** I just wanted to be clear that I see them to be admissible, as they deal with the special ballot and the bill does deal with special ballots.

We will move on to CPC-1.

**Mrs. Karen Vecchio:** Thank you very much.

For CPC-1, I would like to move this amendment.

Basically, the background is that this amendment would require the Chief Electoral Officer to have the support of the recognized parties in the House for any adaptation of the act on health and safety grounds.

• (1140)

**The Chair:** CPC-1 is also inadmissible, as it seeks to limit the Chief Electoral Officer's abilities that he can already do under a regular election. This is seen to be beyond the scope and principle of the bill.

The principle of the bill is to make elections safer and easier. This would not be doing either.

**Mrs. Karen Vecchio:** Okay.

We will move on to CPC-2, if that's okay.

Amendment CPC-2 would prohibit the Chief Electoral Officer from changing the dates of advance polling through his authority to adapt the act.

This is just very important. As we know, with the communications during this period of time, there will be so many moving parts. Giving voters as much structure as possible is what we're looking for. It's to try to keep things as easy as possible for communication strategies. This is why we are putting this forward.

Thank you.

**The Chair:** Bill C-19 amends the Elections Act to allow the Chief Electoral Officer to extend time for doing any act to ensure the health and safety of electors or election officers pursuant to proposed subsection 17(1) of the bill.



This amendment proposes to disallow the Chief Electoral Officer from doing so in relation to voting hours or voting days at an advance polling station, or in relation to the voting hours during the polling period. As the *House of Commons Procedure and Practice*, third edition, states on page 770, “An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.” This would be deemed to be beyond the principle of the bill.

**Mrs. Karen Vecchio:** Fair enough, Ruby.

Let's try CPC-3. This amendment would prohibit the Chief Electoral Officer from barring candidates or scrutineers from being present at polling stations through his authority to adapt the act. We have seen, and perhaps this may fall on the same thing, that one concern we had was the fact that there are going to be so many moving parts once again and that scrutineers are a very important part of the process, as well as candidates being able to go and just check in. Those are really important things.

Because it was absolutely missing.... There's nothing in this bill talking about scrutineers. That is a huge part of the election process and the democracy of Canada. This is something that we want to ensure. We've talked about the spacing. We've heard from the Chief Electoral Officer that it's going to be very difficult to be able to find locations and facilities, and that they'll need bigger rooms to be able to facilitate this. One thing that I want to ensure is that the democracy of our country is not denied because of spacing.

**The Chair:** I hate to do this to you, Mrs. Vecchio, but after this I think we're good for a while. This is also deemed to be contrary to the principle of the bill. Therefore, the amendment is inadmissible. It goes against the principle of the bill.

Mr. Blaikie, you have your hand up?

**Mr. Daniel Blaikie:** Was this on CPC-3, Madam Chair, that your ruling is inadmissible?

**The Chair:** It's on CPC-3, yes.

**Mr. Daniel Blaikie:** I have to express some surprise at that, in that the purpose of the bill, and we've heard this very clearly from the minister on a number of occasions, is to comprehend what we have to do as a country in order to ensure not only a safe election but a fair election, and an election where Canadians are able to vote.

Having scrutineers observe the process is a fundamental principle of not only Canadian democracy but of democracy in general. This is why parliamentarians go on trips to bear witness to other elections. That's why the United Nations facilitates election observation missions. It seems to me that if there were a situation where it was so dangerous to have a few extra people in a polling station in order to protect public health at that point, the CEO should be exercising another authority he has, which is to cancel the writ either in that polling station or in that riding generally until such time as a safe vote can be held.

I think it would be a mistake to proceed with an election without allowing the participants themselves, or their representatives, to observe the proceedings. For that reason, Madam Chair, again I have to respectfully dispute your ruling as to the admissibility of this. I think it's well within the scope of the bill, and I think it touches on

a very important principle that we're grappling with about how you not only protect public health but protect democracy in the context of a pandemic election.

Respectfully, Madam Chair, I would challenge your ruling and ask for a recorded vote on the matter.

• (1145)

**The Chair:** Since it is dilatory, we'll move to that. I see Ms. Lawson's hand up as well, and we can hear from her afterwards. Maybe she didn't intend to have her hand up. I thought maybe there was something that she could supplement.

With this amendment there may be times in the election where you can't have a certain number of people, and this amendment proposes to prevent the Chief Electoral Officer from prohibiting the presence of candidates or their representatives at polling stations. That could be even for a brief moment in time. Perhaps having somebody vote is more important maybe for a certain period of time, rather than having the venue full with scrutineers or the candidates being present there. It is found that the principle of the bill is to make sure that voters are not disenfranchised and that voters can exercise their rights.

(Ruling of the chair overturned: nays 6; yeas 5)

**The Chair:** Shall CPC-3 carry—

**Mr. Daniel Blaikie:** I don't know if he intends to speak, Madam Chair, but I see that Monsieur Therrien has his hand up, so you may want to recognize him before we vote.

**The Chair:** Thank you for pointing that out.

Go ahead, Monsieur Therrien.

[*Translation*]

**Mr. Alain Therrien:** The need to protect citizens' health goes without saying, but democratic life must still continue and elections must be held in due form, as they usually are.

Candidates always visit polling stations in a respectful manner. All candidates have rules to follow. So, I don't see any reason why candidates should be prevented from going there to see if everything is going well, while respecting the rules, not only the ones that existed in the first place, but also the health rules that have been added to them.

I don't think this is a problem that prevents us from visiting the polling stations and checking if democracy is going well.

[*English*]

**The Chair:** Mr. Turnbull, you have the floor.

**Mr. Ryan Turnbull (Whitby, Lib.):** I think I agree that candidates and their representatives should be there to witness the counting of ballots, and I think this is fundamental.

I want to say that, based on my understanding of this specific amendment, it's contrary to the intention of the bill, which I know the chair has already said. My understanding is that only in the rarest of circumstances, where public health would be at risk, would the CEO adapt in this regard.

My understanding is that this amendment tries to stop that or prohibit that from happening in the rarest of circumstances. I think we can conceive of circumstances where there is a very small polling station, where perhaps there is not enough social distancing to have all of the scrutineers in the location. I think it would be in very rare circumstances. The CEO also has the power to not host an election in those sites or to essentially call off the election in those locations, if needed.

I think limiting the power that the CEO has to adapt is part of the challenge I see here, and my understanding is that, after the fact, the CEO also has to report back on all of the adaptations that were made during the election. The other thing is that this would be advised by public health advice.

I want to acknowledge the concerns on this one, but from my perspective, I really think it's quite reasonable to trust the decision-making of the CEO, which is informed by public health advice. It would only be used in the rarest of circumstances when it's absolutely necessary for public health protection, which I think is the intention of the entire bill.

I just want to put that forward as the reason I can't support this amendment.

Thanks.

• (1150)

**The Chair:** It could—and that's why that flexibility is supposed to be there—increase the risk on health and safety of electors or election officers. In cases where it wouldn't, I'm assuming that, obviously, it would be allowed. That's why the bill provides this flexibility.

Go ahead, Mrs. Vecchio.

**Mrs. Karen Vecchio:** Thank you very much.

Although I recognize what Mr. Turnbull is saying, the bottom line is that there shouldn't be an election if scrutineers aren't able to go there. If a scrutineer can't go there, then do we really want a senior going to the poll? Do we really want somebody who is vulnerable going to any of these things?

The bottom line is that we should not be going to an election if doing so presents a health risk for Canadians. I think there's the health risk, but we cannot forget about democracy because of the health risk either. I think we have seen too many questions.

I have been a scrutineer many times throughout my life. I know that the job is truly going in and out and picking up a bingo sheet, but limiting that is not right for campaigns. It is not right for democracy. I think this is very valuable and the most important thing is that we have a fair election.

If we can't have scrutineers, then we probably wouldn't be able to have polling clerks and DROs, and we probably shouldn't be hav-

ing voters going to the polls. There probably shouldn't be an election.

I would continue to say that I support this amendment fully and that hopefully we can go further.

Thank you.

**The Chair:** Okay.

Mr. Turnbull.

**Mr. Ryan Turnbull:** I want to add to my comments earlier that there are examples of how the local context within specific elections can change dramatically week by week. I think what we've seen is that outbreaks can be extreme. There are chances that scrutineers might not be fully vaccinated. We're talking about the most extreme circumstances in the most limited number of locations that would be informed by public health advice.

From my perspective, we have to trust that the CEO, given those adaptation powers, is going to make those decisions in a way that is, only when truly necessary, to protect the health and safety of electors, poll workers, scrutineers and everybody involved in the election process.

Based on that, we should not be limiting the CEO's ability to make those decisions. He already has the power to call off an election in a particular location if need be. That is my understanding. I don't understand why we would be limiting those powers when the whole intention of the bill is to give that flexibility to ensure that the CEO can host the safest possible election to protect everybody involved.

**The Chair:** Thank you.

We'll go to Mr. Nater and then Mr. Blaikie.

**Mr. John Nater (Perth—Wellington, CPC):** Thank you, Madam Chair.

I really don't want to belabour this point, but Mr. Turnbull is talking about the most extreme situations. In those cases where we're talking about the most extreme situations, the poll should be cancelled. That shouldn't happen.

We know that, on average, Elections Canada workers are a little older. If we're willing to put the DROs and the poll clerks into harm's way, into risk, that really calls into question where we're going altogether.

From the very fundamental standpoint of wanting an open and transparent electoral process, we need to be able to have scrutineers or candidates access polling locations to ensure that our electoral system continues to be the most accountable in the world and the gold standard that we've set for ourselves.

If we're saying that it's not safe to have scrutineers but at the same time the poll itself continues to operate in that fashion, it strikes me as slightly strange.

I'm going to leave it there, but I think this amendment makes it very clear that we feel there should be open, transparent, clear elections during which scrutineers have the opportunity to oversee the process.

Thank you, Madam Chair.

• (1155)

**The Chair:** Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

I just want to say, as well, that I do recognize that circumstances change. There may well be difficult circumstances that make it hard to administer a vote, but I don't think conceptually, in the context of free and fair democratic elections, you can separate witnesses' and the candidates' right to observe the voting process from the vote. Either you can have a vote, which includes the idea of participants being able to monitor the conduct of the vote, or you can't.

While we are discussing a bill that would give expanded powers to the CEO to be able to make decisions to adapt to the pandemic, the question for legislators is this: What will be the scope of those expanded powers? I think it's perfectly reasonable for us as a legislature to say that the CEO does have a broadened range of powers, including an existing power to cancel a vote altogether, but that an authority that he does not have is to separate out the idea of the vote as the idea of marking the ballot from the idea of a free and fair process where there's the ability for participants to observe the conduct of the election. Those things have to go together to have free and fair elections.

That's something that we recognize in other jurisdictions when we send observers for elections to see that the process is conducted properly. We don't want our CEO inadvertently—because I'm sure he wouldn't do it on purpose—creating a circumstance where those two things are separated out and then we have the ability of certain political actors to call into question the legitimacy of an outcome because they were denied a right to observe the process. That would be very damaging for democracy.

As I've been maintaining consistently throughout the process, our goal is not just to protect public health—it is very much that—but also, equally important, to protect democracy. The challenge, the reason this is hard, is that we have to do both.

Of course, the safest thing is to not have an election at all. If we really want to protect public health, we wouldn't have an election. The whole thing is that somebody may well call an election anyway, and then we have to figure out how to protect our democracy and our public health at the same time. If public health was really the priority, we wouldn't be talking about having an election until the pandemic is over. However, we're clearly talking about it, so let's make sure that the process continues to be fair.

**The Chair:** Okay, shall—

Mr. Turnbull.

**Mr. Ryan Turnbull:** Again, I don't want to belabour this, and I do understand and do, of course, value the importance of witnessing the vote. I just think that what we're talking about are the most extreme circumstances where, essentially, what you're proposing in terms of this amendment would be forcing scrutineers into a small room where their health may be at risk. I think that is contrary to the intentions of the bill, and that's the challenge that I have. We're forcing that decision-making so that it becomes a question of, really, the CEO not having the power to adapt in that regard.

If that puts people's health at risk, that's what I have a problem with. That's what I'm putting first and foremost, which I think our government has done all along the way: put the health and safety of Canadians first.

