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CANADA

# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Thursday, June 5, 2014**

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**Chair**

**Mr. Joe Preston**



## Standing Committee on Procedure and House Affairs

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•(1100)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** We will get started. I apologize for being just a minute late here.

Monsieur Mayrand, after many attempts, it's good to have you here today. I know you'll have some opening comments. If you'd like to start with those, please, introduce the guests you have with you today, and then we'll do some rounds of questioning after that.

[Translation]

**Mr. Marc Mayrand (Chief Electoral Officer, Elections Canada):** Thank you, Mr. Chair.

Thank you for inviting me to discuss the 2014-2015 main estimates for my office.

I am accompanied, on my right, by Mr. Hughes St-Pierre, Chief Financial and Planning Officer, Mr. Belaineh Deguefê, Deputy Chief Electoral Officer, Integrated Services, Policy and Public Affairs and Mr. Michel Roussel, Deputy Chief Electoral Officer, Electoral Events.

Prior to discussing my office's report on plans and priorities, I wish to remind the committee that, at the time of preparing our main estimates, Bill C-23 had yet to be introduced. As a consequence, the priorities outlined in the report will need to be reviewed and adjusted. We will also review our operating budget and draw on the statutory authority to deal with additional expenditures that may be required.

I would like to appear before the committee again in the fall to give you more information on our progress in implementing the provisions of the Canada Elections Act; on key changes for the next general election in this new operating context; and on our initial budget estimates for that election. As we continue our preparations, I would like to underline my commitment, and that of my staff, to implementing the provisions of the act in a timely and effective manner.

Today, the committee is studying our annual appropriation, which is \$30.5 million. This represents the salaries of approximately 350 full-time-equivalent employees. Combined with our statutory authority, which funds all other expenditures under the Canada Elections Act, our 2014-15 main estimates total \$97.1 million. This is a \$18.7 million decrease from our 2013-14 main estimates. There are three main reasons for it: the phasing out of quarterly allowances to political parties, a \$7.4 million decrease; the completion of the main components of our office consolidation project, a \$9.3 million

decrease; and the conclusion of the redistribution of electoral districts, a \$2.5 million decrease.

The major focus of my office for this fiscal year is completing preparatory work and mobilizing our resources to achieve a state of election readiness for an election called after April 2015. In preparation for a 2015 general election, we are improving the services required for voters. This includes implementing the provisions of Bill C-23. Our overall objectives are to ensure the integrity of the conduct of elections and make it easier for Canadians to register and vote. I would like to explain some of this work in more detail.

[English]

As indicated in our management response to the 2013 compliance review report, we are planning additional administrative measures to improve compliance with election day procedures. These include improved recruitment practices, modernized training, and when possible, simplified procedures and clearer instructions for election workers.

Record-keeping errors occur when election officers handle exceptions, such as voters whose names do not appear on the list. To address this issue, we will pursue measures to ensure that we have the most accurate and current voters list possible on election day.

This year, Elections Canada will introduce a new voter registration system. This system will combine a new, online registration service with a new approach to revising the voters list during an election, one that targets polling divisions known for high volumes of polling day registrations, and it will promote voter registration among first-time electors. To make this possible, my office has invested in developing a secure national voter database that can be updated in real time by returning officers and electors themselves during an election.

We are also making improvements to the electoral reminder program, which is our multi-media advertising and information campaign for elections. It delivers information to electors on where, when, and how to register and vote, and how to provide their identity and address.

For the next general election, information will be provided in a wide variety of new formats. There will be frequent reminders to ensure that Canadians know how to register and know their options for voting: on election day, at advance polls, by mail, or at their local Elections Canada office.

•(1105)

One important focus will be on reaching electors before the issue of the writs through targeted promotion of online registration to reduce the registration at the poll.

I have provided members with a handout that summarizes the goal of the program, the channel we will use to connect with electors, and the general timing of its rollout.

Finally, we will offer increased specialty communications for people with varying abilities, such as products in Braille or large print, open- and closed-captioned videos, and specialty audio broadcasts. As well, our website will describe the accessibility of individual polling sites. We will also continue to provide information in numerous aboriginal and heritage languages.

Another priority this fiscal year will be, of course, to implement the new provisions of the act resulting from Bill C-23. I will mention only two aspects today.

First, Bill C-23 moves the Commissioner of Canada Elections from our agency to the Office of the Director of Public Prosecutions. My officials have initiated discussion with that office for the transfer of the commissioner and his staff.

Second, Bill C-23 requires the Chief Electoral Officer to issue non-binding guidelines and interpretation notes as well as written opinions on the application of the act to registered parties and associations, nomination contestants, candidates, and leadership contestants. We plan to convene the advisory committee of political parties in the fall to determine an approach and forward agenda for addressing these provisions. I intend to use this opportunity to formalize the committee's role as an advisory body to the Chief Electoral Officer.

Thank you, Mr. Chair. My colleagues and I are happy to answer questions that the committee may have.

