

Canada. Parliament.
Senate. Standing Comm.
on Misc. Private Bills,
1962.
Proceedings.

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CANADA. PARLIAMENT. SENATE. STANDING
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SENATE
Standing Committee on
Miscellaneous Private Bills

5th Session, 24th Parliament
1962

- Bill C-14.
- Bouffard, Hon. Paul H., Chairman.
- Brown, W.G., Deputy Commissioner, Northwest Territories. Dept. of Northern Affairs and National Resources.
- Castonguay, N.J., Chief Electoral Officer.
- Miscellaneous Private Bills.
- Nielsen, Erik, M.P.
- Representation Act Amendment.
- Slessor, D.R., Assistant Surveyor General. Dept. of Mines and Technical Surveys.



Fifth Session—Twenty-fourth Parliament
1962

THE SENATE OF CANADA
PROCEEDINGS
OF THE
STANDING COMMITTEE
ON
MISCELLANEOUS PRIVATE BILLS

To whom was referred the Bill C-14, An Act to amend
the Representation Act.

The Honourable PAUL H. BOUFFARD,
Chairman.

THURSDAY, MARCH 22, 1962.

WITNESSES:

Mr. Erik Nielsen, M.P., Mr. N. J. Castonguay, Chief Electoral Officer,
Mr. D. R. Slessor, Assistant Surveyor General, Department of Mines
and Technical Surveys and Mr. W. G. Brown, Deputy Commissioner,
Northwest Territories, Department of Northern Affairs and National
Resources.

REPORTS OF THE COMMITTEE

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1962

THE STANDING COMMITTEE ON
MISCELLANEOUS PRIVATE BILLS

The Honourable PAUL H. BOUFFARD, Chairman

The Honourable Senators

*Aseltine	Farris	Monette
Baird	Hayden	Quart
Beaubien (<i>Bedford</i>)	Higgins	Reid
Beaubien (<i>Provencher</i>)	Hnatyshyn	Roebuck
Bois	Hollett	Stambaugh
Boucher	Horner	Sullivan
Bouffard	Howard	Taylor (<i>Norfolk</i>)
Brooks	Hugessen	Taylor (<i>Westmorland</i>)
Brunt	Lambert	Thorvaldson
Choquette	Macdonald	Tremblay
Connolly (<i>Halifax North</i>)	(<i>Cape Breton</i>)	White—34.
Connolly (<i>Ottawa West</i>)	*Macdonald (<i>Brantford</i>)	
Dupuis	McDonald	

35 members
(Quorum 7)

*Ex officio member.

ORDER OF REFERENCE

Extract from the Minutes of the Proceedings of the Senate, Thursday, March 15, 1962.

Pursuant to the Order of the Day, the Honourable Senator Brunt moved, seconded by the Honourable Senator White, that the Bill C-14, intituled: "An Act to amend the Representation Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Brunt moved, seconded by the Honourable Senator Emerson, that the Bill be referred to the Standing Committee on Miscellaneous Private Bills.

The question being put on the motion, it was—
Resolved in the affirmative.

J. F. MacNEILL,
Clerk of the Senate.

MINUTES OF PROCEEDINGS

THURSDAY, March 22, 1962.

Pursuant to adjournment and notice the Standing Committee on Miscellaneous Private Bills met this day at 10.00 a.m.

Present: The Honourable Senators Bouffard, *Chairman*; Baird, Beaubien (*Provencher*), Brunt, Connolly (*Halifax North*), Connolly (*Ottawa West*), Higgins, Hnatyshyn, Hollett, Macdonald (*Cape Breton*), Macdonald (*Brantford*), Quart, Reid, Stambaugh, Taylor (*Norfolk*) and White—16.

In attendance: Mr. E. Russell Hopkins, Law Clerk and Parliamentary Counsel and the Official Reporters of the Senate.

Bill C-14, An Act to amend the Representation Act, was read and considered clause by clause.

On Motion of the Honourable Senator Macdonald (*Cape Breton*) it was Resolved to report recommending that authority be granted for the printing of 800 copies in English and 200 copies in French of the proceedings of the Committee on the said Bill.

The following witnesses were heard in explanation of the Bill:

Mr. Erik Nielsen, M.P., sponsor of the Bill in the House of Commons.

Mr. N. J. Castonguay, Chief Electoral Officer.

Mr. D. R. Slessor, Assistant Surveyor General, Department of Mines and Technical Surveys.

Mr. W. G. Brown, Deputy Commissioner, Northwest Territories, Department of Northern Affairs and National Resources.

On motion of the Honourable Senator Reid it was Resolved to report the Bill without any amendment.

At 12.30 p.m. the Committee adjourned to the call of the Chairman.

Attest.

A. Fortier,
Clerk of the Committee.

REPORTS OF THE COMMITTEE

THURSDAY, March 22, 1962.

The Standing Committee on Miscellaneous Private Bills to whom was referred the Bill C-14, intituled: "An Act to amend the Representation Act" report as follows:

Your Committee recommend that authority be granted for the printing of 800 copies in English and 200 copies in French of their proceedings on the said Bill.

All which is respectfully submitted.

PAUL H. BOUFFARD,
Chairman.

THURSDAY, March 22, 1962.

The Standing Committee on Miscellaneous Private Bills to whom was referred the Bil C-14, intituled: "An Act to amend the Representation Act", have in obedience to the order of reference of March 15, 1962, examined the said Bill and now report the same without any amendment.

All which is respectfully submitted.

PAUL H. BOUFFARD,
Chairman.

THE SENATE

STANDING COMMITTEE ON MISCELLANEOUS PRIVATE BILLS

EVIDENCE

OTTAWA, Thursday, March 22, 1962.