That's my issue with this.

**The Chair:** Shall CPC-3 carry? Would you like a recorded vote or have it carried on...?

**Mrs. Karen Vecchio:** I would like a recorded vote, please.

**The Chair:** We will have a recorded vote on CPC-3.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

**The Chair:** Thank you.

We're moving on to CPC-4.

Go ahead, Mrs. Vecchio.

• (1200)

**Mrs. Karen Vecchio:** Thank you very much, Madam Chair.

This amendment would prohibit the Chief Electoral Officer from permitting telephone or Internet voting or ballot counting through his authority to adapt the act.

We have heard some of these things. We've heard from provincial governments. There was some testimony talking about this, but I truly just don't believe that we have all of the evidence that's necessary to support something like this. That is why we're putting this in. There's just not enough evidence for us to try to move in that direction, so we would like to put in that amendment.

Thank you very much.

**The Chair:** It's a safety net I guess. It wasn't ever said that this would be used, but it's to make sure. Is that what...?

**Mrs. Karen Vecchio:** Absolutely. It is a safety net. Looking at...I think maybe it was British Columbia. I think this is something they put in because of recognizing.... We recognize how large Canada is, so we need to have a much greater view of this and not just....

If we're going to do it, it would have to be piloted over a much longer period of time to make sure it's effective.

Thank you.

**The Chair:** Mr. Turnbull.

**Mr. Ryan Turnbull:** I have just small comment here.

In the CEO's testimony at this committee, he publicly committed that this power would not be used to add new phone-in or other technologies into the voting process as options. That commitment was made publicly, so I'm not sure why this amendment is necessary when we've already had that very clear, public commitment from the CEO.

Thanks.

**The Chair:** Mr. Blaikie.

**Mr. Daniel Blaikie:** First of all, I'd like to say that New Democrats do think that the option of phone voting in particular should be explored in the future. We heard very clearly from the disability community that they believe this would help enfranchise members of the disability community.

We also recognize that we're apparently on a short timeline. This is about what we can do in the context of the pandemic. We've heard from the CEO that he doesn't think it's feasible to be able to implement these things on the timeline that I think everybody is working under, whether that's this summer or sometime later in the future. I know that the Prime Minister said we're not going to have an election this summer, but even if it's in the fall or the subsequent spring, that's a pretty tight timeline.

If it gives my Conservative colleagues and others some comfort to add this to the bill, I don't....

I think there is a little bit of a philosophical difference here with my Liberal colleague. I don't think there's anything wrong with the legislature being prescriptive. I don't think our job is to simply give the maximum power to an arm's length organization and then trust them to make good decisions. I think it is appropriate for us to clearly signal what we think is the direction we would like to see those authorities go in and to provide some more substantial direction. In fact, in some cases, they would also appreciate that. For example, the Chief Electoral Officer believes that it's in his purview to do many of the things that are in C-19 under his current powers of adaptation, but he said that he would feel more comfortable having clearer direction from the legislature. That's the enterprise we're engaged in right now.

If it gives some comfort to my colleagues to know that these things would not be implemented on a short timeline in a pandemic and have that in the legislation, I'm happy to support it for that reason, even though I think that in the longer term these are things worth exploring.

**The Chair:** Thank you, Mr. Blaikie. That was a fair comment.

Monsieur Therrien.

[*Translation*]

**Mr. Alain Therrien:** In the Bloc Québécois, we consider that a change in the behaviour of voters in the exercise of their right to vote is quite important. We cannot conceive that in the short term, we could open the door in any way to an exercise of this kind.

That is why we consider that, even though the Chief Electoral Officer has said it—and he has said it, according to Mr. Turnbull—what is written remains, and that needs to be put in the bill. So we agree with that.

• (1205)

[*English*]

**The Chair:** Shall CPC-4 carry?

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

**The Chair:** Thank you, Mr. Clerk.

We're moving on to Green Party-1. This is going to be a whole series of related amendments.

**Mrs. Karen Vecchio:** She is not here to move this motion.

**The Clerk:** I'm sorry to interrupt, but since they are Green Party amendments, they are deemed moved, so nobody has to be in the room to move them.

This amendment is on the floor to be debated.

**The Chair:** Would anyone like to speak to this, or can we move to a vote?

We will have to make up for some lost time and speed through some of the ones that we can.

Yes, Mr. Blaikie, go ahead.

**Mr. Daniel Blaikie:** I just want to verify the government's intent to move their own amendment on this subject. Provided that is the intention and we'll be considering the government's drafted amendment on this issue, that will inform my vote, in that I would vote against this one if the government amendment is going to be moved. I would look for some direction on that.

**The Chair:** That makes sense, yes. NDP-5 is similar as well.

Go ahead, Mr. Turnbull.

**Mr. Ryan Turnbull:** Yes, I can confirm that we're planning to move G-1, which deals with these signatures. That's the intention.

**The Chair:** Ms. Vecchio, you have the floor.

**Mrs. Karen Vecchio:** I was just going to say that I think we should go to a vote, because I know there are other matters, and I think the majority of the committee are looking at those other suggestions.

(Amendment negated [*See Minutes of Proceedings*])

**The Chair:** We are on NDP-5.

**Mr. Daniel Blaikie:** I'll decline to move that one for now, Madam Chair, so that we can see what happens with the government amendment.

**The Chair:** Okay, we're on Government-1.

Go ahead, Mr. Turnbull.

**Mr. Ryan Turnbull:** Yes, I would like to move this amendment. It basically allows for e-signatures. It enables the candidates to collect signatures through the e-signatures. It also, I believe, has the effect of waiving the requirement to have a witness for those signatures.

**The Chair:** Ms. Vecchio, please go ahead.

**Mrs. Karen Vecchio:** First of all, I think on this one I definitely would want a recorded division. One of my concerns about this as I'm looking at it is that with electronic signatures.... I'll be honest. A couple of weeks ago I had to sign something, but they would not accept the electronic signature. How can we ensure...?

I think that those are some of the logistical concerns I have. What do electronic signatures look like? Have we discussed this? How much information has been on that? That's kind of what I want to get at. I don't recall hearing a lot about electronic signatures during this committee. Perhaps there was some testimony I did not hear at all, but how much? Perhaps the officials can share with me what they have already done on this and give us some background as well.

Thank you.

• (1210)

**The Chair:** Thank you, Ms. Vecchio.

Go ahead, Mr. Turnbull.

**Mr. Ryan Turnbull:** I want to give the officials from Elections Canada an opportunity to answer Ms. Vecchio's question, which I think is good. I think the understanding is that EC can do electronic signatures, and I'd like to ask them if they could give some detail on it.

**The Chair:** Go ahead, Ms. Lawson, or anybody from your team.

**Ms. Anne Lawson (Deputy Chief Electoral Officer, Regulatory Affairs, Elections Canada):** Thank you.

I would ask Mr. Roussel to take this one to talk a little bit about the existing process and what we can and can't do in the future.

**Mr. Michel Roussel (Deputy Chief Electoral Officer, Electoral Events and Innovation, Elections Canada):** Regarding the existing process, technically electronic signatures would be acceptable from electors provided that the witness has also signed. That would be a process that may be complicated, but if a candidate or a prospective candidate had collected electronic signatures, signatures on the pages of nomination papers electronically from the elector and from the witness, it could be then uploaded to Elections Canada and then transmitted to the returning officer for verification. That process is permissible currently under the law. It is a process that is complicated.

What we've also looked at, if the witness requirement were waived, is having a system whereby electors could submit their electronic signatures on a website where they would endorse a candidate, but to develop and test that system in a manner that is comprehensive and that works would take somewhere between four and six months. This is where the thinking of Elections Canada has been up to now.

**The Chair:** Ms. Vecchio, go ahead.

**Mrs. Karen Vecchio:** Thank you very much.

I really do appreciate hearing from Mr. Roussel.

You're saying that for the electronic signatures they currently have something, but when you're looking at another platform or another opportunity, that's something we cannot do.

I want to talk about the witnesses, because I recall getting witness lists where we had to have the signature and it would have to be the same witness for each and every... What does the witness look like? You're saying a witness has to be there. Would the witness also need a signature? Would that witness have to be somebody from the campaign, or would it be a third party individual?

Can you just give me some more information on that as well?

**Mr. Michel Roussel:** The witness usually is someone who's present at the moment the signature takes place. That's what's making the process relatively complex, when you think of it from the standpoint of the elector who has to be with someone who would also provide that electronic signature. It is much less complicated when the witness, someone who is present at the time of signing, is present in person.

**The Chair:** Mr. Nater.

**Mr. John Nater:** Yes, thank you, Madam Chair.

I have basically a question of clarification for our officials from Elections Canada.

Under the powers currently granted to Elections Canada, they can accept electronic signatures provided that the witness has also signed [*Technical difficulty—Editor*].

I'm sorry. I don't know if that's mine or what's going on there. Maybe it was just me hearing that noise, but you have my apologies.

First of all, under the current system you can collect electronic signatures provided that the witnesses [*Technical difficulty—Editor*].

**The Chair:** We're hearing it again.

Mr. Clerk, can we have that...?

• (1215)

**The Clerk:** We're trying to figure out where it's coming from. It's not completely clear yet.

Okay, apparently everything is good now.

**The Chair:** Go ahead, Mr. Nater.

**Mr. John Nater:** I'm sorry, Madam Chair. I'll try to get back to my thoughts, and it was a very simple question too, so you have my apologies.

Basically, it's just to confirm something with Elections Canada. Under the current system the electronic signatures could be collected provided the witness has also provided an electronic signature, but what Elections Canada is suggesting is that, in terms of the change envisioned in amendment G-1, it would require four to six months for Elections Canada to be able to implement that from a technological or from a nuts and bolts perspective.

I just want to confirm that's where Elections Canada is going on that.

**Mr. Michel Roussel:** I would just, for clarification's sake, note that there was a court case in Ontario during the last by-election that says electronic signatures are admissible, so that is where we are now.

What I said is that it is admissible, but it is very complex for the candidates and for the electors.

Elections Canada has not yet built a system that would decomplexify this. To decomplexify that process, it would be preferable if the witness requirement was waived, and to build that process, as I said, for the process to work fine and be tested, so that everybody trusts what is going on, we estimate it would take between six and eight months.

**Mr. John Nater:** Thank you. That clarifies where that comes from. I appreciate that.

**The Chair:** Mr. Turnbull.

**Mr. Ryan Turnbull:** I just want to ask for clarification again in terms of the use of electronic signatures.

Mr. Roussel, I just want to understand correctly that, in regard to the current amendment that's on the table right now, Elections Canada could fulfill that.

In terms of the timeline for.... Essentially we know that Elections Canada has to be ready at any time to hold a safe election, and we know that e-signatures are going to improve the health and safety because, as candidates, people aren't going to be running around getting physical signatures. They're going to be able to get....

I just want to be clear that you feel that, from Elections Canada's perspective, you could implement, within a short time frame, what's in the current amendment, and if not, I'd appreciate just understanding why not. I think what I heard you say was that there's a plan to make this a lot easier in the future and that it would have to be tested further, but in terms of what's in this particular amendment, I want to know whether you think you can implement that in a fairly short time frame.

**Mr. Michel Roussel:** I think Elections Canada would have to implement it. There's been a court case on this. We would have to receive those e-signatures.

I am more concerned for the candidates and for the electors. Making this happen on the ground with the real people will be the challenge, I would say.

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** Thank you, Madam Chair.

I think Ryan might have had his hand up before me, but since he's spoken a number of times, perhaps I can get a quick question in.

I want one quick clarification from Monsieur Roussel. A few moments ago you said that to fully set up a system that would allow Elections Canada to demystify or to be comfortable in accepting electronic signatures might take four to six months. Then just a few moments after that you said six to eight months.

Could you give me some clarification on exactly how long you think it might take to get a system of acceptance of electronic signatures in place?

**Mr. Michel Roussel:** I think six to eight months is the prudent answer.

**The Chair:** Okay. Thank you.

We have Mr. Turnbull and Ms. Vecchio.

**Mr. Ryan Turnbull:** I'm sorry, Madam Chair, I just have to clarify.

This amendment basically gives under proposed paragraph 558.1(6)(b), I guess it would be—in the actual written document that I have here, on page 11 of our package—the adaptation power to waive the requirement for a witness signature.