**The Chair:** Thank you very much, Mr. Mayrand.

I'll go to Mr. Reid, for seven minutes, please.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Mayrand, your final comment brings me to the question I had meant to raise anyway, which is that the Commissioner of Canada Elections, assuming Bill C-23 becomes the law of the land, gets through the other place and gets royal assent, will move to the Director of Public Prosecutions' office. With him he'll take not only his personnel but obviously the financial needs necessary to deal with the core funding. I'm aware that he receives funding for investigations directly out of the consolidated revenue fund, but he has core funding, which I gather from his report—actually, I'm a little uncertain of this in asking this question—amounts to the salary of his six indeterminate employees and has a total of \$541,000.

Is that right, or is there a larger amount associated with his ongoing expenses?

**Mr. Marc Mayrand:** There is a larger amount. The amount that has been identified right now is \$1.3 million to cover the salary of 14 individuals, full-time employees.

**Mr. Scott Reid:** Okay. I don't know how you dealt with this in your submission. Did you subtract that amount out of...because it

would have been part, I assume, of the budget envelope that came to you. Have you taken it out?

**Mr. Marc Mayrand:** It will be reduced next year, as soon as this comes into place. Yes.

**Mr. Scott Reid:** Thank you. That's very helpful. Thank you for being conscientious about that.

I want to turn to one of the issues that arises naturally as we deal with the commissioner moving over. We have to look at his budget. We have to try to anticipate how much he is going to need both in terms of those employees and the standing budget but also in terms of the investigations that he conducts. I wanted to ask something with regard to this.

He submitted a report last September. In his report he states on page 7 that his investigations were driven from two sources. Number one is complaints from the public and from political entities. He cites in the fiscal year 2012 ending March 31, last year, 37 complaints from the public and political entities and also 210 referrals from within Elections Canada. I am assuming that this effectively means that your office has been responsible for all 210 of those. You find some kind of issue and you....

•(1110)

**Mr. Marc Mayrand:** Those issues would have related to political and finance matters, yes.

**Mr. Scott Reid:** Okay. He gives as well on page 9 of his report a list of the caution letters he issued, 46 caution letters. He breaks it down by whom they went to, how many went to official agents, how many went to electoral district associations, contributors, and so on. On the next page he deals with compliance agreements of which there were two in that year.

This is, to the best of my knowledge, the only reporting we've ever had. I stand to be corrected but I believe this is the only reporting we've ever had on what the nature of these orders, agreements, and so on is. Is there any other publicly available source of information that you've made available, or he has, over the course of the period you've served in this role that would aid us in knowing what has been done and to what degree how many such agreements?

**Mr. Marc Mayrand:** In terms of charges being laid under the act, that's available on our website. In terms of compliance agreements, they're also published. In fact, these are also published in the *Canada Gazette*, but are available on our website. In terms of the reference and complaints, the data on these would be found either in the election report following the GE, or found in our DPR, our annual report.

**Mr. Scott Reid:** I would be able to find out, if I were to consult your annual reports from previous years. For example, the report for the relevant period, I would be able to find out about the 210 referrals, broken down by what section of the act was thought to, perhaps, have been contravened. Is that correct?

**Mr. Marc Mayrand:** I would have to look at it again. I'm not sure it's broken down. There are aggregate numbers provided.

**Mr. Scott Reid:** Right.

**Mr. Marc Mayrand:** Again, this report from the commissioner was a first. It's something he intended to perform annually so there would be a little bit better information about his activities and the outcomes of his activities.

**Mr. Scott Reid:** Right, and I'm very grateful he did it.

Is there any breakdown of some of the things it would seem to me to be reasonable to be concerned about, to see which parts of the act the referrals were given for each of the relevant years, which parties and candidates were found or were thought to have violated the act, so we could take a look and see how that splits out?

Is that available?

**Mr. Marc Mayrand:** We could certainly produce it. If that's the desire of the committee, we can produce that information.

**Mr. Scott Reid:** I, for one—

**Mr. Marc Mayrand:** We can build it into our annual performance report.

**Mr. Scott Reid:** Okay. I, for one, would be very grateful if you would put it in your reports in the future. If you're able to give it for the past few years—I don't know, say the past five—to give us an idea of where you believe there have been problems, which parts of the act, and who you think has caused it, that would be great.

I want to turn finally in my last minute, Mr. Chair, to the question of one particular very substantial repayment of funds that took place. This was the repayment of \$347,000 by the New Democratic Party for funds they'd received from unions over the course of three conventions. They complied with an order from you to do so, but it seems clear from the fact that they had correspondence with you going back several years that you must have been aware that they were in non-compliance with the act.

I'm wondering, in that kind of situation, do you only act when you receive a complaint externally? Do you never refer potential violations of that sort unless they're referred by an outside source?

**Mr. Marc Mayrand:** No. I think if we can detect it we will act on it like any other matter. Sometimes matters are brought to our attention through complaints, or sometimes through media reports. I think in this case it came out from a media report in the U.S. initially.

• (1115)

**Mr. Scott Reid:** A letter from Arthur Hamilton, the—

**Mr. Marc Mayrand:** And we looked into it.

**The Chair:** Thank you, Mr. Reid. Your seven minutes is up.

**Mr. Scott Reid:** Thank you.

Thank you very much, Mr. Mayrand.

**The Chair:** I'm going to Mr. Christopherson.

Mr. Lukiwski, did you have a point of order?

