

may be passed by the governor in council under this bill. They may pass regulations that are inconsistent with it.

Mr. McLARTY: If my hon. friend will refer to subsection 2, he will see a limitation there.

Mr. MacINNIS: Subsection 2 reads:

Such regulations shall, as near as may be—

That is pretty wide, isn't it?

—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.

If the regulations were included in these two volumes, and if they had come before the committee, then there would be no great objection to them, but here we are passing a short bill in which we give the governor in council power to extend it to whatever extent they may deem fit. As I have pointed out already, the usual phrase, "regulations not inconsistent with this act" is not included in the section at all. I claim that this power is too wide to give any government, particularly a government that is continually claiming that parliament is going to decide. Parliament certainly is not deciding here. Parliament is getting a mere outline of the bill, and the government takes the power to extend it as far and as wide as it may deem fit.

Mr. McLARTY: May I say just a word in reply to the remarks of the hon. member for Vancouver East, and especially his specific reference to inserting the words "not inconsistent with this act." I suggest that that would have very little, if any, meaning if put in the bill. What he probably has in mind as to the regulations would not be inconsistent with the elections act in which those regulations occur. The intention to cover that is clearly stated in subsection 2 of section 9, which states:

Such regulations shall, as near as may be—

Mr. MacINNIS: How near is "as near as may be"?

Mr. McLARTY: That is about as approximate as you can come, keeping in mind that one is an election and the other is a plebiscite. In other words, in this case there are not candidates running, and it is necessary that there be some variation by reason of the changed circumstances. This is the clause that was inserted in the 1898 act. When my hon. friend deals with penalties, I suggest that there is not a single penalty under the regulations which has not been passed upon

by the parliament of Canada. In other words, the objection which has been raised that penalties are included without parliamentary sanction cannot apply in this case. I believe that there is no intention of amending those regulations which have already been placed before the special committee of this house except to the extent that may be necessary in order to make the same workable arrangement, or within the limitations of the undertakings given to this committee to-night.

Mr. GLADSTONE: To revert for a moment to the hours of voting, in federal, provincial and municipal elections the vote polled between eight and nine o'clock in the morning is practically negligible; in fact there is only a small vote cast during the entire forenoon. From eight in the morning until eight in the evening makes a long day. The remuneration for deputy returning officers and poll clerks is to be less for this plebiscite, and since many people are employed on war work who were available on previous occasions, there may be difficulty in securing help. It will be especially hard on women who are occupying these positions to have to work a twelve-hour day. I would suggest that it would be better to have the opening hour at nine o'clock. There is no necessity with this plebiscite of having a compilation of the returns the same evening as is the case with other elections. I think an eleven-hour day would be more advantageous.

Mr. HANSON (York-Sunbury): I should like to ask just why the government has decided that the soldier vote shall be counted en bloc. In the last dominion election the soldier vote was counted according to constituency. We over here think it is desirable to know how the soldiers vote by constituencies. I should like to know how my soldier constituents vote. If the soldier vote is counted en bloc, it will not be possible to know how the sentiment of the soldiers is spread. No good reason has been given why this is being done. In fact I do not think any good reason can be given. I ask the minister to give some further consideration to this matter. I shall want to say something on subsection 3 when he has given me an explanation.

Mr. McLARTY: The only reason that was suggested was to have a practicable working out of the plan for taking the vote of the soldiers. In an ordinary election where candidates are running, the votes would necessarily have to be referable to a particular constituency, but in this plebiscite it is simply a matter of answering yes