Under that, within the context of a pandemic election, I think what we're saying is that the electronic signatures could be collected without the need for a witness signature. That's really what we're debating right here, right now. I think what you've described sounds like a program or a plan for the future that simplifies...or creates a system that is perhaps a topic for another day. I understand that it's related, and fundamentally it would be great to make this as easy as possible. I think in terms of the intentions of this amendment, what I'm trying to clarify is the timeline for implementing that, should it come into force. Can Elections Canada already do this?

It seems to me, Mr. Roussel, that you said that it can already be done. If we remove the witness and waive the need for a witness, it could potentially be done even more easily.

I'm trying to clarify to make sure that we all understand what this amendment would actually put into force in terms of the changes necessary for a pandemic election.

Can you clarify again for us the timelines for doing what's in this particular amendment, and not maybe the plans for electronic signatures in the future, which I understand is also a priority?

• (1220)

**Mr. Michel Roussel:** Sure.

This amendment, accepting electronic signatures, is something that Elections Canada would have to be prepared to do within the deadline set within Bill C-19.

**The Chair:** You would do it, or you would have to be prepared to do it.

Ms. Vecchio.

**Mrs. Karen Vecchio:** Thanks very much.

Part of the question here is that one thing we've talked about is reducing the number of signatures as well, and I know it is coming up very soon. We're looking at the best-case scenarios, and it comes down to saying, "Okay, what actually works the best?" We're talking about electronic signatures. We're talking about reducing it from 100 to 50. I'm just going to come straight to a point.

To Elections Canada, what works?

We know this is going to be a pandemic election, if there is one, and that there are going to be so many issues that you will need to deal with. There will be many priorities. Should your priorities be setting up the electronic signatures, or should there be other things?

Coming to you directly as the expert in this field, what is the best option for the candidates and for Elections Canada?

**Mr. Michel Roussel:** Thank you for the question.

The best option, as the Chief Electoral Officer explained, would be to reduce the number of signatures required. In the short term, the most workable, the most practical, the best for all involved, would be to reduce the number of signatures required on the nomination papers.

**The Chair:** Okay. That's clear.

Shall amendment G-1 carry?

**Mrs. Karen Vecchio:** Could we have a recorded vote, please?

[Translation]

**Mr. Alain Therrien:** Madam Chair, I would like to speak before we vote.

[English]

**The Chair:** Go ahead, Mr. Therrien.

[Translation]

**Mr. Alain Therrien:** I don't want to interrupt the discussion, which I listened to and learned a lot from, by the way. However, I would like to point out a translation problem. In paragraph 6, it says that "*le directeur général des élections peut prendre des instructions*". It seems that the translation is not precise enough, and that it should instead read "*le directeur général des élections peut donner des instructions*".

If this clause is ever adopted, the word "*prendre*" should be changed to "*donner*" to make the French version consistent with the English.

Am I making a mistake by asking this? I'm asking our friend from Elections Canada if this way of writing it would be more accurate.

[English]

**The Chair:** Maybe our legislative clerk can help. Is that something that can be done at this point in that way?

**Mr. Philippe Méla:** Yes, it could be done. I am not sure what the proper wording should be. Maybe officials from Elections Canada could let us know. If, indeed, this needs to be changed, it could be done either by the unanimous consent of the committee or by one member moving a subamendment to change it.

• (1225)

**The Chair:** Can we find out from any of you at Elections Canada what you think the proper translation should be?

Do you see where we are, on proposed subsection 558.1(6) of G-1?

**Ms. Anne Lawson:** Yes, Madam Chair, I'm reluctant to speak about the proper translation. The concept is that the CEO would give instructions and have the authority to give them.

[Translation]

I don't know if "*donner des instructions*" is more appropriate than "*prendre des instructions*", and I'm not a French-speaker so I hesitate to comment on that.

**Mr. Alain Therrien:** The term "*prendre*" is really not adequate. I understand what you are saying, but the Chief Electoral Officer cannot "*prendre des instructions*".

**Ms. Anne Lawson:** If I'm not mistaken, elsewhere in the law it talks about "*prendre des instructions*".

**Mr. Alain Therrien:** Fine.

[English]

**The Chair:** Thank you.

[Translation]

**Mr. Alain Therrien:** You are the expert, and if you tell me that this is the customary language in terms of the powers that the Chief Electoral Officer has under the law, I trust you completely. When I was looking at the translation, I thought "*donner*" was better than "*prendre*", but I can see why you are reluctant to say "*donner*". It's a bit paternalistic.

[English]

**The Chair:** Maybe Ms. Paquet could help here.

[Translation]

**Ms. Manon Paquet (Director, Special Projects, Democratic Institutions Secretariat, Privy Council Office):** Thank you for your question.

I think Ms. Lawson is right that the phrase "*prendre des instructions*" is used elsewhere in the French version of the act. Moreover, in the English version it does not say "give instructions", but "make instructions". This is therefore an accurate translation.

**Mr. Alain Therrien:** All right. Thank you very much.

[English]

**The Chair:** We'll leave it as is, then?

Okay. A recorded vote was requested.

(Amendment agreed to: yeas 7; nays 4 [See Minutes of Proceedings])

**Mr. Tom Lukiwski:** Madam Chair, I don't know if this would be the appropriate time or not, but my understanding is that we may have a little extended time for this committee, which is a good thing, until 2 p.m.

If that's the case, perhaps, whether it's now or some time in the next few moments, we might be able to have a short break just to use the facilities?

**The Chair:** Maybe we could have a very short one. Would like a break right now?

I think your colleague is about to move the next amendment.

If there is debate on it, we can wait, but if there isn't, we're on amendment CPC-4.1.

**Mrs. Karen Vecchio:** I agree with Tom. Those bio-breaks coming up are very important.

We are looking at CPC-4.1, and what we're adding here is that the bill be.... It's to do with signatures of electors resident in the electoral district. I'm just trying to....

It's not here.

Give me one moment.

**The Chair:** Okay.

Maybe we'll take the suspension now while you find that.

**Mrs. Karen Vecchio:** That would be wonderful because I think that's part of the issue. Thank you.

**The Chair:** We'll suspend for five minutes, and then we'll come back, please.

● (1225) \_\_\_\_\_ (Pause) \_\_\_\_\_

● (1235)

**The Chair:** [*Technical difficulty—Editor*] back to order.

I wanted to say that we are about a third of the way through our recommendations. We have approximately an hour and a half left. My goal is to try to finish by two. I think we can do it. Of course, I don't want to stifle debate, but it's a request, and if you could assist in the matter of getting this done by two, that would be greatly appreciated. I understand with the complicated amendments that you do need to ask your thorough questions and be completely sure before you vote.

Mrs. Vecchio, do you have CPC-4.1?

**Mrs. Karen Vecchio:** I am ready to go on this.

We're putting forth the amendment that was shared by the Chief Electoral Officer and brought up moments ago about reducing the number of signatures necessary and halving it. That is something that we fully agree on and that is the proposal we're moving, in the context of what the Chief Electoral Officer has requested through his own amendments.

**The Chair:** Shall CPC-4.1 carry?

**Mrs. Karen Vecchio:** Can we have a recorded vote?

**The Chair:** Yes, we'll have a recorded vote.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

**The Chair:** We are on NDP-6.

Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

New Democrats have been very clear from the beginning that we think the campus vote program should continue, and that's something we want to see done. We think, again, in the spirit of the legislation being prescriptive, that it's appropriate to have it in the bill.

We've been very happy to see the government have an open ear in this respect, and there's been some work done to craft the best possible amendment. As it happens, the work that's been done to that effect is represented in a government amendment that they'll be bringing forward, but represents collaboration to make sure that, in the context of a pandemic election, students would have every opportunity to vote that they normally would.

I'll decline to move this amendment at this time and look forward to the government moving the collaborative amendment when it's appropriate later on.

**The Chair:** Perfect. Thank you.

Mr. Turnbull.

**Mr. Ryan Turnbull:** Very briefly, I wanted to thank Mr. Blaikie and the NDP for their great collaboration on this one. Although it's our amendment that will be moved—and I assure him that we are planning to move it—it has really come from the great collaboration and the leadership that Mr. Blaikie has shown on this front.

Thank you for that really welcome collaboration. I appreciate it.

● (1240)

**The Chair:** Mrs. Vecchio.

**Mrs. Karen Vecchio:** I wanted to look at this as well. Perhaps I could find out from the officials specifically if they would be going through the same rigmarole as what you find at advance polls. What would this poll look like? I know that we are looking at different changes.

Would the exact same criteria as regular polls be happening at these, or are they going to look like an advance poll? Can you give me some details on that? That's all I need.

**The Chair:** It hasn't been moved though. Can we wait until we come to a vote?

**Mrs. Karen Vecchio:** I'm actually talking about NDP-6.

**The Chair:** They haven't moved it. They're not moving it.

**Mrs. Karen Vecchio:** Oh, you're not moving it. Got it.

**The Chair:** Eventually, there will be a similar concept and you can definitely save your question for then.

Next is BQ-1.

[*Translation*]

**Mr. Alain Therrien:** Madam Chair, we are going to withdraw that amendment.

[*English*]

**The Chair:** Okay.

Next is CPC-5.

**Mrs. Karen Vecchio:** This amendment reduces voting at a polling station at a long-term care institution from 12 hours during the 14-day period ending on election day to six hours during the same 14-day period.

One of the things that we've heard a lot about is our long-term health care. We've talked a lot about what the best thing is to ensure that we're not spreading any virus and that all the workers and everybody else is safe. This is something that we have put in as an amendment.

**The Chair:** Perfect.

Seeing as there is no more debate, shall CPC-5 carry?

**Mrs. Karen Vecchio:** Can we have a recorded vote, please?

**The Chair:** Yes, we can.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])



(Clause 1 as amended agreed to)

(Clause 2 agreed to)

(On clause 3)

**The Chair:** Mr. Therrien, I believe you have BQ-2, and perhaps one that you'd like to move from the floor today as well—BQ-2.1, maybe?

[*Translation*]

**Mr. Alain Therrien:** Instead of amendment BQ-3, we would have put forward the amendment proposed by the Chief Electoral Officer, because it is more comprehensive. I therefore withdraw Amendment BQ-2.

I don't know if you want us to talk about amendment BQ-3 immediately, or follow the list and come back to it later.

• (1245)

[*English*]

**The Chair:** CPC-6 comes next. Basically, if CPC-6 carries, there will be a line item that is in conflict with BQ-3.

Perhaps our legislative clerk can explain that a little bit better.

[*Translation*]

**Mr. Philippe Méla:** Madam Chair, I will do it in French for Mr. Therrien.

Amendment BQ-3 deals with clause 4. We are at clause 3. So you should wait to move your new amendment.

As for the amendments that are being discussed at the moment, we will consider them one by one.

**Mr. Alain Therrien:** All right; that's fine.

So we are simply going to withdraw amendment BQ-2.

[*English*]

**The Chair:** Okay. I'll call on you during clause 4, then.

BQ-2 is not moved.

**Mr. Stéphane Lauzon (Argenteuil—La Petite-Nation, Lib.):** Madam Chair, do we need unanimous consent to remove this amendment?

**The Chair:** No. If the mover doesn't want to move it, then that's fine. There's no consent needed.

**Mr. Stéphane Lauzon:** Okay. Thanks.

**The Chair:** Let's move on to CPC-6.

**Mrs. Karen Vecchio:** I would like to move this amendment. It would reduce voting at a polling station at a long-term care institution from 28 hours during the 16-day period, ending on election, to six hours during the same 16-day period.

This is something that we've continued to talk about in terms of long-term care homes, so I would like to move that amendment.

**The Chair:** Mr. Nater.

**Mr. John Nater:** Thank you, Madam Chair.

I will be very brief on this. This is something that we talked about. We wanted to hear witnesses on the impact this would have

on long-term care homes. Obviously, this is an amendment that we think is appropriate to reduce the risk or harm with regard to long-term care homes. I want to put it on the record that we were not able to hear from long-term care homes. Obviously, we heard from organizations prior to this legislation being tabled last fall in the study the committee undertook, but we did not hear from subject matter experts on this issue related to the bill.

