

Electoral Boundaries Commission

appear, if this formula is not changed, that its representation would be reduced from 17 to 13.

An interesting point occurs to me. I know that the administration, or the officials of the department, may not agree with me about this. Possibly the officials of the Department of Justice would not agree with me, either. But I believe there is food for thought in section 51, something which has been carefully analysed by this committee. As far as I know—and the minister may have some other information, because I have worked on this for only a short time and there may be judicial interpretations of section 51(1), although I do not think there are, because I do not believe the matter has ever come before the courts—

An hon. Member: What act?

Mr. Woolliams: The British North America Act. Let me read an extract from rule 5. It says:

On any such readjustment the number of members for any province shall not be reduced by more than fifteen per cent below the representation to which such province was entitled under rules 1 to 4—

Rules 1 and 4 of the said act I have already discussed; that is how we arrive at the quotient of 70,842 if there is to be perfect representation by population. So what they say is this. If Saskatchewan had 20 representatives in 1952, because rule 5 of section 51 provides they cannot be reduced to 12 or 15—12, I believe it was—rule 5 applied and they got 17 members. So Saskatchewan, because of that special rule 5, has been given more representation since 1952 than otherwise it would have been given. The administrative officials, I believe, say this. It may be correct. But I think there should be some hard thinking on this point that because the rule was applied on the last occasion it cannot be applied again. That is interesting. If members will look at this section they will find it says:

—than any other province that according to the results of the then last decennial census did not have a larger population; but for the purposes of any subsequent readjustment—

And we are dealing with a subsequent readjustment now.

—of representation under this section any increase in the number of members of the House of Commons resulting from the application of this rule shall not be included—

I say this to the minister. We are not increasing the number of members of the House of Commons by this legislation. That is the first question I pose. We are not increasing the members of the House of Commons. We will probably end up with 264 members where previously we had 265. Under the formula we

[Mr. Woolliams.]

will now arrive, properly and legally, at 264. So we are not increasing the over-all picture in Canada.

I will come to the next question, Mr. Chairman, which I think the minister should consider very carefully. We are not increasing the number of members of parliament from the province of Saskatchewan. So if we are not increasing them at large and we are not increasing them provincially, I ask the minister to consider with his legal officers whether rule 5 does not apply today. This is a subsequent readjustment. I am going to emphasize this point because it is awfully important to western Canada and to the members sitting here from Saskatchewan. If that province is going to lose four seats it may be very important to them. If the legal officers are wrong, and if the interpretation of this section happens to be different, Saskatchewan may only lose two instead of four, and this means a great deal to western Canada.

This is a question I pose to you, Mr. Minister. I want to read this again because I think it is very important:

—but for the purposes of any subsequent readjustment of representation under this section any increase in the number of members of the House of Commons resulting from the application of this rule shall not be included—

I ask this question once again. We are not increasing the number of members in this house; we are decreasing them by one. The legislation will reduce by four the members who represent Saskatchewan. Was there a question that you wanted to ask?

Mr. Choquette: The only question is, how long are you going to speak?

Mr. Woolliams: All I say to you, sir, is that if you want to go out for an afternoon cup of coffee and you are not interested in the seriousness of this bill, that is what I suggest you do.

Mr. Choquette: I am interested in the bill.

Mr. Woolliams: I say with the greatest respect, and I think the minister will agree with me, that I am raising some pretty serious questions as far as western Canada is concerned.

Some hon. Members: Hear, Hear.

Mr. Knowles: Mr. Chairman, I assume the hon. member is addressing the Chair.

Mr. Woolliams: I am, and I assume that you are doing the same thing at the moment while you are sitting down.

Mr. Dinsdale: Touché.

Mr. Knowles: I was just wondering, in view of what the hon. member said, whether you, sir, were planning to go out for a cup of coffee.