

Electoral Boundaries Commission

gentleman would like to make his argument in his own way.

Mr. Woolliams: Well, could you answer that question?

Mr. Pickersgill: Under our rules the hon. gentleman does not have the floor at the moment, and I do not think in the end I will have any difficulty satisfying his curiosity about anything which he has a right to be satisfied about, under our rules.

As recorded at page 762 of *Hansard* I in fact did exactly what the hon. member for Bow River has just done. I interrupted the hon. member for Winnipeg North Centre and asked him if I could ask him a question.

Mr. Knowles: What did I say?

Mr. Pickersgill: The hon. member said "Gladly." Then I did what I have sometimes been accused of doing. I asked a question almost as bad as some of the questions asked on orders of the day. I will read it.

Mr. Churchill: What page?

Mr. Pickersgill: Page 762, at the bottom of the first column and the top of the second column. I said:

I agree with what the hon. member is suggesting in principle,

—that was, that the commission be appointed of designated persons, not designated by name but by the name of their office—

as I said earlier this afternoon—

—and as I said also in the last session of parliament when we first debated this. At that time I said I regarded the Manitoba experience as a model but I did not think this parliament could devise a way of following it. I had better repeat exactly what I said:

I agree with what the hon. member is suggesting in principle, as I said earlier this afternoon, provided it can be done. But I would put this difficulty to him and ask him whether he has an answer to it: How does this parliament compel presidents of universities who are not officers of ours and who have jobs to do, to carry out this business for us? It is a very different thing for a provincial government which provides the main alimentation of a provincial university to ask them to do it—and it is a much smaller job, in any case, at least in some of the provinces. Then, of course, the difficulty seems to be compounded in the case of provincial officers such as the chief electoral officer, because all one of the provincial governments needs to do is say it will not allow him to serve, in which case I do not see how this parliament could compel him to serve.

The hon. member for Winnipeg North Centre intervened and said, in what seems to be a question within a question:

May I ask the minister whether that same difficulty would not present itself to the Prime

Minister or to the Leader of the Opposition, if they sought to name individuals connected with universities or provincial governments?

I replied to that as follows:

Presumably they would ascertain their ability to act. It would not be done permanently in legislation. That is precisely the problem.

Then the hon. member went on to say this:

I will agree that the Minister of Transport may have raised a difficulty, but I suggest it is not beyond the wit of members of parliament to find an answer if we are agreed on the basic principle that we should be making the decision here in parliament, not leaving it to two individuals, particularly when each of those two individuals has a party connection, to do a job which we are trying to put on a completely independent basis.

So I urge very strongly that consideration be given, when we get into committee on the bill, to making this kind of change with respect to the manner in which the members of the commissions are to be appointed.

The two points I want to emphasize at this time are that I had said at the very outset, when introducing the second reading of the bill, that I thought if we could find a method of prescribing precisely by office who should be the members of these commissions, that would be a preferable way to do it, but I did not believe it was possible. I did not believe we could find officials in the provinces that this parliament had the legislative competence to oblige to act.

Judging from the amendment which the hon. member has now produced I think he has indicated he agrees with that view, because he does not seek to prescribe the officials. He merely suggests certain categories of people from which a choice should be made, and he also recognizes the possibility that both those classes, in one province or another, might be exhausted and the chief justice would then have to look for someone else. As a matter of fact the amendment makes provision for the appointment of some other person, not by the chief justice alone but by the chief justice in consultation with the representation commission.

The reason for making that suggestion, I suppose, is that if the chief justice selects them from the categories that might be laid down by parliament, there would be no feeling that there should be any check on his freedom of choice. But if he has to go outside those categories I dare say the hon. member must have felt—and I should not seek to interpret him—that the chief justice alone would not just select anybody he liked, in the hope, I presume, of having some reasonable degree of uniformity.

I must say, and I say quite frankly, that the hon. member came to me some time after