I just want to put that on the record as one of the reasons that we're moving this, noting, again, that it would have been nice to have had subject matter experts speak to this as it relates to long-term care homes.

**The Chair:** That's noted, Mr. Nater. I wish we did have more time.

We'll have a recorded vote on CPC-6.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We're at the end of clause 3.

Clause 3 has not been amended. Clause 3 had BQ-2, which wasn't moved, and then CPC-6 was defeated.

**Mr. John Nater:** We request a recorded vote on this.

• (1250)

[*Translation*]

**Mr. Alain Therrien:** Excuse me, I know I'm getting in the way of our process right now, but would you be so kind as to tell me if the amendment I want to move, the Chief Electoral Officer's amendment, is related to clause 3?

If it is, I think I missed the opportunity to move it.

[*English*]

**The Chair:** What is the amendment that you want to move, Monsieur Therrien?

[*Translation*]

**Mr. Alain Therrien:** It is the Chief Electoral Officer's amendment, where he proposes two days, Saturday and Sunday. When the CEO came last time, he had sent us a proposed amendment, and I would have liked to propose it. My colleague said earlier that I should wait and that we should follow the list. So I had understood that I had to wait for my turn to propose amendment BQ-3.

[*English*]

**The Chair:** Mr. Clerk, I guess that one would be BQ-2.1, not BQ-3.

**Mr. Philippe Méla:** I'm not sure which amendment Mr. Therrien is referring to.

**The Chair:** He would like to move one from the floor. The CEO had made a recommendation.

**Mr. Philippe Méla:** I understand, but I have about half a dozen amendments. I'm not sure which one....

[*Translation*]

Mr. Therrien, which amendment is it?

**Mr. Alain Therrien:** It is the amendment that contains the following explanatory note:

The attached motions would amend Bill C-19 to provide for a two-day polling period over a Saturday and Sunday. They would provide for polling stations to be open for 8 hours on each day of the polling period, for a total of 16 hours. The motion amending clause 3 would harmonize the maximum hours of operation for a polling station established in an institution where seniors or persons with a disability reside with the total opening hours of ordinary polling stations over the polling period, set at 16.

**Mr. Philippe Méla:** There's no problem, Mr. Therrien; I have your amendment.

I apologize, Madam Chair. Do I have the floor?

[*English*]

**The Chair:** Is that BQ-2.1 or BQ-3?

**Mr. Philippe Méla:** That would be BQ-2.1. It was in clause 3.

**The Chair:** It was in clause 3. We haven't completed the vote on that. CPC-6 would have affected it, but CPC-6 didn't pass so he can still move it at this point. Is that right?

**Mr. John Nater:** Madam Chair, if I could suggest it, I know that we were in the middle of a vote, but I know that our CPC members would be willing to consent to suspend or cancel the vote and revert back.

**The Chair:** Thank you.

**Mr. John Nater:** If it's the will of the committee, our members would be supportive of that.

**The Chair:** I appreciate that very much.

[*Translation*]

**Mr. Alain Therrien:** I'm really sorry; I had misunderstood.

[*English*]

**The Chair:** Monsieur Therrien, go ahead and move your BQ-2.1.

[*Translation*]

**Mr. Alain Therrien:** I move amendment BQ-2.1, which you have received, which contains what the CEO proposed himself.

[*English*]

**The Chair:** Yes.

**Mr. Daniel Blaikie:** Madam Chair, if I could get on the list, please, I would appreciate being able to intervene.

**The Chair:** Okay.

[*Translation*]

**Mr. Alain Therrien:** Do you have it in hand? We sent it to you.

[*English*]

**The Chair:** We're just going to have the clerk read the amendment into the record. Then we'll hear from those whose hands are raised.

**Mr. Philippe Méla:** I think the amendment was sent yesterday by the clerk of the committee.

**The Chair:** Yes.

**Mr. Philippe Méla:** The amendment reads that Bill C-19, in clause 3, be amended by replacing line 22 on page 4 with the following:

open for a total of more than 16 hours during that period.

• (1255)

[*Translation*]

Is it this one, Mr. Therrien?

**Mr. Alain Therrien:** Yes, that's the one.

[*English*]

**The Chair:** Perfect.

Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

It might help to get us all the same page, because I think there's a [*Technical difficulty—Editor*] period and that was one that I believe was drafted by his party with the House.

Then, when the CEO appeared the other day, the CEO brought forward a package of amendments that would accomplish a similar thing. I think Monsieur Therrien indicated earlier that he just felt that, legislatively, it was a more complete package.

I think some of the confusion comes from the fact that this package includes three separate amendments: one for clause 3, one for clause 4 and one for clause 5. They operate together in order to comprehensively change the legislation to enact a two-day Saturday and Sunday voting period. I think part of what happened was that the clerk's initial advice, although true, was only partially true. It does amend clause 4, but not only clause 4. It also amends clauses 3 and 5.

If it's the will of the committee, Madam Chair, I would just propose that we dispense with all of those at the same time as a combined vote, because either the committee is going to be on board with this or it won't be. Then we won't have to worry about Monsieur Therrien and the committee returning to this question in each of the subsequent clauses and perhaps forgetting and causing more confusion.

I would propose that we deal with the pack of amendments to establish the two-day voting period just moved by Monsieur Therrien as one complete package, as opposed to dealing with the three separate amendments in succession.

Perhaps we could get a decision on that.

Then I would like to provide some remarks on the substantive issue in that amendment, but perhaps we could decide the procedural question first.

**The Chair:** Mr. Clerk, would that be possible? Is there not something else that would need to be done before that? Could we do that as a group package? It seems to make sense.

**Mr. Philippe Méla:** Madam Chair, if that would be the will of the committee, I would have to ask the committee to suspend for a bit of time so that I can look at the amendments in terms of what effect, if they were to be adopted, they would have on the other amendments that are in the package.

Just to take the second one that's in the package on clause 4, it amends line 26 on page 5, line 29 on page 5, lines 9 and 10 on page 6 and so on. It could have an effect on the other amendments that are in the package that could not be moved if these were to be adopted. I would have to check that.

**The Chair:** We could do them one at a time.

**Mr. Philippe Méla:** If it's done this way, it would be better to do it one at a time. There are clauses to—

**Mr. Daniel Blaikie:** For my part, Madam Chair, whatever is going to result in us dispensing with this most expeditiously is what I would favour.

**The Chair:** I think your intent was very good, but rather than making it more expeditious, it's complicating things, unfortunately. Let's speak to the content of BQ-2.1 and then dispose of it.

Go ahead, Mr. Blaikie—you wanted to speak to it—and then Ms. Vecchio.

**Mr. Daniel Blaikie:** Thank you very much.

Thank you, Madam Chair.

I'll start by saying that I think this is one of those difficult questions that come up in the context of a pandemic election about which I think reasonable people can disagree. I have tended to favour a three-day voting period, because I found some of the arguments, particularly by disability advocates, for the Monday voting quite compelling.

In light of the testimony yesterday from the Chief Electoral Officer about the serious logistical challenges that might represent, I think what we want to do is....

Particularly when we look at the Newfoundland and Labrador example, what really fell apart there, among other things, was the ability to staff those polling locations. Staffing three days is more difficult. Finding people who are able to work both on weekends and on weekdays is more difficult. Finding locations that would have the same availability on weekends and weekdays is more difficult. The administrative burden for Elections Canada really does seem to be a lot higher.

I noticed the adurance of the CEO. I had thought, perhaps, although he had given testimony like that earlier on in our pandemic election study, that he might have changed his mind by now, as they conduct their preparations for a potential election, but I see that he hasn't.

In light of that, I am prepared to support this amendment and the others in order to establish a two-day voting period, just in the pandemic context. I think if we have too high an administrative burden

for Elections Canada, we will risk their not being able to deliver in the way that I know we all want them to deliver.

Thank you.

• (1300)

**The Chair:** Go ahead, Ms. Vecchio.

**Mrs. Karen Vecchio:** Thanks very much.

I think this is absolutely where Daniel is coming from. We all know, at the end of the day, that we have different ways of getting there.

One of the things we're looking at is.... I do recall Mr. Therrien talking about transportation for the Saturday and Sunday in his areas. I know that in my area, in terms of transportation on the Saturday and Sunday, we don't actually have public transportation in many of my rural areas. It is just Monday through Friday, or here and there. It's very ad hoc when it comes to some of the transportation issues we have.

To be honest, it's the labour and it's the facilities. All of those things I look at as key barriers. We may want to have a Saturday-Sunday where it's a sporting facility or it's a church or it's a mosque. There are so many different issues that could come from this.

I think we legitimately have to have the conversation of.... We have talked three-day elections. This legislation says three-day elections, but the guy who's in charge of the elections is asking how they are going to do this. There are so many barriers to doing this.

I really think we need to get down to the principle of what it is we are looking at. Are we talking a one-day election, a two-day election or a three-day election? I think this is really what it comes down to. We'll see that all of the remaining amendments, and things like that, in the bill really go back to that principle of whether we are asking for a one-, two- or three-day election. Each day has its barriers. There are going to be reasons why some people will not want it on a Saturday or a Sunday or a Monday.

I tend to think on the Monday. Yes, maybe we shouldn't be traditionalists, but I do think on the Monday. I think that if we go to a Saturday and Sunday, we're going to still deal with the same issues that we deal with on the mail-in ballots. Are we going to open those on the Friday, or are we going to open those on the Monday? Those are things that, because we have not actually had a discussion on this.... We don't have the witnesses. We don't have anything like that, and we don't have the answers.

I'm very worried that we're just going to plow through this one.

I'll turn it back to the members, who may have some great ideas.

**The Chair:** Thank you.

Mr. Lukiwski.

**Mr. Tom Lukiwski:** Thank you, Madam Chair. I have a couple of points.

Number one, to my colleague Madam Vecchio, yes, I agree. We don't have all the answers. I think we would have benefited from hearing a few more witnesses and having a more robust discussion about this very point.

I would point out a couple of things. If we are talking about whether it would be a one-, two- or three-day election, my preference would be either three days or one day. I recognize the fact that three days increases the complexities, strain and workload on Elections Canada, but I think it's better than a two-day election, only because there are people of faith who cannot or would not vote on either a Saturday or a Sunday.

I would also point out the obvious, a point that Mr. Blaikie has made on several occasions. If the government is truly serious about not having an election during a pandemic, even in the aftermath of a pandemic, we shouldn't worry about changing the dates of the election. We've always had election days on Monday in the past. I see no reason to change that. We could continue to have it on Monday if in fact there will not be an election called during a pandemic.

I don't think the government is in a position, because they either can't or don't want to acknowledge the fact that they are considering calling an election during the summer, but I think that's something we as a committee could probably do in terms of a recommendation in either the final report or a supplementary report, ensuring, insisting and encouraging the government to not call an election to honour their commitment during a pandemic.

The definition of when a pandemic is over is something that we might have to have a bit of a conversation on, but as far as I'm concerned, as long as there are still Canadians wishing to be vaccinated and as long as there are still Canadians being hospitalized because of COVID, that says that we are still in the midst of a pandemic and there should be no election called.

Therefore, once again, I'm just stating the obvious. If there is not going to be an election during a pandemic, I see no need to even discuss this any further than keeping the election, as it has always been, on a Monday.

• (1305)

**The Chair:** This legislation wouldn't be used if there was no pandemic election, so I think the whole thing would be moot at that point anyway.

Monsieur Therrien, go ahead.

[*Translation*]

**Mr. Alain Therrien:** Madam Chair, that's just what I was about to say.

If we don't want elections during the pandemic, I don't know why we're working on Bill C-19.

[*English*]

**Mr. Tom Lukiwski:** Agreed.

**Mr. Alain Therrien:** Thank you, Tom.

[*Translation*]

The Chief Electoral Officer was clear. He said that if the election was held over three days, it would cause problems with polling sta-

tions and that it would be difficult to find available locations for the entire voting period. This would result in people being further away from their polling stations, which would make the situation raised by Ms. Vecchio worse.

Let me come back to the availability of staff. If we opt for a two-day period, Saturday and Sunday, people who work during the week and students could work on the weekend. We raised this idea in the past, as did the Chief Electoral Officer. He said it was a way for him to maximize recruitment.