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Chair, I'm not even sure if it's a real point of order, but I'm going to look for UC, unanimous consent, from the committee. I just got a notification, and I'm sure my colleagues opposite have it, that the bells will start ringing at 11:40 a.m. This would be about the third or fourth time, I think, that the bells have interrupted Mr. Mayrand's testimony, so I'm suggesting, and I'd like to get UC, if the committee

agrees, since we're only literally two minutes from the chamber and Mr. Mayrand's only here for an hour, even though the bells may start at 11:40 a.m., could we agree to continue on for the full hour and then go down to the chamber?

**Mr. David Christopherson (Hamilton Centre, NDP):** Agreed.

**The Chair:** Are we all okay on that?

**Some hon. members:** Agreed.

**The Chair:** Wow, that's the first time on UC. Very good. We're getting better.

After the lecture we got from the Deputy Speaker, we'd best all be in our chairs.

Mr. Christopherson, for seven minutes.

**Mr. David Christopherson:** Yes, at the risk of blowing up all this great kumbaya, the first thing I'd like to do is serve notice of a motion: That the Committee conduct a study into the provision of services to the House of Commons Liberal Caucus out of resources of the Senate of Canada in contravention of the Members By-Laws of the House of Commons since the 2011 election, and that in preparation for these hearings the Liberal Research Bureau provide to the Committee all organizational charts, all employment records (with personal information redacted), and all the briefing materials which were produced by employees of the Senate of Canada and then distributed to the Liberal House of Commons Caucus.

That now serves as notice, Chair. We'll deal with it at the appropriate time.

Mr. Mayrand, I'd like to deal right off the top with recent media reports regarding investigations that you may or may not be currently conducting. Certainly, if you read some of the media, you would be left with the impression that the NDP is specifically under investigation, and yet when we look at the recent letter that you sent to the Speaker, there isn't the word "investigation" nor "NDP" there.

I would ask you, sir, with respect, as much as you can in light of the confidentiality around your procedures of investigation, can you tell us whether or not it is indeed specifically only the NDP that is under some kind of investigation, or are you looking at the mailing system itself and therefore all the parties, or, indeed, is there nothing going on and everybody should move along as there's nothing here to see?

Perhaps you could help clarify, sir.

**Mr. Marc Mayrand:** *Merci*, Mr. Chair.

I just want to clarify that I do not carry out investigations. That's the sole exclusive responsibility of the Commissioner of Canada Elections. I have been contacted; I have received correspondence twice from the Board of Internal Economy regarding matters of use of parliamentary resources. I have indicated in one letter that, as far as we are concerned, the material that was provided was released prior to the issuance of the writ, and therefore according to our long-standing interpretation, are not election expenses.

I received a second letter asking me to look at the broader issue of use of franking privileges that may have constituted contributions from the point of view.... I'm talking from memory here of the letter.

Both of these letters were copied to the commissioner, as was my response to those letters. I indicated in the first letter, again, that the matter, based on the information provided, did not fall under the purview of the Elections Act. In the second matter I indicated to the Board of Internal Economy that it could raise potentially serious issues as to the interface of the rule of the House and the Canada Elections Act. In that regard, I indicated that we would engage in discussion with House officials on how we could harmonize those rules, if possible, and that I will be issuing at some point in time probably what will be one of the first guidelines that I will be issuing in the new act, hopefully to clarify how parliamentary resources use can interact with the Canada Elections Act.

I think it's particularly important, now that we're moving into a fixed-date regime, that this road should be as clear as possible.

• (1120)

**Mr. David Christopherson:** Very good.

Chair, if you don't mind, I'd like to share the rest of my time with my colleague, Madame Latendresse.

**The Chair:** Madame Latendresse, please.

[Translation]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Thank you very much, Mr. Chair. My thanks also to Mr. Mayrand for joining us today.

Mr. Mayrand, I have some quite specific questions to ask you about what you have just told us. I would like to go back to your report on plans and priorities for 2014-2015.

In that report, you mentioned the need to strengthen the integrity of the electoral process, especially given the addition of 30 new ridings. You also said that, as a result, you will have to revise your 2014-2015 operating budget.

Can you give us some more details about what those changes will be? Which budget line items will be revised?

**Mr. Marc Mayrand:** We are still at the stage of analyzing the operational impact of the new act. My proposal today is to come back to this committee in the fall to present our analysis of that impact, and its financial consequences.

I would like to be able to come back before the committee to explain how we are going to implement the new provisions of the act and to present at least a preliminary draft of the budget for the 2015 election. Bill C-23 aside, a number of factors will influence that. Clearly, there will be the addition of 30 constituencies and inflation-related costs. Various factors come into consideration, and then we have to add the cost of implementing Bill C-23. It would be premature for me to suggest figures at this time.

**Ms. Alexandrine Latendresse:** My question was more to do with the 30 new members of Parliament. I wanted to know if you could specify what those costs would look like.

**Mr. Marc Mayrand:** I cannot estimate that at the moment, at least not before having accounted for Bill C-23. Adding 30 constituencies with elections held in the same way as in 2011 would involve an additional \$9.2 million in the budget for the election.

