

Hon. Mr. CANNON: I suppose, Mr. Kellner, we would have to find out first whether that would be a point which would come within the jurisdiction of the committee, and if so it would be a matter for the committee to decide upon.

The CHAIRMAN: Supposing we do not agree with the election instructions, which after all are the instructions of the Chief Electoral Officer, can we, as a committee, change them? Are you prepared to discuss that with me?

Mr. BOYS: I do not think the point raised by Mr. Kellner is touched by the printed document at all.

Mr. KELLNER: We decided all that last year, and there is what we decided last year, and that was handed over to the Chief Electoral Officer to be submitted to the other election officials, and I am amazed to-day when he said that this was all he was sending out. I thought he must have given other instructions besides that.

Mr. McPHERSON: We can discuss them in the Committee and find out what shape it is in. Personally I think we amend the Elections Act, and the officer must make his instructions to the various officials in accordance with the terms of that Act; and if we are going to dictate what his instructions shall be, we shall have to make the amendments to the Act originally, in order that he shall follow it.

Mr. KELLNER: That is all right so far as what is contained in the Act is concerned, and there was no quarrel in the Committee. Surely the Chairman will agree with that.

The CHAIRMAN: I take the same position as Mr. McPherson. After all our function is to recommend to Parliament amendments to the Act. Can we give instructions at any time to any officer? I doubt it very much. I doubt whether we can give him any instructions which pertain to the exercise of his discretion. I am not trying to choke off discussion at the present time, or to prevent Mr. Kellner debating this as far as he likes in the Committee, but I am just trying to see what practical purpose we will serve by any such debate, or what it will come to. If after having debated matters raised by Mr. Kellner, we come to the conclusion that the Chief Electoral Officer should issue instructions along certain lines, where are we? Where do we get to then?

Hon. Mr. CANNON: The Act says, section 18, subsection 2, paragraph (a): issued to election officers from time to time such instructions as he deems necessary in order to ensure the effective carrying out of the provisions of this Act.

The CHAIRMAN: That is what we told him to do.

Mr. McPHERSON: Yes, and if we want to change those instructions we will have to change the Act so as to comply with them. I think you are wrong in this, Mr. Kellner. They may have endorsed your one point, but they never endorsed Colonel Biggar's recommendations as a whole, for the simple reason that one of his recommendations, our refusal to endorse was the cause of getting us into the trouble over election officials just now. That we did not take his advice.

Mr. KELLNER: But here are two or three sections that we did adopt.

Mr. KENNEDY: If I remember exactly, the instructions were to see to the absolute impartiality, and follow that through. I think we have a right to make any inquiries.

Hon. Mr. CANNON: This is what the Act says he shall do (reading):

(b) exercise general direction and supervision over the administrative conduct of elections with a view to ensuring the fairness and impartiality of all election officers and compliance with the provisions of this Act;