The Chief Electoral Officer told us that he saw two possibilities, either to do it on Saturday and Sunday or on Monday. He also said that a three-day period, i.e., Saturday, Sunday and Monday, was a no-go. I don't have as much experience as he does, but I can tell you that it's important, because he has come back to this. Indeed, he told us so when he first visited us in October. He also wrote it in his report. Following our recommendations and the drafting of our report, he came back to the committee, looked at the bill, told us that it was not adequate and that he was presenting us with an amendment. Clearly, we need to listen to the Chief Electoral Officer, and the vote should be held either on Saturday and Sunday or on Monday. His amendment proposes Saturday and Sunday.

That is why I am tabling this amendment, which spans five clauses. I think they are clauses 3, 4, 5, 6 and 7. This is perhaps the most important part of Bill C-19. I can't imagine that we not listen to the person who is responsible for managing elections in Canada and in Quebec.

[*English*]

**The Chair:** Those are very important points, Mr. Therrien.

We'll go to Mr. Turnbull and then Mr. Kent.

**Mr. Ryan Turnbull:** I'll try to be as brief as possible.

I totally recognize Mr. Therrien's point of valuing the expertise that the Chief Electoral Officer brings. The testimony is important.

I think we heard from witnesses within the study that we conducted—from some of the witnesses, I shouldn't say all—who very clearly indicated the benefits of having a Monday included due to public transit, child care access and shift work, etc. Having that Monday included was going to be important.

I recognize all sides of this debate and I understand it's a complex situation. Within a pandemic, I think we want to increase the accessibility for everyone, allow the most number of options and the greatest ability to socially distance, and ensure that we balance all of the factors. I think the three-day voting period, including the Monday, really gives us the widest array of options.

I realize it creates some logistical challenges, but from my perspective, if we start early.... As Mr. Roussel mentioned before, when there's a legislative mandate in place, Elections Canada does respond to the challenges. There are either challenges on one side or challenges on the other. I think the challenge of recruiting more people to have a safer and more accessible pandemic election is better than the other option.

Thank you for the opportunity to weigh in.

• (1310)

**The Chair:** Thank you, Mr. Turnbull.

Mr. Kent.

**Hon. Peter Kent (Thornhill, CPC):** Thank you, Chair.

I agree. We have to accept and take very seriously the advice of the Chief Electoral Officer. From my experience in the GTA, and certainly in Thornhill, I accept his advice that he will have serious challenges staffing and having the capacity to administer a three-day vote.

I also agree with Mrs. Vecchio's point of faith on Saturdays and Sundays—in Thornhill this is an issue—and of transportation.

As Mr. Lukiwski said, the tradition has been that election day is on a Monday. I think that with the provisions for the special ballots and for the advance polls, rather than accepting the Chief Electoral Officer's advice of Saturday and Sunday, we go with election day on the Monday, with strong advice that the advance polls and special ballot provisions be relied upon and that Elections Canada ensures it has the staff for both the advance polls and for election day on a Monday. It would also advise and advertise widely the advice that those with health concerns avail themselves of the mail-in ballot and/or the advance poll, as well as those who wish to follow tradition and vote on election day itself—the Monday.

**The Chair:** We're very divided on this, so after we hear from Mrs. Vecchio and Mr. Therrien, it seems like some will be voting against because they want one day, some will be voting for it for two days and some will be voting against because they'd rather three days.

We have Mrs. Vecchio and then Mr. Therrien.

**Mrs. Karen Vecchio:** Thanks very much, Chair, for bringing that up.

I think this is where we have to say whether we are putting it in pile one, two or three. What are we looking at? Although Daniel was trying to package things together—I understand that—I think we needed this conversation to know which exit or what off-ramp we are taking. Are we doing a one-day, a two-day or a three-day election?

Perhaps I will ask the elections officials.

We have heard, of course, from the Chief Electoral Officer. Perhaps you can share with us this idea.

For me, the three days is just something we have to stay away from. Is it the belief of the Chief Electoral Officer and of Elections Canada that it's going to be much more difficult, as he stated in his

own testimony that day? Is a three-day election not a great idea compared with a one-day or two-day election?

**Mr. Michel Roussel:** Thank you for the question.

Yes, it is still the opinion of the Chief Electoral Officer, and this is in fact what the evidence we've gathered so far shows, that it would be more problematic in terms of recruiting and in terms of finding voting locations over a three-day period.

**The Chair:** Mr. Therrien.

[*Translation*]

**Mr. Alain Therrien:** Religious reasons, among others, are cited for not voting on weekends. I'm not an expert on religions, but I imagine that for some people Saturday is the holiday, while for others it's Sunday. It may even be two days, or even three days for some religions. I don't know, there are many religions.

Let's say I'm from a religion that prohibits me from voting on the weekend. There is always advance voting and postal voting. We're expanding the process a lot. We certainly don't want to harm people who are in that situation or exclude them from democracy, but they still have the option of voting at advance polls or by mail.

I have nothing at all against people with religious beliefs, but there are many other ways in which these people can exercise their right to vote safely, closer to home. As Mr. Roussel told us so emphatically, it is difficult to hold three voting days. So I don't understand why we are obsessed with these three days, when all the people on the ground who have been running elections for decades tell us that it can't happen easily.

Can we be reasonable, put partisanship aside, and listen to the Chief Electoral Officer, whose profession this is?

I personally would have preferred it to be one day, but given everything we hear, I think two days is a good compromise. I'm willing to make that compromise, because there are members of the committee who want to give people more chances to vote in person, which is very virtuous. I accept that. We will vote closer to home and we will have more and bigger premises. We will be able to vote in schools and there will be more time slots and workers. In the context of a pandemic, I find it hard to imagine that this would not be ideal.

• (1315)

[*English*]

**The Chair:** Mr. Therrien, those are good points.

Mr. Clerk, can we have a recorded vote?

[*Translation*]

**The Clerk:** The vote is on amendment BQ-2.1.

[*English*]

(Amendment negatived: nays 9; yeas 2 [See *Minutes of Proceedings*])

(Clause 3 agreed to: yeas 7; nays 4)

(On clause 4)

**The Chair:** The first amendment for clause 4 is CPC-7.

**Mrs. Karen Vecchio:** Thanks very much.

This amendment would increase the minimum writ period from 36 to 43 days. We're putting this through, as the Chief Electoral Officer indicated—it was not specifically in his recent testimony but it was definitely in some other conversations that were had—because the longer the writ period, the easier it would be for them to pull it off. That is why we have increased that amount of time from 36 to 43 days.

**The Chair:** Thank you, Ms. Vecchio. You explained that very well.

Mr. Nater, go ahead.

**Mr. John Nater:** Very briefly, could I get comments from the Elections Canada officials on the practicality of making that amendment and whether that would be consistent with the advice that was given to the committee some time ago that it would provide them with more time?

Could we get confirmation that it would be of benefit to Elections Canada to pull off the election with an additional week for the minimum writ period?

**The Chair:** Go ahead, Ms. Lawson.

**Ms. Anne Lawson:** I was going to say I think the Chief Electoral Officer has been quite clear that a longer writ period is preferable for the administration of the election.

• (1320)

**The Chair:** Thank you for that input.

We'll have a recorded vote.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** Thank you very much.

We are moving on to CPC-8. I wanted to let Mr. Therrien know that if CPC-8 is adopted, BQ-3, which is coming up after this, cannot be moved due to a line conflict.

That's for your awareness and everyone's awareness, Mr. Therrien.

Go ahead, whoever wants to move CPC-8.

**Mrs. Karen Vecchio:** This amendment would prevent elections from ending on a holiday Monday. I think we saw, from the beginning of the debate, the confusion around what mail-in ballots look like and the fact that they would be opened on Tuesdays. To me, if we're worried about what happens when these ballots are mailed in, the simplest solution is to not have an election on a holiday Monday. That would include Thanksgiving Day and perhaps the long weekend in May, whatever it may be.

This is a very simple solution to a very complicated and complex issue that seems to have political feelings of its own. Not having an election on a holiday Monday would take all of those little issues and put them aside.

Thanks very much.

**The Chair:** Okay.

Do you want a recorded vote on that?

**Mr. Daniel Blaikie:** Madam Chair, I just want to make a quick note that I was supportive of the two-day voting period in our previous vote. It's something that perhaps Mr. Therrien will move again in BQ-3.

CPC-7 and CPC-8 go together as a package, which would have the consequence of making BQ-3 inadmissible.

I'm voting to keep the option of the committee reconsidering a two-day voting period.

**The Chair:** Thanks for sharing your thought process.

We'll have a recorded vote on CPC-8.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We are moving on to BQ-3.

Mr. Therrien.

[*Translation*]

**Mr. Alain Therrien:** I think you know my position.

We're offering you another chance to do the right thing. We are extending a chaste and beautiful hand to you. We ask that the voting be done over two days, hoping that this time will be the right time.

[*English*]

**The Chair:** Would you like a recorded vote?

Mr. Clerk, go ahead.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** It's interesting how things are working out.

Next is CPC-9.

• (1325)

**Mrs. Karen Vecchio:** This amendment would change Saturday and Sunday voting hours during the election weekend from 9:30 a.m. to 5:30 p.m., to 2 p.m. to 9 p.m.

These were some changes that were brought forward. We had lots of discussions on what it would look like. We're trying to look at flexibility for workers and what would give better timing for locations, as well. Many locations, whether it's an exercise facility or a school, have morning programming. A lot of those are used in the mornings, so this would give another option.

Thank you.

**The Chair:** Thank you.

Would you like a recorded vote?

**Mrs. Karen Vecchio:** Yes, please.

Can I just say one more thing?

The way this is looking is that we're probably going to go to a three-day election. By looking at the way the cards are unfolding and how everything is turning out, I think we do also recognize that this is looking at timing for our election workers. This is going to reduce the downtime just a little bit. For deputy returning officers and other people who are working on those election days, we are looking at a way of also reducing their time while trying to get as many opportunities for people to vote as possible. It would decrease the hours, but it would increase the opportunity perhaps even for recruitment.

Thank you.

**The Chair:** Would this make it seven hours a day?

**Mrs. Karen Vecchio:** Yes, it reduces it to seven, rather than 9:30 to 5:30.

**The Chair:** All right. That evening time is good.

Could we have a vote, Mr. Vaive?

There's a hand up.

Mr. Turnbull.

**Mr. Ryan Turnbull:** I'm sorry. I just wanted to state that I think what we would all consider very obvious is that electors would probably be under a natural assumption that these polls would be open relative from the nine to five time frame. While I understand the intention of the amendment that the Conservatives have put forward, I respectfully disagree. I think we need to stick to a time frame that electors are used to.

**The Chair:** Mr. Blaikie has his hand up.

**Mr. Daniel Blaikie:** I had looked quite seriously at this one in the context of a two-day voting period, but my concern particularly is just to make sure that electors can access polling stations in a way that doesn't interfere with important obligations in their lives. I think with the Monday still established, I'm quite comfortable maintaining regular voting hours on the weekend.

**The Chair:** This just affects the weekend.

Mr. Clerk, I'm sorry about that. Go ahead.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Thank you.

We're on CPC-10.

This does have implications for NDP-7, BQ-4 and G-2. Amendments NDP-7, BQ-4 and G-2 would not be movable due to line conflicts.

Mrs. Vecchio, are you going to be moving this amendment and explaining it?

**Mrs. Karen Vecchio:** Yes. This amendment would remove the ability for special ballots that are postmarked before the polls close but received on the Tuesday after the election, when the election ends on a holiday Monday. This is probably exactly why.... The whole idea of not wanting an election on a holiday Monday ties in to this.

I think one of the most important things is the ability to count the votes and for an election to almost be over, unless you're in one of those extremely tight ridings where they're going to count those 100 ballots that are between two people. I just think this is something that's so important. If we are allowing it...and I would especially like to thank the Chief Electoral Officer for having those ballot boxes sitting at those doors. When you're going to vote on the election day and you have an election ballot that you have not been able to send in, this is an opportunity. This is just something I see that....

If Canadians want to pull their hair out, then count election day as on the Tuesday for counting ballots. I look at this as a time that just will cause so much uncertainty for Canadians. It may be a very big win for one party or a very small win for one party. We don't know, and that's why I think we should be very actively thinking about how we can create something so people understand that this is the way the election works, this is how it's going.