The Standing Committee on Miscellaneous Private Bills, to which was referred Bill C-14, to amend the Representation Act, met this day at 10.30 a.m.

Senator Paul H. BOUFFARD (*Chairman*) in the Chair.

On a motion duly moved and seconded it was agreed that a verbatim report be made of the committee's proceedings on the bill.

On a motion duly moved and seconded it was agreed that 800 copies in English and 200 copies in French of the committee's proceedings on the Bill be printed.

The CHAIRMAN: Gentlemen, we have before us Mr. Erik Nielsen, Member of Parliament for Yukon Constituency.

Mr. Erik Nielsen, Member of Parliament for Yukon: Mr. Chairman and honourable senators, the bill before you proposes to add the Keewatin and Franklin districts of the Northwest Territories to the existing electoral district of Mackenzie. The Mackenzie electoral district is coloured dark green on this map. Keewatin district is coloured orange, and the Franklin district probably appears to be light green or yellow, consisting of all of the Arctic islands.

The Keewatin district of the Northwest Territories is all of the eastern part of the mainland of Canada, including the offshore islands, for the purpose of this bill, and the Franklin district consists of all of the islands in the high Arctic.

The population of the Keewatin and Franklin districts combined is approximately 8,000, and of these it is estimated that there would be between 2,500 and 3,500 voters, probably as high as 4,000. The population is 75 per cent Eskimo, and the remainder are federal Government employees and industrial employees. There are approximately 1,250 federal Government employees in these two districts. Included in that federal Government payroll are approximately 300 Eskimo people.

These two areas comprise the only areas in Canada which remain without representation in the House of Commons, and I might add, in the Senate as well. If the Senate passes this bill, and if it goes through the Parliament of Canada, it will mean that all Canadians will finally have the right of representation in the House of Commons, at least.

I think, Mr. Chairman, I might now simply submit myself to questions.

Senator REID: Is this plan which you have outlined the result of your sole effort or is it as the result of the work of a committee drawn up for this purpose? Was it your own idea?

Mr. NIELSEN: It was, Senator. It was my idea, although perhaps it wasn't originally. Other people may have thought of it as well, but as far as I was concerned it was my original idea. I first introduced the bill two years ago and it was too far down the list to be debated in the House of Commons. Last year I did not put it on the order paper because I was much too late, and there

were some sixty-odd private bills. This year I got it on early and it came up as No. 14 at the beginning of the session.

Senator REID: Thank you.

Senator CONNOLLY (*Ottawa West*): Where is the concentration of population, if there is such a thing, in these two new districts?

Mr. NIELSEN: The centre of highest population is Frobisher Bay on Baffin Island.

Senator CONNOLLY (*Ottawa West*): How many people are there located there?

Mr. NIELSEN: About 1,650.

Senator CONNOLLY (*Ottawa West*): Does that total represent voters or population?

Mr. NIELSEN: This is population. It is mainly an adult population, as is most of the population in these far-flung areas.

Senator CONNOLLY (*Ottawa West*): In other words, almost half of the voters are at Frobisher?

Mr. NIELSEN: I would say it would be closer to a quarter or one-third of all the voter population. I would say that of the 1,650, one-third would be voters. That would be my estimate—

Senator CONNOLLY (*Ottawa West*): I see.

Mr. NIELSEN: —although the Chief Electoral Officer would probably have a better idea as to that than I.

Senator HIGGINS: Are there any United States forces in Frobisher Bay?

Mr. NIELSEN: As you probably know, the weather stations in the Frobisher district, and I believe also in the Keewatin district, are manned by joint Canadian-American personnel. At Frobisher Bay there would be American personnel.

Senator HIGGINS: Are they included in the number you have just given as inhabitants?

Mr. NIELSEN: No, sir.

Senator CONNOLLY (*Ottawa West*): Where else is there a concentration of population?

Mr. NIELSEN: Rankin Inlet, which is the site of a nickel mine. Baker Lake is another centre of population. Igloolik is a centre of population, as is Pond Inlet, which is an administrative centre for the Department of Northern Affairs and National Resources.

Senator CONNOLLY (*Ottawa West*): What did you say, Igloolik Lake?

Mr. NIELSEN: Igloolik. The Chief Electoral Officer has appended to this map a list of the tentative polling divisions which set forth opposite them the number of people who live in those areas.

Senator CONNOLLY (*Ottawa West*): Would you just give us the main centres of population with the approximate numbers who are there both of residents and of voters? Can you do it from that list?

Mr. NIELSEN: Since there has never been an enumeration in these two districts I cannot give you any more than an estimate, and your estimate, senator, would probably be as good as mine; although the Chief Electoral Officer might have a better idea.

Senator CONNOLLY (*Ottawa West*): You are reading from the Chief Electoral Officer's list?

Mr. NIELSEN: Yes.

Senator CONNOLLY (*Ottawa West*): How many places are mentioned in that list, approximately 15?

Mr. NIELSEN: No, about 28 so far.

Senator CONNOLLY (*Ottawa West*): Would you give us the larger ones only?

Mr. NIELSEN: Well, Frobisher, which I mentioned, 1,630; Igloolik, 564; Rankin Inlet 600; Spence Bay, 446; Cape Dorset, 373; Baker Lake, 480; these are all centres of more than 300. Resolute, 250; Whale Cove, 150; Eskimo Point, 245; Coral Harbour, 275; Clyde, 238; Cambridge Bay, 270; Belcher Islands, 187; and Arctic Bay, 142.

Senator CONNOLLY (*Ottawa West*): Are those figures you have given us now figures of population, or of adult voters?

Mr. NIELSEN: Population.

Senator CONNOLLY (*Ottawa West*): There is no way of estimating, I suppose, how many of those would have the vote?

