

Bill No. 139 (from the Senate), for the relief of Sarah Brackinreid.—Mr. Kay.

Bill No. 140 (from the Senate), for the relief of Mildred Catherine Touchbourne.—Mr. Kay.

SUPPLY

CIVIL SERVICE COMMISSION

The House again in Committee of Supply, Mr. Gordon in the Chair.

Mr. CHEVRIER: When the committee rose at six o'clock I was referring to the legislation governing the operations of the Civil Service Commission. I was just going to show that this legislation had its inception in 1882, and that from the enactment then made followed the present Civil Service Act. The act of 1882 is cited as Chapter 4 of 45 Victoria. Section 3, with which we are concerned at present, reads as follows:

A board of examiners shall, from time to time, be appointed by the Governor in Council, who for the purposes of this act shall be known and are hereinafter referred to as "The board," consisting of three members who shall be authorized to examine all candidates for admission to the Civil Service of Canada, and to give certificates of qualification to such persons as are found qualified according to such regulations as shall be framed for the guidance of the board.

That section remained the law under which all appointments were made to the Civil Service of Canada, until the year 1908. In that year there was passed an Act to Amend the Civil Service Act, assented to on the 20th of July, 1908, and known as an Act to amend the Civil Service Act, 1908, Chapter 15 of 7 and 8 Edward VII. Section 3 contained the provision which determined the constitution of the Civil Service Commission. It provided as follows:

The Civil Service shall be divided into two divisions, namely, the inside service which shall consist of that part of the public service in or under the several departments of the executive government of Canada—

Then it recites quite a number of names of departments; whereupon the second division of the service is described as follows:

The outside service, which shall consist of the rest of the public service.

This act applied to the inside service only. It is simple in its inception and capable of being easily worked out. It was copied from the British Civil Service Act, and it met all the difficulties inherent to civil service administration. There is no legislation I know of that is perfect, but this legislation was as near perfect as any

could be. Under section 5 the inside service was divided into three classes, each of which was divided into two more, so that the whole of the service was divided into six categories. Sections 27, 28 and 29 set out the salaries for each of these classes. The duties of the commission were set out in section 10, as follows:

(a) to test and pass upon the qualifications of candidates for admission to the service, and for promotion in the service, and to issue certificates with respect thereto were required under this act or regulations made thereunder;

(b) of its own motion to investigate and report upon the operation of the Civil Service Act or of this act, and upon the violation of any of the provisions of the Civil Service Act or of this act or of any regulation made under either of the said acts, and upon the request of the head of a department with the approval of the Governor in Council, to investigate and report upon the organization of the department.

Admissions into the service, therefore were to be by competitive examination. I will refer to this more at length when I take up the act under which we are working to-day. Appointments to the service were regulated by section 13, which stated:

Appointment to positions in the inside service under that of deputy head shall be by competitive examination, which shall be of such a nature as will determine the qualifications of candidates for the particular positions to which they are to be appointed, and shall be held by the commission from time to time in accordance with the regulations made by it and approved by the Governor in Council.

This was a fair statement of the manner in which appointments should be made. Section 18 provides as follows:

From the said list—

Referring to the list of successful competitors in an examination,

—"the commission, on the application of the deputy head, with the approval of the head of any department, shall supply the required clerks, whether for permanent or temporary duty.

Under that act, therefore, fair play was assured through competitive examination, and the deputy minister could then, with the approval of the minister, appoint the person whom he wished to fill the vacant position. I think that that met all the requirements of a democratic government such as that which is now ours.

The responsibility was upon the minister to see that his department was properly administered. He had confidence in his deputy; the deputy knew the requirements of his department and could choose from among the successful candidates the man whom he regarded as best qualified to