If it's a holiday Monday and people are getting their ballots and they find out the election was this weekend, but we're still not over it.... I think we saw what happened in Newfoundland. It's pretty obvious that there could be some major complications.

Thank you very much.

• (1330)

**The Chair:** Thank you.

Go ahead, Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

For my own part, having participated in a recount, I don't always share the same sense of urgency that some people may have with respect to getting everything counted on election night. I think what matters is that every vote is counted, that as many Canadians as possible are able to get their ballot in and the count is accurate.

I think if we have to wait a day or in some cases.... In other countries, very well-functioning democracies, there are places where they wait quite a long time, depending on their voting system. It can be up to a week or more in order to get the tally of the votes.

To me, very little hinges on getting the result that night as long as you have a good process. For my part, I think having a little bit of an extension on when ballots come in will make sure that more votes get counted. To me, that's the most important thing, which is why I will not be supporting this amendment.

**The Chair:** Thank you, Mr. Blaikie.

Would you like a recorded vote?

**Mrs. Karen Vecchio:** Yes.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We have a little less than half an hour to get through the rest. I'm just giving you a heads-up.

NDP-7 can be moved now. If adopted, BQ-4 and G-2 cannot be moved due to a line conflict.

Mr. Blaikie, you have the floor.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

I think I have a pretty good sense of the will of the committee overall with respect to the content of our particular amendment, so I'll decline to move it in the interest of time.

**The Chair:** Thank you.

Go ahead with BQ-4.

[*Translation*]

**Mr. Alain Therrien:** Madam Chair, this amendment would change the deadline for receiving ballots. It calls for ballots to be received up to the day of the vote, not the next day.

Ballots would be received until 6 p.m. on polling day, not the day after the vote, for several reasons. Among other things, it would eliminate having to wait until the next day to count the votes and get the results. I don't see why it would be problematic for people to ensure that ballots are cast on the day.

This law provides a lot of opportunities for voters. So I think it's reasonable to believe that they will have enough time to vote.

[*English*]

**The Chair:** Ms. Vecchio.

**Mrs. Karen Vecchio:** Thanks very much.

Thank you very much for putting this through, Mr. Therrien. I am concerned about some of the exact same things, so thank you very much. I think this is something that we have to look at.

I recognize that Daniel says there is not an urgency. In many ridings there is not that urgency, but among Canadians right now, there seems to be an urgency with many things. I truly believe there needs to be the feeling that... Canadians need to feel good about our elections. They need to feel that they're trusted. Although we understand how it all works, and that includes the Chief Electoral Officer, I don't know if the public does. I don't know if they understand what we're trying to do. We are changing our legislation specifically for a pandemic election. There have to be good, strong communications. We have seen crappy communications for the last 16 months when it comes to a lot of government programs. Why do we think we're going to do it better now?

I really appreciate clause 4 with BQ-4 in there. I feel that we'll be walking in blindly if we don't think it will be an issue.

Thanks very much.

• (1335)

**The Chair:** Maybe Elections Canada will do a better job than the government, I guess, in your view.

Mr. Lukiwski.

**Mr. Tom Lukiwski:** Thank you, Chair.

I'm not sure if any other member of the committee went through the same experience I had. Back in 2004, my results were known on election night, even though I won by a massive majority of only

122 votes. It necessitated, of course, a recount, which happened a week or so later. The point is that we knew the results on election night. I was declared the victor on election night. Albeit it was not until close to midnight, it was the same evening.

I think it's extremely important that every Canadian has confidence in the fact that they will know the results of their candidate's election the evening of the election itself—not a day later, not a week later, but that evening. If there are discrepancies or if there are close elections, like mine was, that's when the normal process kicks in for recounts. We also have the ability, of course, to count special ballots, mail-in ballots, military ballots and the rest later than that.

The key point is that I believe it's absolutely imperative that Canadians know the results of the election on election night. That's why I will firmly state that we must have the results on the Monday, if there is a Monday election day, and not deviate from that in any way, shape or form.

Thank you, Chair.

**The Chair:** There's lots of support for this.

Let's have a recorded vote for BQ-4.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** I'm sorry about that.

We are moving on to G-2. There is a spelling error in this as well.

Mr. Méla, is it just the word “period”? No. It's regarding lines 6 to 7.

**Mr. Philippe Méla:** Madam Chair, perhaps you can give me a second to check. It's probably because it's at the end of the line.

**The Chair:** Mr. Turnbull, are you moving this?

**Mr. Ryan Turnbull:** Yes. This is to correct a drafting error in the English version.

If you look at the language on page 27 of our package, it says, “riod and is received at the office of that returning officer no later than 6:00”.

**The Chair:** Okay.

Is everyone in favour of fixing this drafting error?

Ms. Vecchio.

**Mrs. Karen Vecchio:** I'll just say, way to go. This was a great find. I'm glad we're moving forward.

**The Chair:** Okay.

Is there a consensus to move forward with G-2 as it's just drafting?

(Amendment agreed to [*See Minutes of Proceedings*])



**The Chair:** We go to CPC-11.

**Mrs. Karen Vecchio:** This amendment would require the Chief Electoral Officer to have support of the recognized parties in the House to exercise the proposed authority to vary most deadlines set by the act.

This is something that we're looking at, recognizing there will be many things, but also we do want to make sure there's confidence in the elections, so I am moving this as our amendment.

• (1340)

**The Chair:** You might not be surprised that, since it's similar to one earlier on, I find this to be outside of the scope and inadmissible.

Bill C-19 amends the Canada Elections Act. This amendment seeks to add that the Chief Electoral Officer must obtain agreement of the registered political parties represented in the House of Commons for any modification he wishes to make under proposed subsection 582(1). Since the Chief Electoral Officer is independent from political parties, the amendment is a new concept that goes beyond the scope of the bill.

That is my ruling.

Are we okay with moving forward? Thank you. I appreciate that.

We're now on CPC-12.

**Mrs. Karen Vecchio:** This amendment would reduce from two days to one day the amount of time by which the Chief Electoral Officer may vary a deadline set by the act when the deadline falls after advance polls open.

This is something we have put forward and think is very important for this time frame.

Thank you very much. I'm passing that forward.

**The Chair:** I was wondering if I could ask Ms. Paquet. CPC-12 and CPC-13 are very similar. I'm not sure what kind of impact passing both of those, or not, would have.

**Ms. Manon Paquet:** CPC-12 reduces the element in the calendar that needs to take place before advance polling. It could be moved by two days and the elements that are supposed to happen between the advance polling day and polling day could only be moved by one day. That's CPC-12.

The difference, I think, between CPC-12 and CPC-13 is the possibility of moving it backwards, if I'm not mistaken.

**The Chair:** Would it be best to vote on those two together or one at a time, Mrs. Vecchio? Whatever you would—

**Mrs. Karen Vecchio:** Let's go one at a time on that.

I'm just looking at Mr. Nater.

Mr. Nater, maybe you could explain the differences between CPC-12 and CPC-13. It's causing a little bit of confusion. Perhaps you can give a better eye on it, because we want to make sure we get this bill right.

Do you know anything about it? I know you know lots. Go ahead.

**Mr. John Nater:** I did not have a hand in drafting these amendments.

The first one, CPC-12, is basically that after the advance polls have opened, it would reduce the number of days you can vary the dates from two days to one day. It's just reducing that discretion there.

CPC-13 is a little broader. It affects more the different dates. It's not getting rid of the discretion, but I would say it limits discretion, if that helps to clarify that.

**The Chair:** Okay. It's 1:44. Let's have a vote on CPC-12.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

• (1345)

**The Chair:** Next is CPC-13.

**Mrs. Karen Vecchio:** If we could just take CPC-13, I move it and go directly to a vote, that would save us some time.

**The Chair:** Thank you so much. I appreciate that.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** On BQ-5, it's just a change from "polling data" to "polling period".

Monsieur Therrien.

[*Translation*]

**Mr. Alain Therrien:** Thank you, Madam Chair.

Given that the election is taking place over three days, it would be extremely important that there be no advertising during that time. The reasons are clear and easy to understand. It should not influence the vote.

[*English*]

**The Chair:** Yes, so there would be no advertising throughout the whole polling period, not just on polling day.

Ms. Vecchio, go ahead.

**Mrs. Karen Vecchio:** Although I fully understand that, this is something on which I think there would be a lot of concerns. I do understand the importance of that blackout period and I think all Canadians understand the importance of it as well, but the three-day election with a blackout period is extremely lengthy, especially if messaging has got out there. We've seen things. It's really important for people to have the opportunity to be able to advertise. In terms of being offline for three days as an MP, we find sometimes that we can't even be offline for 20 minutes, let alone three days.

Those are just some concerns I have. Thank you.

**The Chair:** Okay.

We'll go to Mr. Nater and then Monsieur Therrien.

**Mr. John Nater:** I have a comment and maybe a quick question for the witnesses as well.

My comment would be out of concern for our friend and colleague, the parliamentary secretary responsible for this file, Mr. Lamoureux. He couldn't comply with a one-day prohibition on advertising, sending out I believe it was seven illegal advertisements during the single-day writ period, reaching 35,000 voters in a riding that's like Mr. Lukiwski's and Mr. Blaikie's, where it was decided, at one point, by a very narrow margin. I feel eminent concern for poor Mr. Lamoureux being able to comply with this rule when he wasn't able to comply with it under a one-day period, but I guess I shouldn't be cheeky about that.

I have a question and I'm not sure whether PCO or Elections Canada would be the appropriate people to ask, but it has to do with the constitutionality of it from a freedom of speech standpoint. The courts have ruled that there are certain restrictions that are appropriate, and obviously we saw that in *Harper v. Canada* well before Prime Minister Harper became prime minister. It's a fairly famous case. I would be curious as to whether there have been any legal opinions sought on this from that perspective, whether a three-day restriction on advertising would be compliant with the charter.

Have there been any consultations done on that or any information that either PCO or Elections Canada might be able to share on that?

**The Chair:** Is there anything from PCO?

Go ahead, Ms. Paquet.

**Ms. Manon Paquet:** Sure. Thank you for the question.

I'm not in a position to provide any legal advice on the issue, but by extending the blackout period to three days it would increase the risk, if the provision was challenged, that it could be found unconstitutional.

**The Chair:** Mr. Therrien.

[*Translation*]

**Mr. Alain Therrien:** I thought this was self-evident. On election day, we have to stop all forms of advertising. You think that three days is a long time. I, for one, did not agree with that time period.

You decided that the poll would take place over a three-day period. It makes no sense to be able to do advertising or polling when people start voting en masse for three days. It's just common sense.

Honestly, I thought it would go through like a charm, but I'm starting to have doubts.

• (1350)

[*English*]

**The Chair:** Let's have a vote on BQ-5.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

(Clause 4 as amended agreed to: yeas 7; nays 4)

(On clause 5)

**The Chair:** We're on NDP-8.

There was some back and forth on this, but you can move this.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

This amendment would essentially allow for Canadians, many of whom will not have voted by special ballot before, to write in the party name as opposed to having to write out the first and last name of the candidate. Again, we've been told by Elections Canada that they're anticipating up to five million people voting by mail in a pandemic election and, as I say, that's compared to 40,000 or 50,000 people in a typical election.

I think there is a real risk that people will receive their special ballot.... They're used to seeing a normal ballot where these things are indicated and you mark an X. They might feel it's sufficient to write the party name and send it back. Anyone who does that is going to have their ballot spoiled. If the idea is to try to make sure that people get to vote, that their vote counts and if that's our priority, I think putting the party name in the context....

I recognize there's a larger philosophical debate about the long term and whether it's appropriate to put the party name on or not, and I respect that debate. In fact, I've even been on the other side of that debate, but in the pandemic context where suddenly a much larger.... If we consider what five million people represents as a percentage of the normal turnout, it's a significant proportion. We're not talking about five million people as a percentage of the overall population. We're talking about five million voters as a percentage of the normal vote, and in fact perhaps in the context of reduced turnout.

We're talking about a very significant proportion of Canadians that could be disenfranchised essentially by accident, because they don't realize that they have to write the candidate's full name. We can all say that maybe they should read the fine print, and maybe they should pay more attention, but I think the fact is that in this context, a party name would be a very obvious signal of intent and we shouldn't be disenfranchising Canadians on that basis.

