

*Civil Service Act*

Mr. CAHAN: That is exactly where it is left now.

Mr. VENIOT: Let the responsibility lie there.

Mr. VALLANCE: I notice the chairman of the committee is not in the chamber. The explanation given by the minister is the reason for leaving the clause as it is with the words "so far as practicable." We were trying to cover any possible case.

Mr. ROSS: What does "locality" mean?

Mr. VALLANCE: Within the radius of distribution of that post office.

Mr. ROSS: In my constituency several appointments were made where a man was temporarily located there, perhaps doing certain work while the family was situated elsewhere. Nevertheless he came into competition with men who all their lives had been residents of that constituency.

Mr. CAHAN: The man must be actually resident for one year in the locality; that means his domicile, his home, must have been in that locality for one year.

Mr. ROSS: If the word "domicile" is used, that will be satisfactory.

Mr. CAHAN: "Residence" is more explicit than "domicile."

Mr. GANONG: In my constituency in the customs service Milltown is an outport, while St. Stephen is a port. The Civil Service Commission promotes from the outport to the port. Examinations for the outport are not allowed to be held at St. Stephen. The result will be that appointments will be made wholly from the outport. Does the word "locality" mean the district or simply the locality?

Mr. CAHAN: "Locality" must be determined by the relation to the local position which is to be filled. The clause reads:

The appointments to any local positions in any province shall, so far as practicable, be made from persons having resided in such locality.

I think we shall have to trust to the Civil Service Commission to deal with that, "so far as practicable," as stated in the clause.

Mr. VENIOT: I was not a member of the committee, but evidently the matter did not come before it in all its phases. I presume it would have to consider the regulations adopted by certain departments whereby they extend the territory. Take, for instance, the main post office in Ottawa. It is included in a certain zone, so that persons, even from a district outside the city limits, can apply for an Ottawa position and still be considered as being residents of the Ottawa district. The

[Mr. Venoit.]

same thing applies in the case of the Department of National Revenue. In New Brunswick, Saint John being the head office for the Department of National Revenue, it has happened, and it can happen again, that people in Saint John city may apply and become revenue officers or subcollectors of customs in the county of Charlotte, just as in the case brought up by the hon. member for that constituency. In the past that was not considered a violation of the act or regulations. Of course there is no provision in this clause to meet that situation. This is no time to try to amend the bill in that respect, but I would suggest that the provision be allowed to operate for a year and then, if any injustices occur, we can amend it.

Mr. CAHAN: This is simply a general provision to cover a specific case. As no one knows better than the hon. member for Gloucester, the Civil Service Commission has discretion and authority to carry this provision into effect, and it also has authority to make, concerning this, rules and regulations which must necessarily from time to time receive the approval of the governor in council. The committee undoubtedly intended to lay down a general line of policy, leaving it to the commission to work out that policy by rules and regulations which will later be framed. The words "so far as practicable" leave the commission a certain discretion in such a case as that to which the hon. member for Gloucester has referred.

Mr. LUCHKOVICH: How would this clause apply to returned soldiers? If a returned soldier living in a city heard of a vacancy in a village and applied for that position, would he have precedence over applicants who actually resided locally or would he have to reside in that particular locality?

Mr. CAHAN: I suggest that the returned soldier would have no preference in a locality in which he did not reside.

Mr. VENIOT: He did not have it under the old law.

Section agreed to.

Sections 5 and 6 agreed to.

On section 7—Vacation leave.

An hon. MEMBER: What is the idea of putting in "in a tropical country"?

Mr. CAHAN: That amendment I believe was introduced at the suggestion of the Department of Trade and Commerce which maintains certain offices in hot countries where it is advisable to give one month's holiday on account of climatic conditions.

Section agreed to.