

Mr. OUMET: I believe it would be very easy for the board, upon hearing the minutes of the meeting of the executive committee, to remove all delegation that they might have made to that committee.

Senator HAYDEN: Quite true, but the other point is that the executive committee, having been established and having acted under the delegated authority, could the full board subsequently refuse to ratify or revoke what the committee had done—not to handcuff them for the future, but in respect of what they have already done? I do not think they could.

Senator MACDONALD: I doubt it very much.

Senator CONNOLLY (*Ottawa West*): And in that event, what about the rights of any third party that might be established?

Mr. THORSON: That would depend on whether third parties had been effected; otherwise it will just be an internal matter within the board.

Senator HAYDEN: Just a game of checkers within the Board?

Senator MACDONALD: If the executive committee, which has full power, had entered into a contract, then the full board could not revoke that contract.

The CHAIRMAN: I suppose not.

Senator HAYDEN: Has Mr. Thorson any comment on the use of the word "all"? The words are, "delegate to it all or any of its powers..." I am wondering what happens to you, having delegated all authority.

Mr. THORSON: Of course you could revoke the delegation .

Senator HAYDEN: Surely there must be some limitation?

Mr. THORSON: It would be subject to the limitation that you couldn't delegate all your power and authority . . .

Senator HAYDEN: But it says so.

Mr. THORSON: . . .including the right to revoke the delegation.

Senator HAYDEN: It says delegate all its power under this part.

Mr. THORSON: In the first place, it is permissive; and secondly, I think you would have to read it as containing an implied provision that they could revoke any such delegation.

Senator HAYDEN: In other words, that they couldn't commit suicide?

Mr. THORSON: Yes.

Senator CONNOLLY (*Ottawa West*): If they can delegate all those powers, can they also delegate the power to delegate?

Mr. THORSON: I would think that would not be implied in such a delegation of power, otherwise the board would cease to exist.

Senator HAYDEN: There is the famous expression, *delegatus non potest delegare*.

Senator MACDONALD: It gives the executive committee very wide powers, but I doubt if we can do much about it. How many members of the executive committee are there?

The CHAIRMAN: It does not specify in this section. In the first section of the bill dealing with the Board of Broadcast Governors, it specifies the executive committee shall be seven, and that that board shall meet six times a year. There is no such provision with regard to C.B.C., as to how many times a year or if at all the board will meet.

Senator HAYDEN: They are carrying on a business, and they will meet when they need to. They should have that freedom.

Senator MACDONALD: I would think the other organization should have the same freedom.

Senator HAYDEN: They will have six meetings.