Mr. NIELSEN: No. You would have to take a guess, senator. In my conversations with officials of the Arctic division, I gathered there would be about 65 per cent to 70 per cent of the population, certainly among the Eskimo people, who would be a voting population. This is somewhat higher than the southern areas of Canada, simply because of conditions of life up there, and certain sociological conditions which exist.

Senator REID: I have had a long experience in public life, Mr. Nielsen, and I find that a great many white people do not know how or why they should vote, and I am wondering if any effort has been made to tell the Eskimos what it means to vote and how to do so?

Mr. NIELSEN: I do not know about other political parties, senator, but we have already embarked on that course of instruction.

Senator REID: In other words, you are a little ahead of the Liberal party. Be frank about it, you have beat them to it.

Senator CRERAR: How many polling divisions would there be in the whole area?

Mr. NIELSEN: Probably a realistic guess would be about 100 to 110. There would be about 60 in Mackenzie and 48 to 50 at least in the other areas.

Senator CRERAR: I mean in the additional territories.

Mr. NIELSEN: About 50.

Senator CRERAR: That is in Franklin and Keewatin?

Mr. NIELSEN: Yes, sir.

Senator CRERAR: How would they be serviced? Do you think the Chief Electoral Officer could give us some information on that?

Mr. NIELSEN: Yes. The Chief Electoral Officer is here. But communications have improved considerably in recent years with scheduled air services into Frobisher Bay, Baker Lake, Rankin Inlet, and places like that.

Senator CRERAR: What is the means of the access to these polling areas?

Mr. NIELSEN: By air.

Senator CONNOLLY (*Ottawa West*): How do you get in by air to Frobisher?

Mr. NIELSEN: There is a thrice-weekly scheduled service from Montreal.

Senator CRERAR: Has any estimate been made of the cost of managing an election in these two vast territories?

Mr. NIELSEN: It is pretty difficult to do that. I am informed by Mr. Castonguay that a minimum cost would be \$25,000; but then this compares favourably with the last election when the ice-breaker *d'Iberville* was employed

along the Labrador coast together with a helicopter, for \$30,000, plus \$90 per trip, plus keeping the crew, and so on; so it compares favourably with other remote electoral districts.

Senator CONNOLLY (*Ottawa West*): How do candidates get in there, by the scheduled air services?

Mr. NIELSEN: Or by charter; or by mail, and of course, radio communication by C.B.C. northern service in the past three years, which well covers the area.

Senator CRERAR: But the substantial majority, I suppose, charter planes?

Mr. NIELSEN: Yes, the same as we do in the Yukon and Mackenzie now.

Senator CONNOLLY (*Ottawa West*): Do you mean to tell me that the candidates, for example, buy time on the C.B.C. radio service up there for political speech-making?

Mr. NIELSEN: They cannot buy time, but they will be allotted time in the Yukon and Northwest Territories in toto. Where there are no private stations the C.B.C. allots time for controversial broadcasts to the various political parties.

Senator REID: Is broadcasting ever done in the Eskimo language or any other language outside of the English language?

Mr. NIELSEN: It is now, sir, by Eskimos.

Senator CRERAR: Will this amendment you are proposing here conflict in any way with the election of members?

Mr. NIELSEN: No, sir. It does not seek to increase the representation in the House of Commons, but simply seeks to grant to those Canadians in Keewatin and Franklin the right to exercise their franchise. There is no doubt as to the right of these Canadians to vote, but it is sought to provide facilities for them to do so.

Senator WALL: Before you finish, Mr. Nielsen, I would like to ask you a question. Inherent in this piece of legislation—and now we have been talking about the probable polling subdivisions and the probable minimum cost of implementing this measure—is the spending of money. In other words, this bill is abortive and inoperative, unless there is going to be an expenditure of public funds?

Mr. NIELSEN: The Canada Elections Act, senator, already contains provision for the spending of the funds, to which I believe you refer. There was a section knocked out in the House of Commons because it implied a direct expenditure before it could become operative.

Senator WALL: That is true; but if I were to introduce this kind of a bill in the Senate there would immediately be raised a holler that this was a bill which was directed to the expenditure of public funds and therefore was not within my prerogative.

Senator BRUNT: I do not think so.

Mr. NIELSEN: Senator, with deference, constitutionally I do not think that the bill conflicts with the rule against the introduction of bills by private members if they involve the expenditure of public funds, since the Canada Elections Act already contains those authoritative provisions which would allow the expenditure of the funds necessary to implement the provisions of the bill.

Senator BRUNT: Mr. Nielsen, was there not a ruling in the other place that the bill passed was not a money bill?

Mr. NIELSEN: There was no direct ruling. However, it was inherent in the ruling of the Speaker in the House of Commons, since he knocked one section out of it as offending the rule, but let the other three in, and I think it must be inherent in this that it must not have conflicted.

Senator MACDONALD (*Brantford*): If I understood the proceedings correctly in the other house you introduced three bills, and this is the third bill this session?

Mr. NIELSEN: No, senator. The bill in its original form introduced on January 22 would have sought to add a member to the House of Commons, and then I proposed amendments in the committee of the whole which would eliminate that feature which would have sought to add a member to the house, and the bill was reprinted, as it was intended to make those amendments in the committee of the whole, in the present form.

Senator MACDONALD (*Brantford*): I thought the second bill contained the clause to which Senator Wall referred with respect to giving directions for the setting up of these polls, is that not correct?

Mr. NIELSEN: No. None of the considerations in the House of Commons contemplated any directions for setting up the polls. What you might be thinking of, senator, is the fact that the bill was changed for the third time when Mr. Speaker in the House of Commons suggested that clause 4 be deleted, which it was.

