

or no. As I suggested the other day, the procedure contemplated is to segregate them in lots of 500, take out the inner envelope and put it in the ballot box. I wonder whether the effort of obtaining the information desired by the hon. gentleman is worth the trouble it entails. There was no subtle reason for not doing it the other way; it was just a matter of convenience.

Mr. HANSON (York-Sunbury): I quite appreciate the argument the minister has made with regard to constituencies, but that would not hold good with regard to provinces. Why could we not have the vote summarized by provinces? That would not be quite as difficult, and it should be possible to do it. I ask the minister to give consideration to this when he is considering the regulations.

Mr. McLARTY: I shall be glad to. I do not know just exactly what it would involve, but it certainly would be more simple to do it by provinces than by constituencies.

Mr. HANSON (York-Sunbury): That would be a compromise anyway.

Mr. McLARTY: I assure my hon. friend that consideration will be given to it.

Mr. HANSON (York-Sunbury): That is about all I can ask. Then on the question of regulations by order in council, I pointed out long ago that this power of making legislative regulations is wrong. The power to make regulations for instructional and interpretative reasons is quite proper, and that is the principle in the elections act. Subsection 2 reads:

Such regulations shall, as near as may be, conform to the provisions of the Dominion Elections Act, 1938, with such additions and modifications as may be deemed necessary, and shall include special provisions for the taking of the votes of Canadian service voters.

Necessarily there will be some substantive enactments under these regulations as they are now. They may be changed at any time. Is there any finality to these regulations? When they are once proclaimed, they may be changed. I do not suggest that they would be changed for any ulterior purposes; it might be necessary to change them to make them completely operative. That is just the danger of having this sort of thing in regulations, and I want to register once more my protest against doing it in this way. Under the elections act the regulations are largely directional or instructive. The great bulk of the law surrounding the taking of this plebiscite, for both the civilian and the soldier vote, is to be found in the regulations. The statute that we are considering to-day is merely an enabling statute giving the power. That is all

[Mr. McLarty.]

it is, with certain limitations as to qualification, disqualification, the character of the ballot and that sort of thing. The whole procedure is provided for in the regulations which do not come before parliament. They are enacting regulations, and therefore they are objectionable. I do not intend to hold up the bill, but I think this is the third time that I have pointed out that this is an objectionable principle in legislation. For a party that used to howl against government by order in council, as hon. gentlemen opposite did from 1930 to 1935, it is a complete reversal of form. It is not correct, but I do not have any hopes that my protest will be of any avail.

Mr. GRAYDON: May I ask the minister for a clarification of one point in connection with the appointment of enumerators, deputy returning officers and poll clerks? Do I understand that the regulations here with respect to these appointments follow in every respect the appointments made in 1940 under the Dominion Elections Act? If so, I would ask this further question. I have not the particular section under my hand, but I recall that there was a special section in the act whereby the chief electoral officer was empowered, in cases where there was a floating population and for other special reasons, to declare a certain municipality or division to be an urban section in what otherwise was a rural constituency. During the 1940 election a number of these urban municipalities were created by virtue of the latitude thus allowed to the chief electoral officer. I would ask the minister if in taking the vote on the plebiscite the same procedure will be followed as in the 1940 election with respect to creating these urban municipalities in rural divisions, or will someone have to make application to the chief plebiscite officer for the purpose of having a particular division made an urban one instead of a rural one as in 1940?

Mr. McLARTY: I understand that the procedure included in the regulations is the same as for the election of 1940.

Mr. GRAYDON: Does that mean that we shall have to go through the same procedure again in order to have a particular part of a rural constituency declared urban after it has already been so declared in the election of 1940, upon evidence submitted?

Mr. McLARTY: I understand that the procedure will not have to be repeated, but that if the division was urban in 1940, it will be urban for the purpose of taking this plebiscite.

Mr. MacNICOL: Some days ago the newspapers had the statement that the northwest