That's what this amendment seeks to accomplish. There are a couple of other amendments that we put forward that are essentially complementary in order to achieve the same purpose.

Thank you, Madam Chair.

**The Chair:** Next, we have Mr. Therrien and then Mr. Nater.

Mr. Therrien.

[*Translation*]

**Mr. Alain Therrien:** Honestly, I thought this would be ruled out of order, because of the nature of Bill C-19, which aims to guarantee election health safety. Perhaps Mr. Blaikie can explain it to me, but I don't see the connection between this amendment and elections in pandemic times.

• (1355)

[*English*]

**The Chair:** That's why I was saying there was some back and forth between me and the legislative clerk on this. The reason we found it to be inadmissible, at first, but then on second glance, admissible, was that it deals with special ballots, which in a pandemic election will be increased in volume. This legislation does touch on that aspect of special ballots.

[*Translation*]

**Mr. Daniel Blaikie:** In our view, in a pandemic election environment, it is highly likely that many more Canadians will vote using a special ballot. So there is a risk that the number of uncounted ballots, which is normally 40,000 to 50,000, could increase to 4 to 5 million. This could have a real effect not only on the final outcome of the election, but on Parliament itself. We believe that the priority in a pandemic context should be the intention of the voter, not the fact that the first and last name of the candidate for the constituency in question appears on the ballot paper.

[*English*]

**The Chair:** Mr. Nater.

**Mr. John Nater:** Yes, I was going to agree in terms of the first part, in the sense that it was within the scope because it does have to do with that connection, and obviously, having a relatively short name, like Nater or Kent, we're fairly lucky on this one. I'm not sure how the good folks of Lake Centre—Lanigan go with Lukiwski but that's for Tom to deal with, I suppose.

Just very quickly, could I have a clarification from Elections Canada on how would they interpret this? Does it have to be Conservative Party of Canada, New Democratic Party, or can someone.... I'm reading the actual clause here. It says, "the candidate's political affiliation".

Would CPC, NDP or BQ be acceptable, or would it have to be Conservative Party of Canada, to clarify the political affiliation there? Generally I'm in support of this amendment. I just want to get a little bit of clarification on that.

**The Chair:** Mr. Roussel.

**Mr. Michel Roussel:** I think we will not comment on the merit of the proposal—we have no opinion on that—but I would say that in general, as long as the intent of the elector is clear, the ballot will be counted for the candidate.

**The Chair:** Mr. Turnbull.

**Mr. Ryan Turnbull:** I just wanted to express a slightly alternative perspective on this. While I agree with the intention that Mr. Blaikie has outlined, I think that this particular amendment would unintentionally disadvantage independent candidates. It naturally favours parties that have a wide presence and a brand that's easily recognizable, which I think is problematic from a fairness perspective to independent candidates.

That's why I feel a little reluctant. I also relate very strongly to the argument that I'm not sure that this really addresses some of the heart of the issues that are present within a pandemic context. I think this requires further study. It's a change to the physical ballot—that's my understanding—the special ballot process. I think that you don't need further study and consideration. I think it's actually a big change. Although seemingly small, I think it has far-reaching impacts that we should strongly consider before making any decision.

I will be voting against this.

**The Chair:** Okay. Unfortunately, I'm going to call on all of you to make a decision at this point.

Shall NDP-8 carry? We will have a recorded vote.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

• (1400)

**The Chair:** We have CPC-14.

Do you intend on moving this?

**Mrs. Karen Vecchio:** Yes. This amendment would require the declaration provided to an elector—I'm sorry Mr. Therrien; I shouldn't speak so quickly, but I'm just trying to get through it—as part of a special ballot package to [*Technical difficulty—Editor*] the elector's riding name and polling division number in order to permit returned special ballots to be sorted by polling divisions so that special ballot results may be counted and reported by polling division.

This is something that we were looking at for this. I'd like to move CPC-14.

**The Chair:** I find that this is beyond the scope and the principle of the bill, because the amendment seeks to add the term "polling station", among other things, to documents provided by Elections Canada or for statistical purposes. The addition does not seem to address the question of enhanced health and safety of electors or electoral officers.

The amendment also amends a section of the parent act not amended by the bill. Bill C-19 does not touch upon this aspect.

Ms. Vecchio, would you like to move to the next one or...?

**Mrs. Karen Vecchio:** I see Mr. Nater's hand up.

**Mr. John Nater:** I'm sorry, Madam Chair. Could I just get some clarity, and perhaps it could come from Monsieur Méla?

I think you and I might have been the only two who were on PROC when we reviewed C-76, and we had a similar issue when it related to the parent act rule. I'm drawing a blank on the specifics, but it was something that we challenged within the committee. It was dealt with by the clerk, and then it went to the House. The Speaker at the time, Speaker Regan, ruled that in that case it was acceptable to make an amendment, even though it offended the parent act rule.

If I had my little folder of past rulings I could look into it. It's at my home in Mitchell.

Perhaps it's something that the legislative counsel could address off the top of his head. If not, then I'm not going to push the issue, obviously. I'm not going to challenge the ruling. I was just hoping for some clarity on that. I thought there was some flexibility that was noted in Speaker Regan's ruling on that.

**The Chair:** I don't recall it going to the House or what that ruling was.

Mr. Lukiwski, did you want to speak before we hear from the legislative clerk?

**Mr. Tom Lukiwski:** I just wanted some clarification, Madam Chair.

I understood that we were going to two o'clock. Now we're exceeding that. I'm not sure exactly how long you plan on continuing this meeting.

I have some other commitments that I had scheduled for just past two o'clock. I'd like to see if I can get some clarity on that, if I have to extend my time here or not.

**The Chair:** I just received a nudge from our clerk as Mr. Nater was speaking earlier that we have until 2:30. The administrative staff is willing to stay here until 2:30.

I think we could get it done. We're almost there. I'll just let you know that there are two amendments that are still inadmissible after this one, and then the rest are clear and good to go. We could probably just bang them out.

Would you be able to find a replacement, Mr. Lukiwski?

**Mr. Tom Lukiwski:** No, I'll make some arrangements. If I know that we're going to be either suspending or adjourning at 2:30, then I can make some arrangements. I wouldn't want to commit to anything past 2:30.

**The Chair:** At this point I'm being told that it's only until 2:30. I was originally told that it was only until two o'clock. Now all of a sudden I've been nudged and they're saying they can do a little bit more.

That's what they're telling me—that it's only until 2:30. I will adjourn at 2:30 so that you can make it to your other commitment.

Mr. Méla, please go ahead.

• (1405)

**Mr. Philippe Méla:** Thank you, Madam Chair.

Yes, Mr. Nater, I remember well what happened at C-76 last time. Yes, indeed, the parent act.... In this case there was no amendment to the bill that was adopted that would warrant this amendment to be moved, or to make it admissible. The content of the amendment in itself goes beyond the scope of the bill by adding "polling station". It's not linked to the part of the bill on the enhanced health and safety of conducting elections. That was the reason.

**Mr. John Nater:** Thank you for that. I'm impressed that you were able to recall that provision. It was interesting at the time. Basically, it had to have amended another provision prior to this one being able to be moved. I appreciate that.

Thank you.

**The Chair:** Thank you, Mr. Nater.

We will move on to NDP-9. NDP-9 also has an issue.

No, I missed one. I missed G-3. I'm sorry. I should be following along on the actual amendments page.

**Mr. Ryan Turnbull:** Madam Chair, can I speak to that quickly?

**Mr. Ryan Turnbull:** I would like to move G-3. It's a motion that I think stems very clearly from a suggestion that was made by Daniel Blaikie. I thank him for that.

I think the intention here is to improve access to special ballots through Canada Post offices. This amendment facilitates that hap-

pening. We feel strongly that this will help many electors be able to access registration for special ballots in a much easier fashion.

**The Chair:** Go ahead on G-3, Mr. Turnbull.

**The Chair:** Okay.

There are some hands up.

It will be Ms. Vecchio and then Mr. Blaikie.

**Mrs. Karen Vecchio:** Thanks very much.

I do really appreciate this. I just want to clarify that it is with regard to getting the ballot. It's not that they would have the ballots available as well. Canada Post would not have access to ballots or anything like that. It would be a special application.

As well, have we spoken to Canada Post on this? Perhaps the officials can tell us whether or not this has already been discussed.

**The Chair:** Can anyone from Elections Canada answer that?

Mr. Roussel.

**Mr. Michel Roussel:** Thank you, Madam Chair.

We have had conversations with Canada Post informally on the possibility of offering application forms at post offices in remote communities where electors are away from the office of the returning officers, or wherever it would be easier to get there and apply to vote by special ballot on site. In remote communities, that could be useful.

We've had conversations with Canada Post. I can't speak for Canada Post, but this is something that we've been looking at.

**The Chair:** Mr. Blaikie.

**Mr. Daniel Blaikie:** Thank you, Madam Chair.

I just want to recognize that I think this is part of that mission to really ensure that voting is as accessible as possible to all Canadians during the context of a pandemic, in particular where mail-in ballots will be more important than ever. I might have preferred to also see something to the effect that Canada Post employees who daily are checking people's IDs for important purposes, including quite expensive packages, would be able to do that part of it right at the desk and have it mailed in.

I think this is a step in the right direction in terms of getting ballots into the hands of people who want to vote by mail during a pandemic election. I'm glad to make some progress. Of course, I recognize that I'm not in a position to make progress alone at this committee. I will be supporting this proposal.

**The Chair:** Could we have a vote on amendment G-3?

(Amendment agreed to on division [*See Minutes of Proceedings*])

**The Chair:** Next is NDP-9.

• (1410)

**Mr. Daniel Blaikie:** In consequence of the previous discussion and the vote on that amendment, I will decline to move NDP-9.

**The Chair:** Okay.

Ms. Vecchio, go ahead on CPC-15.

**Mrs. Karen Vecchio:** Thank you very much.

This amendment would remove the ability of an elector provided with a special ballot to vote at an advance poll or regular poll if the elector makes a solemn declaration or if the returning officer otherwise permits it. One of the things we had a lot of discussion about was just the logistics, the in-and-out process. I understand the importance of everybody voting, but we also want to ensure that democracy is upheld. What do these lists look like? How well-informed and up-to-date are they? That's what we're looking at.

The bottom line is that it's about the special ballot and when they can and cannot vote. I'll leave it there.

**The Chair:** Go ahead, Mr. Nater.

**Mr. John Nater:** Yes. Maybe just a quick clarification from Elections Canada.... This issue would likely be a moot point if we were able to go to the electronic voters list. That would be my understanding. If we're at the point...and my understanding is that we're not at that point yet and, hopefully, perhaps by the next general election, we could be at the point where there's an electronic polling list.

I know we've talked in the past about a "vote at any table" model, but just to clarify, this would basically be a stopgap to ensure that there's no double voting and no opportunity to do that, unless, obviously, there was a solemn declaration or maybe some discretion for permission otherwise.

I think we all know family members, friends and colleagues who misplace things, us included sometimes, or we accidentally put things through shredders that shouldn't have been put through shredders. I think this is kind of that ability to ensure that there's one ballot but also it provides a stopgap as well that, if something happens, there is an opportunity to get a ballot. That's where that is coming from, Madam Chair.

**Mrs. Karen Vecchio:** On behalf of my husband, I thank you, because he will lose his. Thank you.

**The Chair:** Mr. Turnbull, you have the floor.

**Mr. Ryan Turnbull:** Just very quickly, I think C-19 already, if I'm not mistaken, has within it that flexibility. If someone had registered for a special ballot and then wants to go in and physically vote at a polling location, it is already included. At least in the kit that was provided to us, it does require that an elector must attest that they have not already voted, sign a declaration to that effect or return their special ballot kit in person at their polling station or returning office. If I'm not mistaken, that's already in there. I think that provides the reassurance that the members opposite are looking for.

**The Chair:** Go ahead, Mr. Nater.

**Mr. John Nater:** Very briefly, because I don't want to draw this out, this also covers the cases where the ballot no longer exists, where there's no possibility for the elector to return the ballot, whether it's been lost, misplaced, shredded, left out in the rain, etc. That's where that is coming from, again, provided that a solemn declaration or some permission from the returning officer will allow that.