Senator MACDONALD (*Brantford*): Yes, because I have the three copies of the bill here. I have the first bill, and then it was reprinted containing the clause to which Mr. Speaker at that time took exception; then there was a third bill, a third printing, which is the bill before us now.

Mr. NIELSEN: Yes.

Senator MACDONALD (*Brantford*): Now, I read what took place in the other house. Mr. Speaker declared that the bill was out of order in that form as it contravened section 54 of the British North America Act. That is correct, is it not?

Mr. NIELSEN: He directed those remarks to section 4 of the bill as proposed to be amended.

Senator MACDONALD (*Brantford*): Yes, he declared at that time he would have to declare the whole bill out of order.

Mr. NIELSEN: Yes.

Senator MACDONALD (*Brantford*): Then he also rose to invoke rule 61 which requires that a money bill must be brought in by resolution, and for those reasons he ruled the bill out of order. Then some discussion took place as to whether the bill would then be effective if there was not provision for setting up the polls.

Mr. NIELSEN: No, senator. With deference, what he then went on to say or suggest was that the bill be referred back to the committee of the whole for deleting that section 4, which would have then made the bill acceptable to the house, which the house proceeded to do; they went back into the committee of the whole and deleted section 4.

Senator MACDONALD (*Brantford*): It might be acceptable, but it would be ineffective unless there was the power within the Canada Elections Act for the Chief Electoral Officer to set up these polls.

Mr. NIELSEN: With deference again, senator, that would not have made the bill ineffective, it would have made the provisions of the bill easier to carry out. I understand the Government is now giving consideration to the introduction of a provision to implement the provisions of section 4.

Senator MACDONALD (*Brantford*): Well, Mr. Nowlan at that time said that it would be necessary to introduce a bill whereby a section would be added to the Canada Elections Act—to use his direct words, “which would implement the procedure contained in clause 4 of the bill”.

Mr. NIELSEN: Yes.

Senator MACDONALD (*Brantford*): So without some amendment to the Canada Elections Act this section, I take it, would be ineffective, because Mr. Nowlan said that it might be necessary to bring in legislation in order to implement the procedure.

Mr. NIELSEN: May I explain that, senator?

Senator MACDONALD (*Brantford*): Yes.

Mr. NIELSEN: As you honourable gentlemen know, in every riding there is a returning officer who has an election clerk. Now, in the existing district of Mackenzie, which is in dark green on the map, just as in the Yukon and in every other riding, the returning officer has one election clerk, and that is all he is authorized to have under the Canada Elections Act. Because we are not creating a new electoral district in Keewatin and Franklin but merely adding it to the Mackenzie district, it was considered that one election clerk would be insufficient to service this rather large electoral district and that it would assist and facilitate election machinery if the returning officer of the Mackenzie had in addition to the existing clerk, to which he is entitled, one or more election clerks that could be delegated in these other two large areas. The addition of those election clerks which were contemplated by section 4 of the bill before amendment in the House of Commons is not absolutely essential to carry out the other three provisions of the bill for an election in the new electoral district; but you can see, gentlemen, the burden it would place on one election clerk to travel all over this vast area to line up the election machinery generally. It is not impossible, but it would make things much easier and probably result in greater efficiency in recording the vote if an additional clerk were to be provided, and that was the reason for section 4.

Senator MACDONALD (*Brantford*): Yes, that is the reason; but my difficulty is in how effective this bill is if there is not provision now for setting up and paying for the setting up of polls and of officers to man the polls, as well as deputy returning officers and a returning officer. That problem did face the house, and it faced Mr. Nowlan. He was asked as to that, and he said at that time he was not clear as to whether or not there was power, or there is power at this time, in the Chief Electoral Officer to set up these polls and he was also not clear whether or not it would be necessary to amend the Canada Elections Act. In Mr. Nowlan's opinion, in order for this bill to be effective the power must now be in the Chief Electoral Officer, and the Canada Elections Act must be amended. Mr. Nowlan stated that he could not give an undertaking that something would be done, but I think he made it clear that it would be looked into and I was under the impression that possibly something would be done. Has nothing been done to clear up that point?

Senator REID: The Chief Electoral Officer is here.

Senator MACDONALD (*Brantford*): I know he is here but, with all due respect to the Chief Electoral Officer, in whom we all have confidence, I would point out that this is a matter for the Department of Justice. We are all in favour of this bill and we are all behind it. We all want these people to get the vote. No one wants more than I do that these people have the right to vote and that the facilities be set up so that they can vote. I want to make sure we do that. However, I don't want the Senate to pass this bill and then find it is beyond the powers of the Chief Electoral Officer to set up the polls and appoint the returning officers. I want to be abundantly clear on that, and the only way I can see at the moment that we can have it made clear is to have a representative of the Department of Justice, the minister or deputy minister, come here and tell us that there is power now in the Government to do this, or that the Canada Elections Act must be amended. If the Canada Elections Act must be amended then the Government should go forward and do it, and I feel that it would do it quickly.

Mr. NIELSEN: May I deal with that point? I think there is a difference in understanding, senator, in what the purpose of section 4 was and the points you are raising. There is now the power in the Chief Electoral Officer to set up the polls, and the new districts will have a returning officer who is the existing returning officer for the Mackenzie district. That returning officer, Mr. Borden, will be the returning officer for the Northwest Territories district. He will have the power to set up the polls where he thinks they should be set up, and he has now the power to designate deputy returning officers for every poll he sets up.

Senator MACDONALD (*Brantford*): Where does he get that power?

Mr. NIELSEN: It is already there under the Canada Elections Act.

Senator MACDONALD (*Brantford*): Although there is no district at the moment, there is power for the Chief Electoral Officer to set up these polls?

Mr. NIELSEN: No, no; as soon as the bill is passed this power will be there.

Senator MACDONALD (*Brantford*): Oh, when the bill is passed.