**Ms. Alexandrine Latendresse:** Are you talking about the 2015 election?

**Mr. Marc Mayrand:** Yes.

**Ms. Alexandrine Latendresse:** Okay.

I would also like to ask you some questions about Bill C-23 and about the way in which you will be planning the next budget.

An election is on its way and there will be new changes. In your opinion, what will the major financial impact of Bill C-23 be?

**Mr. Marc Mayrand:** I am sorry, but I did not understand your question.

**Ms. Alexandrine Latendresse:** What will be the major financial impact of Bill C-23 and in which areas will it be the most complicated?

**Mr. Marc Mayrand:** We know that there will be an extra day of advanced polling. We have already established the cost of that: about \$3.4 million. That is a preliminary figure that we will have to refine.

I would also like to talk to the committee about another issue. This is the statutory requirement for an independent audit following the election. There are questions about the range, the scope and the exact objective of the audit. That will determine the costs of the initiative and it could be quite expensive depending on the methodology used to do the audit. I think it is important for me to hear comments from the members of the committee before I make decisions in that regard.

I will submit that to you in the fall.

**Ms. Alexandrine Latendresse:** Thank you very much.

[English]

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

Monsieur Lamoureux, for seven minutes, please.

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

I want to follow up on a line of questioning from Mr. Christopherson. I'll give you a hypothetical example, Mr. Mayrand.

Let's say a local company that is incorporated wanted to support me and as such sent out a letter to homes in my area promoting me and asking people to donate money towards me and my party. It's important to note that, prior to doing the mailer, I was asked if I was okay about what they were going to do and I responded by saying yes and went on to thank them. A few weeks later the mailings were completed, and a concerned citizen brought this matter to the attention of Elections Canada.

How would Elections Canada resolve what would in fact be an illegal contribution?

• (1125)

**Mr. Marc Mayrand:** That involves certain expenditures that are done by the third party, so you have to look at whether these constitute non-monetary contributions. Should they be found to not be non-monetary contributions, the candidate of the party or the association would have to return any excess amount to the Receiver General.

**Mr. Kevin Lamoureux:** If the mailings were found to be inappropriate, then the candidate, the party, or the person in question would have to reimburse.

**Mr. Marc Mayrand:** They would have to reimburse the value of the non-monetary contributions that exceeds the limit of \$1,200.

**Mr. Kevin Lamoureux:** First, it would be wrong or illegal for a company to do this. Is that correct?

**Mr. Marc Mayrand:** It depends on how much the company spends on the matter. If it's a corporation, of course they can't make contributions.

**Mr. Kevin Lamoureux:** If they spend thousands of dollars to send out a mailer—

**Mr. Marc Mayrand:** In fact, any money spent by a corporation that constitutes a contribution is illegal. Corporations cannot make contributions.

**Mr. Kevin Lamoureux:** That means, in order to rectify the issue, I would then be responsible as the candidate or the political entity to reimburse that money.

**Mr. Marc Mayrand:** Corporations cannot make contributions.

**Mr. Kevin Lamoureux:** Okay. Does that mean in order to rectify the issue, I would be responsible, then, as the candidate or the political entity to reimburse that money?

**Mr. Marc Mayrand:** If it's a non-monetary contribution, the value of the contribution would have to be returned to the Receiver General. If it's a cash contribution or a money contribution, it would have to be returned to the contributor.

**Mr. Kevin Lamoureux:** Right.

**Mr. Marc Mayrand:** The candidate association or party has 30 days to do so.

**Mr. Kevin Lamoureux:** We're very much aware of this massive—you're aware of it; you've made reference to it—1.8 million pieces of literature that went across the country, paid for by the taxpayers. In a situation of that nature, if it is found to be inappropriate, as the House administration has indicated that it is inappropriate, what should be the consequence?

**Mr. Marc Mayrand:** I think we're looking into a matter that is already being brought to my attention, and as I indicated earlier, we are dealing with officials from the House as to how we can harmonize the rules.

On another level, I think political parties, candidates, have to file returns, and it is at that point that the matters will be raised.

**Mr. Kevin Lamoureux:** Given the relationship with the Commissioner of Canada Elections, is it fair to say that the commissioner is in fact aware of this and would be expected to be looking into the matter?

**Mr. Marc Mayrand:** There has been, again, correspondence between the Board of Internal Economy and me that has been shared with the commissioner.

**Mr. Kevin Lamoureux:** Sure. Now, has the commissioner responded to your office, to the best of your knowledge?

**Mr. Marc Mayrand:** If there's anything from the commissioner, it's his sole, exclusive jurisdiction to determine what course of action to take with any matter that comes to his attention.

**Mr. Kevin Lamoureux:** Can you give some sort of an indication in terms of whether you have the resources necessary? What sort of a timeframe would we be looking at? How does the public get a better appreciation that this is being resolved, that there's some sort of justice, that there's some sort of consequence? In this particular issue, as I say, we have professional civil servants who have indicated that there is a violation, which would then imply that we're talking about a mailer that should not have gone out, so there should be some form of consequence to it.

How does Elections Canada itself fit into it? Are you completely dependent on the commissioner to come back and say, "What was done was wrong, and now it's your responsibility to come up with a remedy?"

