

Mr. CONMEE. It is a pretty long road to drag him through the operation of parliament.

Mr. FOSTER. It would not be if the members supporting the government did their duty.

Mr. CONMEE. I was assuming, when I made my reply to the minister, that the members of the government were doing their whole duty. But even then it is impossible to reach the deputy head.

On section 13—competitive admission examination.

Mr. FISHER. I want to move an amendment that after the word 'to' in line 10 the words 'position in' be added; and after the word 'service' in line 11, the words 'under that of the deputy head' shall be added. There seems to be a doubt as to whether the entrance to the position of deputy head will not be by competitive examination. I wish to make it clear that it will not.

Mr. FOSTER. I do not know whether it is practicable or not, but I would almost like to have seen the whole service open to a deserving person.

Mr. FISHER. My hon. friend would not suggest that the appointment of deputy minister should be opened to competitive examination.

Mr. FOSTER. Perhaps not.

Section as amended agreed to.

Mr. FISHER moved that section 24 and 25 be struck out.

Mr. FOSTER. I would like to have a word to say about sections 21 and 22. I was not here when they were discussed. Section 21 reads:

If the deputy head reports that the knowledge and ability requisite for the position are wholly or in part professional, technical or otherwise peculiar, the Governor in Council, upon the recommendation of the head of the department, based on the report of the deputy head, may appoint a person to the position without examination and without reference to the age limit, provided the said person obtains from the commission a certificate, given upon evidence satisfactory to it, that he possesses the requisite knowledge and ability and is duly qualified as to health, character and habits.

Mr. DEPUTY SPEAKER. It is moved that section 21 be amended by inserting after the word 'report' in line 29 the words 'in writing.'

Mr. FISHER. It was understood that wherever the deputy minister was required to make a report, the words 'in writing' would be put into the Act all through. In the reprint that has not always been done. I suggest that the same words should be added in sections 23 and 28.

Mr. FISHER.

Mr. FOSTER. We have a large number of persons in the department who might be called technical or professional. In fact the definition of the first three divisions is technical or professional or executive officers. This opens a very wide door. If a deputy head reports that the knowledge and ability requisite for the position are 'wholly or in part professional, technical or otherwise peculiar.' What meaning might be given to that I do not know. I should think that technical or professional ought to be sufficiently wide. To add to that 'or otherwise peculiar' opens up a very wide debatable field. Suppose it is brought down to professional or technical, that gives a very large power of nomination and patronage to the government and you have a great many men in the service whose qualifications are partly or wholly technical or professional, and you may thus nullify to a considerable extent the Civil Service Act. Whenever the departmental head wants to get in a certain person, if he has at all professional or technical abilities, it will be quite easy to bring him in under this report without any examination or intervention by the commission. I should think in the first place that the words 'or otherwise peculiar' might be left out and the discretion given by the section limited to the cases of professional and technical. In the second place it is worth while considering whether you should not insert there the qualifying clause 'and which, in the opinion of the commission, cannot be provided for under the preceding sections of this Act.' There is really no case which cannot be met under the preceding sections of the Act. If you want a packer, the commission can examine on packers, duties. If you want a professional man, the commission can examine on professional qualifications. In such cases, the patronage is eliminated, and this is the object of the Civil Service Act. If you allow this to go in, the patronage is not eliminated, and there is full power of nomination given to the Crown and to the minister who represents the department. But there might be, occasionally, some cases in which the commissioners themselves might prefer that an examination should not be held. Let that be left to the good sense of the commissioners and not with the whim or caprice, or it may be, even well founded opinion, of the minister. If the opinion is reasonable, the commissioners can be depended upon to agree with it. But if it is a case of patronage and ought not, in good reason, to be adopted, the commissioners will say so. But when you do not interpose the commission, it becomes mere nomination and patronage. When you have the competitive examination, it is not nomination nor is it patronage, because the list is there, prepared, not by the minister or his deputy but by the commission under