

*Plebiscite Act—Senate Amendments*

Mr. McLARTY: I think my hon. friend will agree that in the matter of statute law, where there is a consolidation that becomes the law. Where orders in council are consolidated, some question might arise, and it was merely for greater certainty that the other house suggested that we refer not only to the consolidated order in council but to the original orders in council as well. In other words, this merely makes it more certain, but it does not in any way affect the operation of the bill when it becomes an act.

Mr. MacINNIS: This is a most unsatisfactory method of dealing with these amendments. They may be quite minor, but they are amendments to a bill which we discussed for several days in this house. Instead of the leader of the opposition reading something that no one can hear or understand, I would suggest that, since we have the original bill before us, the Secretary of State should take each amendment and read it, so that we may understand its effect on the section or clause to which it belongs. Then we shall be in a position either to approve or disapprove it; but it is unfair to ask us to approve amendments that we have not seen and about which we consequently know nothing.

Mr. FAIR: I should like very much to add my words to those of the hon. member who has just taken his seat. After all, we are the elected representatives of the people, and I do not think we should approve changes that have been made by others, who are not elected representatives, without knowing exactly what we are doing.

Mr. McLARTY: I have no objection to that. In section 2, certain subsections are struck out; that is, subsections (a), "Canadian service voter"; (b) "chief plebiscite officer," and (c) "during the plebiscite." Inserted instead are the following:

(a) "Canadian service voter" means every person qualified to vote by virtue of the provisions of section 6 of this act, and "voter" or "ordinary voter" means any person qualified to vote in any electoral district other than a Canadian service voter.

The effect of that is to combine the definitions of "Canadian service voter" in (a) and "ordinary voter" in (h). In connection with (b), where "chief plebiscite officer" is stricken out of the definition clause, it is inserted later as a subclause of section 8. Paragraph (c) "during the plebiscite" was stricken out for the reason that in no particular place in the act is that phrase specifically referred to. "Electoral district" is again defined in section 8 as amended.

[Mr. R. B. Hanson.]

I need not take the time of the house to read the amendment in regard to the re-lettering of the sections consequent on these changes; that follows naturally.

Mr. DOUGLAS (Weyburn): May I ask why the definition of "Canadian service voter" in paragraph (a) is struck out?

Mr. McLARTY: It is not stricken out; the "Canadian service voter" and the "ordinary voter" are put in one and the same definition, in one paragraph. It is not deleted at all.

Then there are some minor amendments, purely matters of wording. For instance, subsection 5 of section 3 of the original act provides that the proclamation shall be published forthwith, and so on. The amendment provides that it shall be published forthwith in a special copy of the *Gazette* and in two succeeding regular copies. The objection is purely a matter of wording. It is suggested that you cannot publish it forthwith both in a special copy and in other copies which will not be published until a week or two later. Consequently that amendment is made, and it is perfectly proper and in order.

Then there is a very minor amendment in subsection 4. The words "as defined in this act" in line 24 are deleted. That also is purely a matter of wording and does not affect the meaning or intent.

Mr. HANSON (York-Sunbury): Of course that makes for certainty.

Mr. McLARTY: Exactly.

Mr. HANSON (York-Sunbury): The elimination of these words removes the certainty, to a degree.

Mr. McLARTY: I have already dealt with the amendment to paragraph (b), subsection 2 of section 4, in answer to the leader of the opposition.

Mr. STIRLING: May I ask a question in that regard, to see that I have the minister's interpretation aright? I understand that sections 17 and 18 of the war service regulations are identical with sections 18 and 19 of these regulations in their consolidated form?

Mr. McLARTY: That, I believe, is correct, and the same amendment applies to section 5 of the act. In section 6, at line 17, the words "taken under this act" are deleted for the same reason that applied in the preceding paragraphs. Then in section 8 these words are added, taken from the definition section and put into the substantive section:

The chief electoral officer under the Dominion Elections Act, 1938, shall be the chief plebiscite officer for the purposes of this act, and the returning officers appointed under the said act shall be returning officers for the purposes of this act.