**Mr. Marc Mayrand:** There are several aspects. The findings of the House officials are under the rules of the House. The findings from Elections Canada or the commissioner will have to be under the Elections Act. These are separate things, and we need to look at how these rules interface.

The second thing I would point out is that some of the matters that have been raised will or will not be identified in returns that will be filed by parties, or EDAs, electoral district associations, or candidates. Since some of the matter relates to byelections, we are now receiving the returns from candidates in previous byelections. The audit is taking its course and we'll see what comes out of that process.

In parallel, the commissioner is seized with the matter and we'll see what he does.

• (1130)

**Mr. Kevin Lamoureux:** The concerns I would have, and I would suspect many Canadians would have, would be that bulk mass mailing of 1.8 million pieces throughout the country. Concerns have been raised from the administration that it was inappropriate, that the rules in fact were broken.

To what degree does Elections Canada then say, "A rule has been broken, and now we have to come up with a remedy"? Does Elections Canada take it upon itself to ensure that some form of remedy is taken?

**Mr. Marc Mayrand:** Again, if it's a ruling that was issued and I'm not privy to it, whoever issued that ruling is responsible for administering the consequences of that ruling. That's not an Elections Canada responsibility.

Elections Canada will look at it from the point of view of the Elections Act, and again, if there has been a breach of the Elections Act, proper measures will be taken.

**Mr. Kevin Lamoureux:** In this case it could be having to pay back \$1.8 million.

**Mr. Marc Mayrand:** I won't speculate on that.

**Mr. Kevin Lamoureux:** Thank you.

**The Chair:** Thank you.

I'll go back to Mr. Reid, for a four-minute round.

**Mr. Scott Reid:** Thank you, Mr. Chair.

I want to return to the matter of the \$340,000 in illegal contributions received by the New Democratic Party. The contributions are illegal under subsection 404(2) of the Elections Act, which reads *inter alia*:

If a registered party...receives a contribution from an ineligible contributor, the chief agent of the registered party...shall, within 30 days after becoming aware of the ineligibility, return the contribution unused to the contributor or, if that is not possible, pay the amount of it...to the Chief Electoral Officer....

I've looked at how these were received over a period of three conventions, a period of a number of years, and looked at the very limited commercial value associated with the contributions; basically, it's this billboard at a convention centre. It is hard to believe that any person could have received this money and have accepted seriously that this was full value for money. Therefore, I would contend that the relevant officer or officers of the New Democratic Party were in contravention of subsection 404(2) of the Elections Act.

Not only ought these funds to have been returned but it seems to me that a prosecution ought to have occurred for the violation of that section of the act. They did not return those funds, clearly, within 30 days of having received them, not even within several years of having received the initial funds, let alone even the last funds.

I wonder if I could get your response to that.

**Mr. Marc Mayrand:** The only comment I can make is that the matter of enforcement is the exclusive jurisdiction of the commissioner. The decision to authorize charges lays with the DPP.

**Mr. Scott Reid:** You refer matters to the commissioner. In fact, the bulk of these cases were referred by you—I grant not all of them—but is it not the case that you could have referred this to the Commissioner of Canada Elections?

**Mr. Marc Mayrand:** The matter was referred, but the decision and what to do with the referral lies exclusively with the commissioner. The decision to allow charges or not allow charges is the responsibility of the DPP, as is the case in the current regime and it will be in the next one also.

**Mr. Scott Reid:** The decision to accept repayment, but to not place the relevant charge under subsection 404(2) was then, and to sign a compliance agreement which has not been made public, all something that the commissioner did subsequent to a referral from your office.

**Mr. Marc Mayrand:** Yes.

**Mr. Scott Reid:** That's very helpful, thank you.

**The Chair:** Madame Latendresse.

• (1135)

[Translation]

**Ms. Alexandrine Latendresse:** Thank you, Mr. Chair. You know full well that I always have questions for the Chief Electoral Officer.

Mr. Mayrand, I would like to go back to some of the points I raised a little earlier.

In your presentation, you mentioned that one of your priorities is going to be to make sure that your office will be ready for an election called after April 2015. I would like to know why you mentioned that date specifically. Is it because, in your opinion, that would be the

earliest date on which Elections Canada would be ready to supervise a general election under the new provisions to be put in place?

**Mr. Marc Mayrand:** Yes, that is a factor. We also look at our assessment of the environment and of the time we need to mobilize the resources. We have to deploy them before an election is called. When we say we want to be ready, we mean that, starting in April, we want to be ready to mobilize the necessary infrastructure across the country in order to conduct an election in an orderly fashion.

**Ms. Alexandrine Latendresse:** I did a comparison of the program you provided us with; it looks very interesting. I really liked the notes on the side, showing the time lines you are going to communicate to the voters. Having a communication plan as specific as this one is a very good use of the information for a fixed-date election.

Do you have any other plans? I assume that there is still a problem with communicating with people who are not yet voters, those who are under 18 years of age.

**Mr. Marc Mayrand:** Yes, we still do not have the power to collect data on Canadians under 18 years of age. We do not have that information. However, we do have information about almost 646,000 Canadians who have not yet agreed to be registered on the voters' list. Those are the people we would like to reach before the writs are issued.