Mr. NIELSEN: As soon as the bill is passed the power is there.

Senator MACDONALD (*Brantford*): I have great respect for your opinion but this is so important a matter I think we must, in my view, have the opinion of the Department of Justice. I don't want this election to take place and these people vote and then someone come along trying to set aside the election and say there was no power vested in the Chief Electoral Officer to do this. I think it should be made definitely clear that they have this power, and if the elections act has to be amended why is there delay in amending it? If there is any doubt about it, it should be amended.

Senator HNATYSHYN: Isn't what is happening now merely that the boundaries are being extended?

Mr. NIELSEN: That's all.

Senator HNATYSHYN: It is still an electoral district. The representation is not being extended. It is just extending the boundaries. I can't see how there can be any doubt that the returning officer of the present seat, as shown in dark green on the map, would be the returning officer of the whole area as extended.

Mr. NIELSEN: That is true, honourable senator. The terms of the Canada Elections Act are not altered at all, and the existing power in the returning officer for the various electoral districts is exactly the same as the power of the returning officer for the Mackenzie district, which will become the Northwest Territories, if the bill passes, and he will have all the existing powers now inherent in the Canada Elections Act.

Senator MACDONALD (*Brantford*): If I might continue for a minute, I am not raising this in a controversial way but I would not think the Senate would want to put through a bill and then find it was unconstitutional. Senator Hnatyshyn, you will recall that in the House of Commons, when this bill was first introduced, there were definite provisions in the bill for setting up these polling stations, and so on.

Mr. NIELSEN: With great deference, that is not correct.

Senator MACDONALD (*Brantford*): Well, I have the clause here.

Mr. NIELSEN: All clause 4 attempted to do was to add another clerk—

Senator HNATYSHYN: To give more help.

Mr. NIELSEN: —to give more help in servicing the area. That is all clause 4 attempted to do.

Senator MACDONALD (*Brantford*): I have the wording here. It reads:

In the electoral district of Northwest Territories the returning officer, with the written authorization of the Chief Electoral Officer, may appoint more than one election clerk and establish, if necessary, an office in each locality designated by the Chief Electoral Officer, and may delegate, in writing, to any such election clerk appointed his powers of selecting and appointing enumerators and deputy returning officers and of selecting polling places.

Senator BRUNT: Is that in the bill?

Senator MACDONALD (*Brantford*): It was in the original bill.

Mr. NIELSEN: That was in clause 4 of the bill before it was amended by the House of Commons.

Senator MACDONALD (*Brantford*): My point is that we are merely trying to work this thing out and my recollection is that after the bill had been debated in the House of Commons for several days they all felt that the clause I have read was not necessary in order to make this bill effective.

Senator HNATYSHYN: It still leaves the Chief Electoral Officer with the same power.

Senator MACDONALD (*Brantford*): But he could not appoint the necessary clerks.

Senator HNATYSHYN: But he has one clerk.

Senator MACDONALD (*Brantford*): No, but he couldn't appoint selecting and appointing enumerators.

Mr. NIELSEN: With deference, again, might I make another attempt to explain this. If you pass this bill the returning officer for the district of Mackenzie will be the returning officer for the Northwest Territories electoral district, and he will have the power to appoint one clerk, which he already has under the Canada Elections Act, but clause 4 was added because I felt, as did the Chief Electoral Officer, that it would greatly assist in conducting the election if he had the power to appoint more than one clerk so that he could set up an office in the Keewatin District and perhaps another one in the Franklin District. The returning officer in the Mackenzie District not only has the power to appoint one clerk but also the power to appoint all his deputy returning officers, who in turn have the power to appoint their own polling clerks. This power already exists in the Canada Elections Act, but what was sought by clause 4 was to increase the power of the returning officer so that he could appoint more than one clerk. He already has the power to appoint one clerk and what was wanted was the power to appoint more than one clerk and to delegate the powers to that clerk to set up polling divisions. Right now there is no power of delegation and the returning officer must set up all his polls, and so on. Clause 4 sought to delegate that power to a clerk in these more remote areas.

There was one other point I wanted to deal with and that was the reason for knocking out clause 4, for if we want to buy the principle that the returning officer would have the power to appoint more than one clerk, then such other clerk or clerks would be salaried individuals and therefore would have to be paid over and above the existing authorized payments under the Canada Elections Act. This offended against the principle of a private member introducing a money bill, and that is why section 4 was knocked out. But it is not absolutely essential that this power to appoint another clerk be there because the election could be run with one clerk. It would delay the vote and probably result in a more inefficient poll and there is no doubt at all that it is desirable for the returning officer, with the approval of the Chief Electoral Officer, to appoint another clerk or clerks and delegate to them those powers now held by the deputy returning officers.

Senator REID: How could that be done now?

Mr. NIELSEN: By amending the Canada Elections Act.

Senator CRERAR: Mr. Nielsen, what you are doing in effect is amending the Canada Elections Act.

Mr. NIELSEN: Not with this bill.

Senator CRERAR: Well, if the Canada Elections Act provides for the appointment of one clerk by the returning officer, and you provide in this bill that the returning officer in, say, Mackenzie may appoint more than one clerk—

Senator BRUNT: No.

Mr. NIELSEN: Clause 4 is no longer under consideration. I was merely trying to explain to the honourable senator who raised the question that it is not essential for the operations of the bill as it is now before you that the other clerk be provided for.

Senator CRERAR: Very good. Then, if this bill passes in its present form the returning officer in Mackenzie could only appoint one clerk.

Mr. NIELSEN: That's right.

Senator CONNOLLY (*Ottawa West*): Do you say that the Canada Elections Act must be amended to carry out the further provision?

Mr. NIELSEN: No.

