

**Senator Argue:** I have a question on clause 4. It provides for the establishment of the head office in Winnipeg—which was no doubt a decision of the National Farmers Union. I am curious as to why Winnipeg was chosen. I am curious as to why Ottawa was not chosen as a spot for the head office of the National Farmers Union, since I take it that a good deal of the work of the union is in fact in keeping in touch with members of Parliament, including Senators, and with the federal Government, etc. When are you going to move to Ottawa?

**Mr. Atkinson:** Do you need a little company, Senator Argue?

**Senator Argue:** It is lonesome around here, with all these lawyers.

**Mr. Atkinson:** I suppose there were many reasons why the head office was in Winnipeg. It is sort of the centre of the country. There is access to an international airport. Communications are accessible. I suppose that is a major thing. It could well be that there is going to be a lot of commodity activity out of Winnipeg.

**Senator Haig:** It is a good centre to work in, too.

**Senator Argue:** This might have to do with policy and might not really be germane to the legal questions of this bill, but I would be interested as to whether or not you might be considering setting up some kind of office in the City of Ottawa, as I believe your predecessor organization had at once time in a very limited way. From my experience, it would be a very valuable thing.

**Mr. Atkinson:** I would think that is an obvious outgrowth of the organization, to have contact in Ottawa.

**Senator Argue:** I think that if you are going to have lobbying here, and these are lobbying situations in Ottawa, it would be pretty difficult to carry out an effective one from Winnipeg, or one as effective as you might carry on if some of the officers of the National Farmers Union were here on a fairly regular basis.

**Mr. Atkinson:** There was a feeling expressed by many of our people that it was probably just as well to sort of stay outside of Ottawa because when you get into Ottawa you get so close to the machinery that you have a different perspective on things than

you have if you are sitting outside and looking in.

**Senator Belisle:** The decision on Winnipeg was not arrived at with any thought of future separatism?

**Mr. Atkinson:** No. As a matter of fact, Senator Grosart, if we were thinking in those terms, we probably would not be in an organization called the National Farmers Union.

**Some hon. Senators:** Hear, hear.

**Senator Grosart:** I would like to ask the witness if he would object to an amendment in clause 6. I suggest the deletion of the words "it deems" in line 3 and the substitution therefore of the word "are", so that instead of reading that the union may from time to time make such rules and regulations not contrary to law as it deems necessary to carry out its work, it would read that they may make such as "are necessary".

The reason I suggest this amendment is that at the moment I am trying to get the draftsmen of other bills giving certain powers to the Governor in Council, to make the same change.

We used to have the wording in acts that "the Governor in Council has the authority to make regulations necessary for the implementation of the provisions of this act." In recent years somebody changed this to read, "as the minister deems necessary," which takes the whole act, on the aspect of the regulations, out of the courts entirely. I do not think this Parliament should pass a bill saying that you may do anything that the executive thinks necessary. I think it should be "that are necessary," because if someone objects to what you are doing the reply can be made that it says "what is deemed necessary".

**The Acting Chairman:** It makes it mandatory.

**Senator Grosart:** It brings any action of the executive under the provisions of the act and not under the judgment of the executive.

**Mr. Golden:** Mr. Hopkins and I have worked out some of the wording, and I would want to consult with him about this. I have no objection to the principle of the wording. However, I would suggest that there is a growing body of administrative law that says in effect that there are areas of administrative discretion in an organization. This has mostly to do with administrative tribunals,