**Ms. Alexandrine Latendresse:** When you say that some people have not consented to being on the list, do you mean that, at present, they are not on the list?

**Mr. Marc Mayrand:** At the moment, they are not on the list, but we know who they are and where they live. We have that information because it has been sent to us by the Canada Revenue Agency, by vehicle registration offices or by provincial electoral agencies. We know that they are voters and we know how to trace them. We communicate with them. We recently sent out 400,000 letters to them as a group, but the response rate is still low.

**Ms. Alexandrine Latendresse:** Going back to those under 18 years of age, do you have strategies for reaching those people to make sure that they are registered on the voters' list?

The principle is much the same. We know the date of the election and we know who will be 18 on that date. Are strategies possible that would allow—

**Mr. Marc Mayrand:** I do not know who will be 18 at the time of the election. Of course, our civics education programs will help to make young people and those around them aware of the use, and the importance, of getting on the list for the election.

**Ms. Alexandrine Latendresse:** Thank you, Mr. Mayrand.

[English]

**The Chair:** We'll go back to Mr. Reid for four or eight minutes. There are two spots in a row here, whichever you'd like to take.

**Mr. Scott Reid:** Are there two spots for the Conservative party?

**The Chair:** Yes.

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** You can start now, and then I'll go after you.

**Mr. Scott Reid:** Let me start now before I use all the minutes up trying to figure out why that is.

Mr. Mayrand, you were before this committee on March 29, 2012. At that time we were looking into the question of robocalls.

As everybody recalls, there were two separate issues at work here. Issue number one was matters going on in Guelph. I'm well aware that these are now before the courts; in fact, I think they are before the courts this very day. I won't ask you to comment on them, but separately, there was an investigation into the accusation, which turned out to be an entirely unfounded accusation, that there had been a widespread nationwide robocalls attempt to mislead voters and guide them to the wrong polling locations.

It turned out after the fact that it was actually a group called Leadnow that was trying to encourage people to phone in. There were thousands of calls, mostly expressions of concern or e-mails, and most of them turned out to be template letters. Nonetheless, this created a media storm over an imaginary scandal.

You came before the committee and gave some testimony at that time on the subject. You said at that time, around 11 a.m., "We have added sufficient resources to deal with the inflow of communications and to contact electors who have specific factual allegations", in other words, not the ones for addressing concern as a Canadian, but those who had specific allegations. That was subsequently something that was turned over to the commissioner who reported that in fact there were 1,700 actual complainants making 2,448 complaints, a substantial number of which turned out to be on an unrelated phishing scam that was confused in the minds of those electors.

At any rate, what I wanted to find out is, how much in actual resources was devoted to this? How many actual dollars wound up being involved?

• (1140)

**Mr. Marc Mayrand:** I'll get back to you on that; I don't have that detailed information today. That's two fiscal years ago. I'll be happy to come back to you.

**Mr. Scott Reid:** Fair enough. This comes back to the issue of the commissioner's budget versus your budget, and now they are being separated out. Would these have been resources that were allocated from the consolidated revenue fund and went to the commissioner? If you were to go back and forensically examine it, would that be the case?

**Mr. Marc Mayrand:** It was statutory funds used to recruit individuals to basically deal with the take-in of information that was coming in, making sure that there were proper coordinates for those who were filing complaints, and providing that information to the commissioner so that he assigned it to investigators, so it's the incoming and managing the incoming.

**Mr. Scott Reid:** In his report, he gives a considerable amount of detail. I think he's trying to demonstrate that he was conscientious, so he's very thorough in providing information as to how they followed up on which aspects of things .

I wonder if it would be possible, given that this was done while he was in your shop, to come up with a total costing for the entire investigation process and then a breakdown for some of the components. I'm not sure I'm in a position to say what those

components ought to be, but it's to give us an idea of what's involved in doing an investigation of this sort. Obviously intelligent people were involved, and intelligent people are not available at a low price.

To ensure that there was an obvious demonstration of impartiality, you went to a former justice of the Supreme Court. I think we know how much she was compensated for this.

**Mr. Marc Mayrand:** I don't have that, but it is definitely available. It was published.

**Mr. Scott Reid:** Yes, that's right.

If you could get back to us with the global budget and a bit of a breakdown of what that was, that would be very helpful.

**Mr. Marc Mayrand:** The global figure was \$1.3 million.

**Mr. Scott Reid:** It was \$1.3 million.

**Mr. Marc Mayrand:** That would include legal services, the third party review. It would include forensic expertise that they needed, because there was quite a bit of analysis to do regarding various IT systems. There was great care in ensuring the integrity of the data.

Those would probably be the main items, but we can provide more detail.

**Mr. Scott Reid:** If you could do that, I'd be very grateful. Thank you.

That uses up my four minutes plus one.

**The Chair:** Okay, there are three minutes left for Mr. Butt.

**Mr. Brad Butt:** Thank you very much.

Thank you, Monsieur Mayrand and your officials, for being here today.

I want to go back to some of the points that you made in your opening address.

I want to talk about some of the cost savings you have identified. You talked about the phase-down of the political party subsidy. That equals a \$7.4 million decrease in your budget.