Senator CONNOLLY (*Ottawa West*): You say that it is desirable to have more than one clerk up there.

Mr. NIELSEN: Yes.

Senator CONNOLLY (*Ottawa West*): Then, to have more than one clerk the Canada Elections Act would have to be amended.

Mr. NIELSEN: Right.

Senator CONNOLLY (*Ottawa West*): Do you say that it is proposed to amend the Canada Elections Act?

Mr. NIELSEN: I cannot say that because, of course, that must be by Government decision, but I believe that the matter is under very careful and active consideration now.

Senator CONNOLLY (*Ottawa West*): In other words, if this bill passes without the additional clerk being provided for I take it that the election could not be run as efficiently as you think it should be.

Mr. NIELSEN: Well, we all have our own standards. I say that if the bill passes an election can be run and it can be run successfully, and the people who are up there would have the right to vote and that is, of course, what we are all after, I would think.

Senator CRERAR: Would it have to be a deferred election?

Mr. NIELSEN: No, it would not have to be a deferred election. It might take longer to get the ballot boxes back, and so on.

Senator CRERAR: Enumerators have to be appointed and lists made out, and so on, and the necessary machinery for conducting an election has to be provided. You say this could be done without a deferred election?

Mr. NIELSEN: Oh, yes. Communications are vastly improved in the north today.

Senator CRERAR: I would say, Mr. Nielsen, that you are the greatest optimist I have met in years.

Mr. NIELSEN: No. I have seen this country. I have flown all over it and I am very familiar with the north. I know how easy it is, as opposed to popular belief, to get around up there.

Senator CRERAR: In my time I have flown over most of it too, and I don't see how in the world, with the possibilities of bad weather and everything else, you could comply with the Canada Elections Act and have an election without a deferment.

Mr. NIELSEN: I will give you a good parallel. There were two northern Manitoba ridings that in the last election had their return in two months after the returns were in from the Mackenzie district.

Senator REID: I would like to ask you for your own opinion on something. Is it possible that this whole thing could be altered when redistribution takes place, and I ask this because redistribution is coming up, you know.

Mr. NIELSEN: No, I don't think so.

Senator REID: You would have no advice to give to those responsible for handling redistribution?

Mr. NIELSEN: No, but I do have plans for the future. If I am around here in 1964 and 1965 when the Territories are split east and west, I plan to introduce a further private bill to provide for a member for each district, east and west. I have such a plan.

The CHAIRMAN: That would be to increase the number of members?

Mr. NIELSEN: Yes.

Senator CRERAR: Has the Government approved this bill?

Mr. NIELSEN: It did not oppose it, senator.

Senator REID: The fact that the bill is before the Senate indicates the Government must have approved it.

Mr. NIELSEN: I did not discuss the bill generally with Cabinet ministers, although I did discuss it with the Minister of Northern Affairs and National Resources and he is all for it. I am certain that if the Government had not been for it it would not have passed the House of Commons.

Senator CRERAR: In my experience, and it has been considerable, ordinarily a measure of this kind is introduced by the Government, and in this case it has been introduced by a private member—and no doubt a good private member, in yourself—but there is a serious doubt in my mind about the whole thing. It might not be a bad idea to amend this act by saying that it shall come into effect on proclamation by the Government, and let the Government examine—because we have nothing from them so far—as to the legal point raised by Senator Macdonald, which I think has definite substance; and also the other business of trying to organize the electoral machinery in milieu, which is substantial—I think covering more than half the area of Canada—which is a very considerable task. I think you said that probably there would be fifty additional polls required in these two areas. That in itself is a very important consideration.

Mr. NIELSEN: In answer to these points I might say that I have been away for the last week but before I went away I know that the Chief Electoral Officer was already working on this, and the returning officer for Mackenzie was working on it, and I would estimate, subject to Mr. Castonguay's correction, that the organization for setting up these polls would probably be well under way now, and perhaps even 50 to 60 per cent completed in anticipation of the bill passing, for you cannot wait until the last moment to set up an organization such as this. Again, with the greatest of respect for Senator Macdonald and his opinions, it is possible now, if this bill is passed, for the voters in those two areas to vote entirely within the law, and all the power necessary to establish the polls, deputy returning officers and poll clerks is already in the Canada Elections Act. The act is quite clear in that regard.

Senator MACDONALD (*Brantford*): I appreciate what you say, and I have equally great respect for your opinion. I think you have explained the bill very well, but a problem has been raised by the statement of the minister in the House of Commons. He was not nearly as clear about this as you are. He was very doubtful about it. Let me read what he said in referring to the necessity of amending the Canada Elections Act. He was asked to give a definite undertaking that it would be done, and it was after that discussion that they agreed to refer the bill back to committee to strike out the objectionable clauses. This is what he said:

I am not in a position to give a definite undertaking on this matter but my understanding is that if parliament sees fit to pass this bill, and if the law officers feel the chief electoral officer has not that power . . .

He wasn't clear that it could be done, and he said:

I am not in a position to give a definite undertaking on this matter but my understanding is that if parliament sees fit to pass this bill, and if the law officers feel the chief electoral officer has not that power

There are two conditions, if Parliament passes the bill and if the law officers feel that the Chief Electoral Officer has not the power—

Senator CROLL: That is Mr. Nowlan speaking?

Senator MACDONALD (*Brantford*): Mr. Nowlan said that if the bill is passed and if the law officers feel that the Chief Electoral Officer has not the power, then, Mr. Nowlan says:

. . . a bill could be introduced and I think would be introduced to add a section to the elections act which would implement the procedure contemplated in clause 4 of the bill.

Now, we have your opinion, for which I have the deepest respect. Mr. Nowlan is not clear on it. The law officers' opinion has not been given. The opinion of the Department of Justice has not been given, and therefore I feel it is important that we should have the opinion of the law officers.

