

Both these definitions were previously included in section 2. Then another subsection is added dealing with the administrative district of Yellowknife. It was thought that a more precise definition should be given of this administrative district. I do not think it will be necessary to read the section, because it is purely for purposes of clarity.

Mr. HAZEN: Is it long?

Mr. McLARTY: No; I shall be glad to read it. It is as follows:

(2) For the purposes of taking the plebiscite only, the governor in council may appoint a returning officer for the Yellowknife administrative district, who shall have the powers and perform the duties of a returning officer under the Dominion Elections Act, 1938.

I believe the suggestion is that it gives a more positive right for the appointment of an electoral officer than is found in the defining section of the bill, where the Yellowknife electoral district is described.

Mr. HANSON (York-Sunbury): That seems to be an improvement.

Mr. McLARTY: Yes, I agree with my hon. friend.

Then, subsection 3 of section 8 in the bill, as returned from the other house, is the same, with the exception of some minor amendments, as the original section 8 in the Bill.

Then section 9 is amended by striking out the words "for the purposes of this act" and the further words "for the effectual taking of the plebiscite" and inserting the words "for the purposes of this act." I believe that somewhat abbreviates this section, and no exception can be taken.

There appear to be no amendments to paragraphs 2 and 3 of section 9. There is however the addition of the following as subsection 4:

(4) The governor in council may prescribe the penalties that may be imposed for violations of regulations made under this act, and may also prescribe whether such penalties shall be imposed upon summary conviction or upon indictment.

The only purpose of that is to make more clear and definite any power to enact the penalties provided in subsection 2 of section 9.

I believe that substantially completes the list of the amendments.

Mr. HAZEN: May I refer to the changes made in section 2 (a) and (h). Those are changes made with respect to "Canadian service voter" and "voter." I understand those are lumped together.

Mr. McLARTY: Yes.

Mr. HAZEN: Would that in any way affect a Canadian service voter on leave?

Mr. McLARTY: No; I believe I can say definitely that it will not. It is merely a consolidation.

Mr. HANSON (York-Sunbury): May I refer to the question of penalty as set out in the new subsection, namely subsection 4 of section 9? The difference is that at the moment the penalties appear in the regulations; the change is that it is now left to the governor in council to prescribe penalties which may be imposed for violation of the regulations made under the act. The governor in council may also prescribe whether such penalties shall be imposed upon summary conviction or upon indictment.

I suggest to the minister that that is an entirely new principle, and one just as objectionable as the one to which I referred before. This gives the governor in council power to impose penalties. I do not recall—and I speak from memory; possibly it is not very good memory—that the governor in council was ever empowered to impose or create penalties. Can the Prime Minister remember a case of that kind?

Mr. MACKENZIE KING: I believe there have been cases.

Mr. HANSON (York-Sunbury): I should like to hear of one; I do not think one can be found. This is a bad principle. It may not work out badly, but in principle it is indefensible.

Mr. McLARTY: I would remind my hon. friend that the new subsection is subject to subsection 2 in the same section, which states that any regulations made must conform as nearly as possible to the provisions of the Dominion Elections Act of 1938.

Mr. HANSON (York-Sunbury): But that does not answer the objection at all.

Mr. BLACK (Yukon): With reference to the amendment allowing the governor in council to prescribe penalties, to-night's *Evening Citizen* says this:

A new section was inserted giving the governor in council power to prescribe penalties for violations of regulations made under the act. It placed, however, the maximum penalty at a fine of \$2,000, or two years' imprisonment, or both fine and imprisonment. The other changes were of an interpretive and clarifying nature, and in no way affect the principle of the legislation.

Do the amendments provide those penalties?

Mr. McLARTY: The point to which my hon. friend refers is something which might have received consideration in the committee of the other house. However, no amendment