

its method of operation, and from that list the appointee is to be selected. I venture to say that in nine hundred and ninety-nine cases out of a thousand, under these conditions, the commissioners would be able to supply the man the department requires, and abuses would be avoided.

Mr. FISHER. All the Civil Service Acts have had a clause of this kind. The English civil service regulations have such a clause; not exactly in the same words:

Mr FOSTER. No the commission have power.

Mr. FISHER. The word 'peculiar' is in the provision of the English law and I took this right out of the English Act.

Mr. FOSTER. That may be with regard to 'peculiar.'

Mr. FISHER. That is what I am talking about. With regard to the word 'peculiar' it is there and the clause is taken verbatim. In the American regulations exactly the same power is given. In the English regulations the appointing power may take a person of these qualifications from outside, and my hon. friend, I am satisfied, is absolutely wrong in saying that the commission regulates it. I am certain I speak correctly of the English system. In regard to the American system, numberless appointments have been made under an exactly similar provision. In this clause we go further than either the English or Americans do, for we provide that the appointee must have a certificate of qualification from the commission. Now, the hon. gentleman (Mr. Foster) would limit 'peculiar' qualifications to professional and technical. But there are officers whose qualifications are 'peculiar' and yet could hardly be called either 'technical' or 'professional.' For instance, take one to be employed in a library. There is a regular system of training librarians, and some of our universities have courses of study in that line. But the qualifications so acquired could hardly be designated as technical or profession, because there is no profession of librarians yet. Take another case: My hon. friend the Minister of Customs may require an appraiser, a man peculiarly versed—and I used the words advisedly 'peculiarly versed'—in a particular class of goods. The qualifications of such a man would not be professional or technical—

Mr. FOSTER. I think they would be technical.

Mr. FISHER. It seems to me that in the interpretation of the word they would not be technical. I am satisfied—I know—that in the English service such words are used to meet such cases as I have indicated, and I have no hesitation in saying that it is necessary that a provision of this kind must be inserted in any Civil Service Act. It is especially wise when we find that, as in

this clause, it is provided that the commission must give a certificate of qualification on grounds which they think best, whether by examination or otherwise, before an appointment is made. I think we have safeguarded it as much as possible, consistent with the successful working of the provision.

Mr. FOSTER. In the British service it works this way: Where a case of this kind arises there is a request for the kind of officer required; then the Civil Service Commission may, if it thinks proper, wholly or partially dispense with the written examination and give their certificate on qualification.

Mr. FISHER. That is what we do.

Mr. FOSTER. There it is left to the Civil Service Commission to say whether they shall wholly or partially dispense with the examination.

Mr. FISHER. That is the case here; we leave it with the commission to give its certificate 'upon evidence satisfactory to it.'

Mr. FOSTER. But it does not leave it to the commission to examine partially or wholly; it is prohibited from examining, but still is asked to give a certificate.

Mr. FISHER. Yes—'upon evidence satisfactory to it.' It is absolutely within its own control how it shall get its evidence.

Mr. FOSTER. I do not think you can force the language that way. It does not mean that they can examine the person.

Mr. FISHER. I think so.

Mr. FOSTER. I would have no objection to it if it were simply to leave the matter to the commission to dispense with the examination where they think reasonable.

Mr. FISHER. I am willing that this should be made to read the same as section 26. I would move that the words 'given upon evidence satisfactory to it' be struck out and these words substituted: 'to be given with or without examination as is determined by the regulations of the commission.'

Section, as amended, agreed to.

On section 22—appointment of messengers, porters, sorters and packers.

Mr. FOSTER. I consider this section is a very faulty portion of the Act. Appointments to these positions, and to such other positions in the lower grades as are determined by the Governor in Council, may be made by the Governor in Council on the recommendation of the head of the department. That absolutely gives to the government the power of nomination.

Mr. FISHER. With the condition that the appointees have to have a certificate of qualification from the commission.