Again, I don't want to prolong discussion further on this, but again, in the future, this will all be rendered moot when we are able to get to the point of electronic voters lists. Dealing with it in that way may require some additional rural broadband investments in places like Perth—Wellington, but I think that's where we can all hope we can get to in the longer term.

**The Chair:** Okay. Would you like a recorded vote?

**Mr. John Nater:** Yes.

**The Chair:** The question is on amendment CPC-15.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We are on G-4.

• (1415)

**Mr. Ryan Turnbull:** I'll speak to this one very briefly. I would like to move this one and also acknowledge the incredible input and leadership of Mr. Blaikie and the NDP in working on this one. I think the main thrust of it came from them, but I think, as Mr. Blaikie mentioned earlier, that the drafting of it was a little bit more specific in this version, so I think we can just go to a vote.

**The Chair:** Can we carry it on division?

Ms. Vecchio, do you have objections to that?

**Mrs. Karen Vecchio:** I think we do have some questions on this one.

I'm just looking at the special ballots. This is something that you guys are looking at putting forward. Is it going to have the same scrutiny as every other station, including those advance polls? I think that has been one of our greatest concerns. It's just to make sure that it all sits in the same thing. We support voting in the universities, but I just want to ensure that it has all of the rigorous work that's being done as at some of the advanced polls. That's the beginning of the question there.

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** Madam Chair, I just want to get some commentary from our officials on this one, if possible.

**The Chair:** Okay.

Mr. Roussel.

**Mr. Michel Roussel:** Thank you for your questions.

I would like to offer reassurances that the process for voting on campus is carried out under part 11 of the act, and it has all the checks and balances that you are used to. Candidates' representatives are allowed to observe the proceedings.

**Mr. Tom Lukiwski:** Just for clarification, I should know this because I've gone through enough elections of my own in my time, but for students on a campus, obviously most of the students wouldn't live in the riding where the vote is being conducted.

How do they ensure that their votes would be counted in the riding where they normally reside?

**Mr. Michel Roussel:** In that case, the election officer would have the elector vote, and the ballot that is cast would be recuperated by Canada Post, remitted to the office of the returning officer and then sent to Ottawa where it would be counted in the appropriate riding. The riding where a person is from would be determined at the time, on campus, when applying to vote by special ballot. In those places, you have people who can vote for the riding and other people who actually come from another electoral district.

**Mr. Tom Lukiwski:** However, in all cases, that ballot has to be sent to Ottawa, and then back to the regular or the normal returning office where the student resides.

**Mr. Michel Roussel:** That's correct, sir. The ballot for someone who comes from a different riding would be sent to Ottawa where it would be counted, and the results would be sent to the returning officer in the riding where the elector is from.

**The Chair:** I voted that way once in Ottawa and had my ballot sent back to my riding in a provincial election.

Is G-4 carried on division, then?

**Mr. Tom Lukiwski:** I'd like a recorded vote, please.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

**The Chair:** On CPC-16, just for expediency, I'll let you know ahead of time, before moving it, that I will be ruling it inadmissible.

Obviously, you are still free to move it. I will give you my reasoning.

**Mrs. Karen Vecchio:** I'd still like to move my motion. The reason this is put forward is to prohibit ballot counting to be adjourned or postponed beyond the last day of the election. I know that we've talked about this, even when we're talking about counting ballots and receiving ballots after the election day through the post. We think this is very important for the integrity of the election and the confidence of our voters.

• (1420)

**The Chair:** Okay. This amendment seeks to amend sections 266 and 278 of the Canada Elections Act. *House of Commons Procedure and Practice*, third edition, states on page 771:

...an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.

Since sections 266 and 278 of the Canada Elections Act are not be amended by Bill C-19 and no prior amendments have been adopted that would necessitate amending them, it is therefore the opinion of the chair that the amendment is inadmissible.

**Mrs. Karen Vecchio:** We're good with that.

**The Chair:** We'll go to the vote on clause 5 as amended.

**Mrs. Karen Vecchio:** Can we do a quick recorded vote?

(Clause 5 as amended agreed to: yeas 11; nays 0)

**The Chair:** We are now on NDP-10.

**Mr. Daniel Blaikie:** Madam Chair, in light of the fact that NDP-8 did not pass, which has to do with changes to the special ballot to better capture voter intention, I expect that NDP-10 and NDP-11 will suffer a similar fate.

I will therefore decline to move them, in the interest of time.

**The Chair:** NDP-10 is not moved and NDP-11 is not moved as well. Is that right?

**Mr. Daniel Blaikie:** That's correct.

**The Chair:** Okay.

Mr. Clerk, we don't have a new creation of a clause 5.1 now, since this didn't pass. Is that right?

**Mr. Philippe Méla:** Yes, that is correct, Madam Chair.

**The Chair:** We will have a recorded vote on clause 6.

(Clause 6 agreed to: yeas 11; nays 0)

**The Chair:** Shall clause 7 carry?

**Mr. John Nater:** I'm sorry, Madam Chair. I just want to seek clarity for clause 7.

Correct me if I'm wrong. Clause 7 would effectively introduce a three-day voting period, or have I jumped ahead of a clause? If we vote in favour of clause 7, that implements the three day—Saturday, Sunday, Monday—voting period. Is that correct or have I skipped ahead?

**The Chair:** Ms. Paquet, maybe you could help us with this?

**Ms. Manon Paquet:** Clause 7 is in consequence to a change in the number of polling days. They are transitional provisions with respect to the reporting of third parties. After clause 6 comes into force and the repeal of part 22, it would allow for the transition from the three-day polling period back to a one-day polling period after Bill C-19 is no longer in effect.

• (1425)

**The Chair:** Does that clarify it?

**Mrs. Karen Vecchio:** I'm sorry. We're doing clause 7 as a.... Is it just clause 7?

**The Chair:** Yes. We'll be moving on to clause 8 and 9 next as they don't have any amendments to be discussed.

We'll have a recorded vote on clause 7.

(Clause 7 agreed to: yeas 11; nays 0)

**The Chair:** Would clause 8 have a similar fate? Are you voting in favour of clause 8, Mrs. Vecchio?

**Mrs. Karen Vecchio:** I'm just trying to get my brain around where I am.

**The Chair:** Anybody from the team...? It might just save us a couple of minutes.

**Mrs. Karen Vecchio:** It's not a problem.

Mr. Nater, do you want to respond to that?

**Mr. John Nater:** Let's have a recorded vote.

**The Chair:** We will have a recorded vote on clause 8.

(Clause 8 agreed to: yeas 11; nays 0)

(Clause 9 agreed to: yeas 11; nays 0)

(On clause 10)

**The Chair:** We're moving on to clause 10 and CPC-17.

**Mrs. Karen Vecchio:** Thank you very much.

I think this is where it all comes down to it. Will there or will there not be an election during this pandemic?

Honestly, this amendment would limit the Chief Electoral Officer's ability to accelerate the implementation of the provisions, which would be enacted by clauses 2 through 5, so as to prevent those provisions from coming into effect prior to September 20, 2021, which is the first scheduled sitting day of the House this autumn.

In other words, if the Prime Minister wants to call a summer election, he would have to do so mostly under the current rules, but if he wants to call an election under the new rules, he can wait until the House gets back. At the end of the day, we have all voted that there would not be a pandemic election.

There are four and a half days left, so when we talk about non-confidence votes—I'm sorry—we know that things will pass. We know that there is support for these things, so I think it's extraordinarily important that we get down to the bottom of this. There should not be an election during a pandemic.

Thank you.

**The Chair:** We have a very hard stop, and we have three things to do, basically, so I need your help to do it in a minute.

Can we have a vote on this?

**Mr. Tom Lukiwski:** Madam Chair, no, not right now.

I understand, but I don't want to rush things through just to meet an arbitrary deadline. If we have questions, we need to have them asked and answered.

**The Chair:** We only have two more votes. What is the question?

Go ahead, Mr. Blaikie.

• (1430)

**Mr. Daniel Blaikie:** It seems to me that we're not going to get it done in this meeting, which is too bad, unless the Conservatives want to agree to votes right now.

**The Chair:** I think we will. Come on, let's go.

**Mr. Daniel Blaikie:** All that is to say that, if not availing himself of Bill C-19 was going to stop the Prime Minister from calling an election, I'd be very happy to support this. However, I don't think that's really factoring into his decision, unfortunately. I want to be in a position where, if there is an election called, this law can apply.

**The Chair:** Can we carry on division, Mr. Nater? I mean “de-feat”. I'm sorry.

**Mr. John Nater:** My question is to the Elections Canada officials.

Does the Chief Electoral Officer have the ability to implement these changes over the summer? Would this be a moot point if these provisions can't be enacted prior to September 20 anyway? We know the CEO has discretion to implement prior to a certain deadline—I believe it's 90 days—but is this a moot point? Would these provisions be enacted? Does he have the capacity to enact these by September 20, or is this a moot point to begin with?

**The Chair:** It's certainly an important question, yes.

Go ahead, Mr. Roussel.

**Mr. Michel Roussel:** Thank you for your questions.

I would say first that Elections Canada is ready to deliver an election in the current context. We've made good preparation for that. That's the first thing.

Second, Bill C-19 has a lot of provisions to put in place, and we want to do things right. We want Canadians to trust the result of the next election.

I'm not in a position to make any commitments at this stage, and the Chief Electoral Officer would not want me to do that, to make any commitment to deliver things before the deadline that is found in Bill C-19, which is 90 days.

**The Chair:** Can we have a vote on CPC-17?

Mr. Lukiwski.

**Mr. Tom Lukiwski:** I was just about to say, Madam Chair, since we're past our deadline already, and there are probably one or two other questions, or at least pieces of clarification I'd like, I don't know if I'm comfortable forcing a vote. We have another meeting date left next Tuesday, and—

**The Chair:** The only one question after this is CPC-18. It is CPC-17 and CPC-18 and then we're done. We're on CPC-17 right now.

We could not have that meeting, or we could have that meeting and have committee business and all the other motions and things that I'm sure members want to discuss if we were to get it done.

Yes, Ms. Petipas Taylor.

**Hon. Ginette Petitpas Taylor (Moncton—Riverview—Dieppe, Lib.):** Madam Chair, do we have the possibility of a meeting tomorrow if we don't get through it today?

**The Chair:** I don't know as of yet. I will try to schedule one tomorrow, but I don't know if we do have the possibility.

Mrs. Vecchio.

**Mrs. Karen Vecchio:** I am just looking at this and I do believe there is a meeting that has already been scheduled by the whips.

**The Chair:** Great.

**Mrs. Karen Vecchio:** Maybe not, but I think this discussion has been going on for some time now. I recognize that 15 million Canadians and our democracy are impacted by this piece of legislation, so honestly I want to get through this as well. I know that we have two clauses, but the bottom line is, although nothing has been approved for tomorrow, perhaps we'll just continue meeting right now. I don't know what the consensus is.

[*Translation*]

**Mr. Alain Therrien:** According to the information I received, there is supposed to be a meeting tomorrow from 1 p.m. to 3 p.m.

[*English*]

**The Chair:** Okay.

[*Translation*]

**Mr. Alain Therrien:** It is 2:30 p.m. and the meeting started three and a half hours ago. I have other obligations and I think we should adjourn the meeting rather than rush the amendments through.

I would prefer to meet again tomorrow. We could take half an hour together to really do our job properly, in the right way. I would like to leave, because I have things to do.

[*English*]

**The Chair:** No, you're all very well connected. Thank you so much for giving me that information.

[*Translation*]

**Mr. Stéphane Lauzon:** I would prefer to meet again tomorrow. We could take half an hour together to really do our job properly, in the right way. I wish I could leave you, because I have things to do.

[*English*]

**The Chair:** There is no consensus, apparently. They want to adjourn so we'll have to meet tomorrow. It's unfortunate.

Mrs. Vecchio, did you want to speak again?

**Mrs. Karen Vecchio:** I don't think it's unfortunate. I think it's 15 million people who depend on good legislation. Let's get it done properly. In half an hour tomorrow, let's get this stuff done, but that's—

**Mr. Tom Lukiwski:** Notwithstanding the fact that we had three and half months to get this passed, but the Liberals filibustered.

**Mrs. Karen Vecchio:** I forgot about that one.

**The Chair:** It's all very unfortunate, I would say.

Thank you very much for all your hard work today.

We are adjourned.

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