

civil service committee of 1923 in which I find these words:

Your committee is of the opinion that the two fundamental principles of the Civil Service Act are the merit system and the system of promotion by competitive examinations and that both those principles must be maintained.

This is the original draft that I handed to Mr. Malcolm at the time. I find these words reported verbatim in the report of the committee's deliberations. Therefore as one who was to some extent responsible for the introduction of those words into this report I cannot countenance the appointment of anyone either in the house or to any other public service without the application of the civil service law whenever that is possible. This position was filled for many years by a Mr. Boudreault. He was here from the time the house opened after confederation. He was superannuated some time ago. The position is one that is classified under the Civil Service Act; one will find it in the classification to the edition of 1930. He is called the chief parliamentary messenger and housekeeper. The description of the position is as follows:

Chief parliamentary messenger and housekeeper.

Definition of class:—

Under the Sergeant-at-Arms, House of Commons, to direct and supervise the work of employees in attendance during sessions on officers and members of the houses of parliament and also of carpenters, doorkeepers, charwomen, and other employees; for to be responsible for the moving and placing of furniture and fittings as directed by the Sergeant-at-Arms; to act as housekeeper for the House of Commons; to have charge of cleaning and other household supplies; during recess to supervise the work of parliamentary messengers engaged in simple routine clerical work; and to perform other related work as required.

Qualifications: Primary school education; some knowledge of parliamentary routine; preferably a knowledge of both English and French; supervisory ability; tact, discretion, and good address.

And the annual compensation is set out. The Civil Service Act is quite clear in regard to promotion. Section 49 says:

Promotion shall be made for merit by the commission upon such examination, reports, tests, records, ratings or recommendations as the commission may by regulation prescribe.

Subsection 3 of the same section says:

In making promotions, the commission may, by regulation restrict the competition by merit to all employees or to employees of certain class or classes of a specified seniority, and may prescribe the marks or ratings to be obtained by such employees for efficiency and seniority, such marks or ratings not to exceed one-half of the total marks required under any merit system or method adopted by the commission for promotion purposes.

Under the Civil Service Act certain regulations have been made, and I quote from one of these regulations appearing at page 16 of the Civil Service Regulations of Canada, 1934:

Promotion is a change from one class to another class with a higher maximum compensation, and vacancies shall be filled, as far as is consistent with the best interests of the civil service, by promotion.

Promotions shall be made for merit by the commission upon such examination, reports, tests, records, ratings or recommendations as the commission may by regulation prescribe.

But rule 56 reads:

Requisitions for the filling of vacancies in permanent positions in the service shall include a statement from the deputy head of the department as to whether or not, in his opinion, it is consistent with the best interests of the service that the vacancy in question should be filled by promotion, and, if so, to what groups or classes the competition should be restricted.

I submit that in this case Mr. Speaker has failed to follow the regulations of the civil service commission, particularly in that there has been no recommendation made as to whether or not in his opinion it is consistent with the best interests of the service that this position should be exempted from the operation of the civil service law. This position might well be filled through promotion. No one knows better than the hon. member for Argenteuil (Sir George Perley) that there are employees who have been here for twenty years or more, and who served as understudies to Mr. Boudreault before his retirement. I must protest most energetically against this further encroachment upon the merit system. This position is not such that it cannot be filled consistently from within the ranks. On many occasions I have unhesitatingly stated that it might be well to go outside a certain department at certain times to select men of certain high technical ability when such men cannot be found within the service, but here there was no need for Mr. Speaker to defeat the civil service law by endeavouring to appoint this man in a roundabout way, by putting this item in the estimates. I have no quarrel with this gentleman; I know nothing of his merits, but I say there is no defence for this action on the part of the Speaker. There are other people in the service whose merits ought to be recognized. I think it is a sad thing, after having made a law, that we should endeavour to break it as often as possible. It is quite true that parliament is supreme; we can do as we please