Senator HNATYSHYN: Perhaps I see it incorrectly but all that Mr. Nowlan dealt with in the statement that Senator Macdonald has referred to was that if extra help was needed, certain action would be taken. He had no knowledge of what help is needed, whether the present returning officer can handle it or not, but that if extra help should be required in view of the size of the seat, then he said that probably the Canada Elections Act would be amended. I would be interested, Mr. Chairman, since we have the Chief Electoral Officer here, to have his opinion as to just what start has been made, for there has been a question raised that in a few months it may be difficult to set up the polls.

Mr. NIELSEN: Before Mr. Castonguay is called, Senator Macdonald has raised another point which I would like to clarify. All that Mr. Nowlan was dealing with when he made the remarks that Senator Macdonald read was the possibility of the existing section 5, subsection (2) of the Canada Elections Act applying to this situation. That section of the Canada Elections Act reads as follows:

If during the course of any election it transpires that insufficient time has been allowed or insufficient election officers or polling stations have been provided for the execution of any of the purposes of this Act, by reason of the operation of any provision of this Act or of any mistake or miscalculation or of any unforeseen emergency. The Chief Electoral Officer may, notwithstanding anything in this Act, extend the time for doing any act or acts, increase the number of election officers,

including revising officers, who shall, however, be appointed by the appropriate *ex officio* revising officer, who have been appointed for the performance of any duty, or increase the number of polling stations, and, generally, the Chief Electoral Officer may adapt the provisions of this Act to the execution of its intent;

Now, the suggestion was raised in the House of Commons during debate that this section covered that which clause 4 of my bill then attempted to do, but a doubt is raised here as to whether the Chief Electoral Officer has the power to appoint these additional clerks, more than one clerk, only during the course of any election. My clause sought to provide that power before the election commenced. Now, that is what Mr. Nowlan was referring to. He wasn't for a moment derogating from the existing powers in the act or suggesting that the Chief Electoral Officer and the returning officer here did not have the power to appoint the necessary clerks as usual under the Canada Elections Act.

Senator MACDONALD (*Brantford*): That may be what Mr. Nowlan was thinking of, but I cannot read that from the remarks he has made here.

Mr. NIELSEN: He was referring to Mr. Howard's remarks. It was Mr. Howard who had raised the question.

Senator MACDONALD (*Brantford*): I will not take the time by going over that now, but I want to ask one more question. Does this new electoral district take in Hudson's Bay?

Mr. NIELSEN: Well, for the purpose of providing the franchise to the islands in James Bay and Hudson's Bay, it does; but it decides nothing about proprietary rights to these islands, it simply provides a vote for these Canadians who live on that island.

Senator MACDONALD (*Brantford*): How far is it from the extreme eastern border of the present riding to those islands—to the farthest island in James Bay?

Mr. NIELSEN: By air it would be about 600 miles.

Senator MACDONALD (*Brantford*): You told us it went to Frobisher Bay on the east, directly almost east. How far is the most northerly settlement, how far is that from the extreme northerly boundary of the present riding?

Mr. NIELSEN: The closest part would be about 750 miles to 800 miles.

Senator MACDONALD (*Brantford*): Where is the central point of the present riding, what town or city?

Mr. NIELSEN: Yellowknife. I am speaking of communications, senator. Yellowknife is on the north shore of Great Slave Lake.

Senator MACDONALD (*Brantford*): So that would be another 300 or 400 miles to be added to the last named place?

Mr. NIELSEN: Yes, except that these areas such as Frobisher would likely be serviced from Montreal.

Senator MACDONALD (*Brantford*): During an election?

Mr. NIELSEN: I would say so.

Senator MACDONALD (*Brantford*): Well, where would the returning officer be during an election?

Mr. NIELSEN: During an election he would be centered—his home base would be Yellowknife, but he would by no means be staying around; he would be travelling all over the riding, as he does now in the Mackenzie and Yukon.

Senator MACDONALD (*Brantford*): Would he have to go to Montreal?

Mr. NIELSEN: No. I am speaking of communications, senator.

Senator MACDONALD (*Brantford*): I mean, the communication between the Chief Electoral Officer and the polling place in Frobisher, would that be between Yellowknife and those places and Montreal?

Mr. NIELSEN: To take the ballot boxes back, do you mean?

Senator MACDONALD (*Brantford*): No, all communications.

Mr. NIELSEN: Well, it could be by telegram.

Senator MACDONALD (*Brantford*): Why do you refer to Montreal, Mr. Nielsen? I am not criticizing, but I just do not understand.

Mr. NIELSEN: Because if I was campaigning up in that area I would go up through Montreal.

Senator MACDONALD (*Brantford*): That would be very expensive?

Mr. NIELSEN: \$500 return as opposed to \$400 return to my home town from Ottawa.

Senator MACDONALD (*Brantford*): \$500 to Alert Bay?

Mr. NIELSEN: No, from Yellowknife to Frobisher.

Senator MACDONALD (*Brantford*): How much to Alert Bay?

Mr. NIELSEN: You would have to charter from there.

Senator MACDONALD (*Brantford*): That is quite expensive. One more question about expense and I am through. I believe you said that in an election which took place along the Labrador coast it cost something like \$30,000?

Mr. NIELSEN: More than that, sir.

Senator MACDONALD (*Brantford*): Then you stated that this election might cost only \$25,000, which is in a much larger area. I do not understand that.

Mr. NIELSEN: I said a moment ago that a minimum estimate of the cost of the additional two areas would be \$25,000, but that that did not compare unfavourably with the condition that existed here in 1958, on the northeastern coast of Labrador, when the big government icebreaker had to be employed, and a helicopter, and so on. Cost is relative.

