

Employment in Public Service

contention that one more exception should be added, namely, that we should say it is not contrary to the ban on political activity for a civil servant to be a member of a political party.

We went over this argument in the committee on Friday, and again today, so I will be as brief as I can. We think it is ridiculous to say that a civil servant can contribute all the money he wants to a candidate's campaign funds or to the funds of a political party, to say that he can contribute \$100, \$1,000 or more, but that he cannot be a member, which may involve the contribution of \$1, \$3 or some such small amount. We also think it is most absurd to say to a civil servant that he can become a candidate at election time if he wants to, by getting permission and taking leave of absence, and yet leave the civil servant who wants to be a candidate of a political party that requires membership for a certain length of time out in the cold without any chance of becoming a candidate for the party that he happens to choose.

We had a somewhat interesting byplay last Friday and today about the position of the Prime Minister, the Minister of Transport and some others over there who managed to translate themselves from the civil service, where they could not be members of a political party, into the position that they were candidates for the Liberal party. We think that all this is ridiculous and absurd and we should resolve it by adding this other exception so far as civil servants are concerned.

As I say, I am looking particularly at clause 32(2) which says that a civil servant does not contravene the ban on political activity by reason only of attending political meetings or making contributions. We think this clause should say, "by reason only of his being a member of a political party or attending a political meeting or contributing money." If the minister is going to argue that there is at the moment no precise language in clause 32 that says a civil servant cannot be a member of a political party, may I remind him of the argument already advanced by the hon. member for York South, that on those terms subclause 2 is pretty hard to understand. By subclause 2 we say that attending meetings or making contributions is not a form of political activity, but we also use the word "only". The word is right there in the provision—"A person does not contravene subsection (1) by reason only his", doing these two things. Surely it follows that if he does anything else

[Mr. Knowles.]

in the political sphere he is contravening subclause 2 of clause 32. Therefore I suggest that common sense, logic and the desire to remove the absurdity from this clause suggest that we ought to amend it. I therefore move:

That subclause (2) of clause 32 of Bill C-181 be amended by inserting in line 4, immediately after the word "his", the following words: "being a member of a political party,"

I have copies of my amendment in both languages. I will not take the time of the committee to impose my French on the members who are here, but I am assured that it is good French. If I may do so, Mr. Chairman, I would like to read subclause 2 as it would read with my amendment incorporated into it. It would then read:

A person does not contravene subsection (1) by reason only of his being a member of a political party, attending a political meeting or contributing money for the funds of a candidate for election as a member described in paragraph (a) of subsection (1) or money for the funds of a political party.

I am assured that the French version, when incorporated into the French text, produces the same result. It is after six o'clock and we are in the closed season on voting in the House of Commons, and I think it applies in committee, and I trust that the government would like to take a little further time to look at this amendment. I would be quite happy if there could be agreement at some time—I do not mean just at the moment I sit down—to letting the clause and the amendment stand until the government can consider it, in the hope that we will not have to vote on it.

Mr. Benson: Mr. Chairman, in this regard I would simply like to say that I would agree to the standing of clause 32 until eight o'clock. We could revert to it at that time. I have been considering over the week end the proposition put forward by the hon. member for York South. When this matter was raised previously in the House of Commons I indicated that the government had a completely open mind on it and that we would accept whatever recommendation came back from the committee. There was a good deal of discussion in the committee on this matter. I believe this was one of the last clauses agreed upon by the committee and they made a recommendation in respect of it.

Concern has been expressed by many people that membership in political parties would affect the capacity of public servants to discharge their responsibilities in a non-partisan manner. This was one of the arguments put forward, and it was a concern expressed by