C.R.T.C. then suspended her, pending discharge, as she was in violation of an order of the Public Service Commission.

The legislation calls for the Public Service Commission to exercise its judgement as to what positions in the Public Service would be "impaired" by reason of a person occupying that position having been a candidate for election. Evidence was presented by both the Chairman of the C.R.T.C. and the representatives from the Public Service Commission that the position held by Miss Booth was one which would be impaired in this sense. We do not disagree with the way in which the legislation was interpreted in this case. We do find, however, that the procedures, both in the Act and those of the Public Service Commission are deficient.

Under the existing legislation, there are a number of problems brought to light in this example. There is no indication of what is, or may be, a sensitive position under Section 32(3) of the Public Service Employment Act. Consequently, each application has been dealt with on an *ad hoc* basis, with the result over a period of time developing a set of rough and ready guidelines. It was made clear by representatives of the Public Service Commission that it is the position which is evaluated, not the person making the application. No attempt had apparently been made to develop comprehensive guidelines by the Public Service Commission.

Your Committee feels that policy derived from *ad hoc* decisions is not a completely satisfactory practice. While representatives from the Public Service Commission admitted that there were some guidelines in certain categories of the Public Service, there were none for the Public Service as a whole. In addition, public servants were not informed as to what positions were "sensitive" in this context.

We do not believe that this practice should be continued. Guidelines with an appeal provision ought to be created and circulated to public servants so that they would know in advance what political role they would be able to play in their future as a result of having accepted a "sensitive" position. It was suggested, as an example, that those public servants excluded from the collective bargaining process because of the "sensitivity of their positions", be also excluded from presenting themselves as candidates for election because of the "sensitivity of their positions". We recognize that this is also a rough and ready guideline, and so we also recommend an appeal provision be attached as well.

Concerning appeal provisions, the Public Service Employment Act does provide an opportunity for creating appeal provisions through Sections 33, 34, and 35, which outline the powers of the Governor-in-Council to make regulations. In addition, Section 7 of the Financial Administration Act, which outlines the powers and functions of Treasury Board in relation to personnel management, would also seem to provide an opportunity to establish an appeal procedure for situations like this. Changes to Section 32(3) might also be seriously considered.

We recognize the excellent record of the Public Service Commission in approving 44 of some 48 cases in which it has had to make a decision. However, it is positions that are under consideration, not individuals, and it seems to us that specific guidelines ought to be developed and made available to public servants.

Your Committee feels that the procedures under which the Public Service Commission dealt with Miss Booth are unsatisfactory. Miss Booth had no avenue of appeal open to her.

Your Committee is of the opinion that Parliament ought to re-examine the whole question of the rights of public servants to participate in the political process.

A copy of the relevant Minutes of Proceedings and Evidence (*Issues Nos. 1 to 3 inclusive*) is tabled.

(*The Minutes of Proceedings and Evidence accompanying the said report recorded as Appendix No. 9 to the Journals*).

RULING BY MR. SPEAKER

Mr. SPEAKER: Last week, a number of bills were proposed for introduction to the House. The Chair expressed reservations about certain procedural aspects of those bills. While three were accepted for introduction after serious consideration, seven were then held in abeyance. On Friday last, honourable Members were given an opportunity to express views on a point of order which queried whether these bills might not affect the financial initiative of the Crown. A number of Members participated in the interesting procedural debate and I have now had time to study their arguments.

The honourable Member for Skeena (Mr. Howard) suggested that the bills in question proposed to amend the Unemployment Insurance Act and argued that they do not infringe upon the financial initiative of the Crown. The honourable Member suggested that if in fact all these bills or any of them are found by the Chair to affect the Crown's prerogative in this respect, the rule should be disregarded as being archaic. The honourable Member will appreciate I am sure that the Chair can hardly be expected to disregard a rule that is so fundamental. If in respect of any of these bills the Chair is convinced that the financial initiative of the Crown is in fact affected, it has no alternative but to set them aside. That is the conclusion which I have reached, in connection with three of the seven bills in question.

The bill standing in the name of the honourable Member for Broadview (Mr. Gilbert) purports to be an Act to amend the Unemployment Insurance Act. In fact it is a bill to amend the Income Tax Act. Clause (1) repeals section 158(2) of the Unemployment Insurance Act, but