Can you remind the committee when exactly the political party subsidy will go down to zero so that you are no longer providing political party subsidies?

**Mr. Marc Mayrand:** We're currently in the last year.

**Mr. Brad Butt:** This year is the last year.

**Mr. Marc Mayrand:** Yes.

**Mr. Brad Butt:** Okay.

**Mr. Marc Mayrand:** I think this year it's roughly another \$7 million that will go through another—

**Mr. Brad Butt:** At the highest level, when the full subsidies were being paid to all of the political parties that were eligible, do you have any idea what that annual number was prior to the changes that we brought forward?

**Mr. Marc Mayrand:** Again, it depends on the number of electors and from time to time the number of votes, but it was a little over \$28 million.

• (1145)

**Mr. Brad Butt:** So the Canadian taxpayers are going to save \$28 million a year by the end of the political party subsidy program.

**Mr. Marc Mayrand:** Yes.

**Mr. Brad Butt:** Wonderful. That's great.

You talked about the completion of the main components of your office consolidation project, which was a \$9.3 million decrease.

I actually didn't realize you had moved from Slater Street. I went to hand deliver my riding association return which my CFO had prepared to you one or two weeks ago and you were gone.

Where are you now? Are you in one complete location now, and is that an appropriate location to do all of the services? Given that the commissioner's services will be moving out of your offices and into the office of the Director of Public Prosecutions, are you satisfied with the location you're in now? Is that sufficient for your operations, and where exactly are you located now?

**Mr. Marc Mayrand:** We're at 30 Victoria Street, in Gatineau. We're using the five top floors of that building. I hope the committee will come for a visit at some point in time.

**Mr. Brad Butt:** That would be nice.

**Mr. Marc Mayrand:** We can discuss matters of mutual interest.

**Mr. Brad Butt:** That would be lovely.

**Mr. Marc Mayrand:** And yes, it does respond to our needs.

**Mr. Brad Butt:** I have a last question.

I would assume in a general election year that your budget would be larger than in a normal operating year. You talked about 350 full-time equivalent employees. I'm assuming that's in a regular standard year, where there might be a few byelections, riding association returns, and other things that you're normally having to do on an annual basis.

How does the budget inflate in a general election year? What kind of numbers do we get? If your base budget is \$97.1 million—you're showing it here in a base year—what would it grow to in a year of a general election?

That's probably my last question—

**The Chair:** —that you will have.

**Mr. Brad Butt:** Thank you.

**Mr. Marc Mayrand:** Our core operating budget is roughly close to \$60 million. The \$97 million includes other costs which are transferred, payments to parties and associations and all of these things. Aside from that, the cost of the last election was roughly \$290 million.

Again, as I mentioned to the committee, we need to factor in a few variables now, and I'd like to come back to the committee to propose an initial budget in the fall.

**The Chair:** That's a great idea.

Mr. Butt, thank you very much. I'm sure they'll be happy to have you drop by anytime, now that you know where the office is.

Mr. Scott, go ahead for four minutes.

**Mr. Craig Scott (Toronto—Danforth, NDP):** Thank you, Mr. Chair.

Thank you, Monsieur Mayrand, for coming again to the committee.

I hope when you come in the fall, you might be able to address the following questions.

Some of the concerns coming out of Bill C-23 were that we might end up with some unexpected bottlenecks and challenges at the polls. Voter information cards will no longer be able to be used. It could be that we end up with even more vouching in 2015 than we had in 2011. Vouching for address has been restored—it's in the new bill—but people will not be able to prove address with the voter information card. It's reasonable to assume that more people might well need to be vouched for than was even the case in 2011. That takes resources, and it takes training, and there could potentially be bottlenecks in areas where that's most likely.

The second thing is that Bill C-23 includes the right of scrutineers effectively to challenge, to see but not handle identification, with very unclear rules about what happens when they don't like what they see. There is a practice in certain jurisdictions for that to be aggressively used as a right by scrutineers and it can create lineups.

I'm hoping that Elections Canada can take into consideration these kinds of scenarios in planning their budget. I'd be grateful for any information on that in the fall. If you have any comments now, that's fine. Otherwise, it's just a request for the future.

**Mr. Marc Mayrand:** We are looking at all aspects of how we put into operation the new legislation. You've mentioned some of them. With regard to the examination of pieces of ID, we will probably have to issue—I'm not sure yet—an instruction to poll workers or a guideline under the new act, to make sure that the voting is not disrupted.

I will come back in the fall on these matters, on how we can alleviate them and whether there are administrative measures that can reinforce the objective of the legislation and at the same time smoothen the administrative process.

• (1150)

**Mr. Craig Scott:** Thank you. I will mention one last thing.

This is not technically—I realize it doesn't cost; it's just a little bit more ink. But one issue came up in the amendments phase of Bill C-23. Given that we in opposition and the official opposition had lost the fight to retain the voter information cards, we were greatly concerned that the 800,000 to 900,000 people officially authorized to use them in a number of settings in 2011 will well remember that and not necessarily know that the rules have changed. We moved for an amendment to have the VIC prominently stamped with a very clear message to say it cannot be used, that it's an aid, etc.

Can we possibly make sure that it's very prominent? Otherwise it will cause confusion.

**Mr. Marc Mayrand:** It is. It's already there in bold and in colour. But we'll see.

**Mr. Craig Scott:** Exactly. But the point is that people will remember, so please make sure the message is not.... The message that's written there is a tiny bit ambiguous about whether it can be used for voting.

Mr. Reid made some very good points during committee about when the VIC is issued. At what stage of finality is the list that generates the VIC? Is the final list that Elections Canada produces during an election the basis for generating VICs or is it a previous version? Can VICs be issued later in the list-making process?

**Mr. Marc Mayrand:** Oh, that's very technical.

The VICs are based on the preliminary list as well as revisions that occur during elections. Electors will get the VIC. The revision closes on day six, which is after the advance polls. There are a few days left to prepare the final list used at the poll. Those who are not on that list still have the option to register at the poll. That's where we want to target our efforts, to try to better inform electors of the importance of registering prior to polling day.

**The Chair:** Thank you.

Mr. Reid, I have Mr. Lukiwski, but do you want to...?

**Mr. Scott Reid:** Yes, if you don't mind, very briefly.

If you take a look at the commissioner's report, "Summary Investigation Report on Robocalls", you will see that he deals with this exact question: what you do when information comes out on a VIC that is.... In his, it's actually slightly different. It's not the identity of the person that they have down incorrectly; it's that the poll got moved as a result of a flood or a fire or that kind of thing.

You can read what he has to say. As is usual with his reports, it's very businesslike and intelligent, but it just raises the point that these things are imperfect instruments, for a variety of reasons.

**The Chair:** Thank you.

Mr. Lukiwski, do you want to finish his time?

**Mr. Tom Lukiwski:** Yes. It wasn't actually anything for Monsieur Mayrand. It was merely for the benefit of the committee, since we will be departing here shortly. I'm not sure if you've set aside any time for committee business. Are we coming back here after votes? Is there any other business, or do we adjourn?

**The Chair:** As you know, I take my guidance from the committee on things like that. We did have some committee business set aside for today. If we want to come back after votes, we could do it. If not, we can deal with it on Tuesday when we return.

Mr. Reid.

**Mr. Scott Reid:** Were we not going to have the Clerk of the House here today?

**The Chair:** No. She's not available today.

**Mr. Scott Reid:** When is she available?

**The Chair:** In mid-July.

**Mr. Scott Reid:** We said at the earliest.

**Mr. Tom Lukiwski:** I don't think even Audrey knows when she's....

**The Chair:** Before we finish this, we still have our guests with us.

Alexandrine, you have one quick question. I'll let you ask it real fast, and then we'll move on, thank our guests for being here, and invite them back in the fall.

[Translation]

**Ms. Alexandrine Latendresse:** I have a quick question about Bill C-21, dealing with loans to political parties.

In committee, you said that the common limit for loans and donations really is a problem. From what I understand about Bill C-23, it comes up again. The limit has been increased to \$1,500. Bill C-21 has been sort of integrated into it all. At the moment, loans and donations have the same limit.

Have you thought about mechanisms to tackle that matter? I do not have the exact quotation, but I remember that you said that it could cause a number of problems.

● (1155)

**Mr. Marc Mayrand:** It raises administrative difficulties for Elections Canada and for political entities.

The two go hand in hand. For example, a person making a \$1,500 loan, of which \$300 is reimbursed, could then turn that \$300 into a donation. We have to follow the money, loans and donations alike, to make sure that the total does not exceed \$1,500. That can be difficult to do.

We are looking at it to see what kind of system we are going to establish. It will be quite difficult for political organizations too.

**Ms. Alexandrine Latendresse:** Thank you.

[English]

**The Chair:** Thank you.

That may be something else we can discuss on your return in the fall, if we can set that up.

I thank our guests.

Thank you, Monsieur Mayrand. We'll work together to have you back here in the fall and discuss some of the future planning.

**Mr. Marc Mayrand:** Yes.

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

I need an answer from the group now. Are we returning after votes for committee business or are we not?

Mr. Lukiwski, and then Mr. Lamoureux, and quite quickly, please.

**Mr. Tom Lukiwski:** Yes. From our standpoint, we don't have anything to discuss, but if somebody wants to come back, we're fine with it.

**The Chair:** We have the motion of the member opposite.

That's why I'm looking at you, David.

**Mr. Kevin Lamoureux:** Mr. Chair, what are we doing on Tuesday? That's the only question I have.

**The Chair:** The committee will meet as a whole and discuss the two items of private members' business that we discussed last week. We now have a couple of motions before us, or that could very well be before us, so that would be the work. Also, Mr. Lukiwski's motion passed last week. We have to finish the planning on that. You've heard that the Clerk cannot appear because she's on a medical leave until mid-July, so we'll discuss that also.

**Mr. Craig Scott:** Very quickly, Mr. Chair, I was probably not paying attention, but have we been given a deadline in regard to suggesting witnesses for the two private members' items?

**The Chair:** I would like to have that discussion as to how we'll move forward with both of them, and that may very well be it. We will have to ask for an extension on Mr. Trost's item before the summer, if indeed we're going to go further on that study, but that's the will of the committee.

We will see everyone on Tuesday.

The meeting is adjourned.

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