Senator CROLL: Let me ask one question. Why did you not include a clause in this bill to provide some extra payment for the candidates properly nominated, in order that they may be able to get around that district, which seems so unusually large and expensive?

Mr. NIELSEN: It would then very definitely offend against the rule in introducing a private member's bill where payment of public money was involved.

Senator CROLL: Then why did you not get Government support in having the bill presented, because you have an unusual problem?

Mr. NIELSEN: Because I looked on it, senator, as a project that I would like to pilot through myself. Perhaps I was imprudent in not getting the firm support of the Government, but I did speak to some people, like the Minister of Northern Affairs, who was all for the bill. Then, too, I am not quite in agreement that the pay of members should be increased because I get along in my riding although it costs me more money than a candidate down in the south, and I have my own ideas about increasing the salaries of members.

Senator CROLL: I did not say anything about increasing the salaries of members, and I do not agree with you, although that is another matter. When any member tells me he is not in favour of increasing the salaries of members, I take it with two grains of salt; so let us not discuss that, because it is strictly phoney. However, I remember Hardie telling me how expensive it was for him to get around the riding. Now, how does a man of modest means, who gets the nomination and wants to run, manage to afford participating in that sort of election.

Senator CRERAR: I think, Mr. Chairman, that is scarcely within the scope of the bill.

The CHAIRMAN: I think not.

Senator CROLL: How is he able to participate?

Mr. NIELSEN: I will answer, if the chairman will permit.

Senator BRUNT: No, I do not think the question should be answered at all.

The CHAIRMAN: I think that is up to the Government.

Senator CROLL: No, I am asking how a man with modest means can be a candidate up there in view of the very great expense involved?

The CHAIRMAN: You are quite right, but it seems to me that your question is not within the purview of the bill at all.

Senator BRUNT: I do not think any member should have to answer a question like that.

Mr. NIELSEN: I would be perfectly happy to be a candidate in this area, and I am a man of modest means.

Senator BRUNT: I want to understand your question, Senator Croll. You think there should be included a clause in this bill whereby the Government would pay at least part of the election expenses of all candidates?

Senator CROLL: That the Government would have made an extra allowance for transportation for these candidates in this area so that they would be given an opportunity to meet these people and tell them what this is all about.

Senator BRUNT: That is election expense.

Senator CROLL: I am talking about transportation.

The CHAIRMAN: There is no doubt that if the bill provided for such an expense it would have been absolutely defeated.

Senator CONNOLLY (*Ottawa West*): Senator Croll may not be technically right in saying that such a clause should be included in the bill, but the fact is that from what we have heard this morning this is probably the largest electoral area anywhere in the world. Now, the financial onus that is placed upon a candidate, indeed upon the returning officer to travel over that riding, must be tremendous, and I think it is a case where some special consideration should be given. It is not a matter of helping the parties or the candidates, I think it is a matter of helping the people up there.

Senator CROLL: That is what I said.

Senator CONNOLLY (*Ottawa West*): A matter of helping them to know what the democratic process is about and how parliament works, the functions of the parties and their policies. Perhaps it should not be in the bill, but there is a case to be made for very special consideration in view of the difficulties of living and travelling and dealing with this problem up there.

Senator BAIRD: I would suggest that applies to all northern areas.

Senator BRUNT: You could include Labrador, where the expense is exceptionally heavy.

Senator HNATYSHYN: Why not include the prairies?

Senator CRERAR: I have one question, Mr. Nielsen. Would you have any exception to adding a clause here to this effect, that this act shall come into effect on proclamation so that Government could have a chance to look at the doubts raised here?

Mr. NIELSEN: I am sure, senator, that the Government has likely already looked at the bill very closely, because had they not done so doubtless it would not have passed the House of Commons, and doubtless if any additional provisions are required the Government will likely come across with any necessary resolutions or legislation to fill the gap; that is my own personal opinion.

Senator CRERAR: Well, I think it is very important to proceed properly, and I should like very much to see an amendment of the type I have suggested so that these doubts can be examined. The Government could do it in 24 hours, and after the doubts have been examined and satisfied, the Government could bring the act into effect on proclamation.

Mr. NIELSEN: May I say in reply, senator, that Mr. Nowlan did not raise any doubts whatsoever as to the validity of the bill as it is now before you gentlemen. All he was doing was raising a doubt about the existing power of the electoral officer to do what I had contemplated would be done by the section.

Senator CRERAR: I cannot quite agree with you on that view, Mr. Nielsen. You may be right and I may be wrong. But I think the matter is of special importance and that the Government should take another look at it. Therefore I feel a clause should be added that this act shall come into effect on proclamation.

The CHAIRMAN: When we have finished discussing the bill, then it would be in order for any member of the committee to propose an amendment.

Senator CRERAR: Well, I would like to propose an amendment right now.

The CHAIRMAN: There is nothing to prevent you from doing so, but I think we should hear from the Chief Electoral Officer first.

Mr. NIELSEN: Mr. Chairman and gentlemen, thank you very much.

Nelson J. Castonguay, Chief Electoral Officer:

The CHAIRMAN: I think, Mr. Castonguay, the members of the committee would like to hear from you with regard to the organization of the polling in this district if the new section of the bill is passed.

Mr. CASTONGUAY: Discussion seems to be centered on these additional election clerks. At one stage of the passage of this bill through the house, Mr. Nielsen discussed with me this question of the additional election clerks. I have that power, when the election is ordered. Parliament has given me emergency powers, which I do not like to exercise when parliament is in session or not able to deal with it. That power is given to me under section 5, subsection (2) of the Canada Elections Act which gives me extraordinary emergency powers during the period of an election. I feel quite satisfied to be able to cope with almost any situation with the powers given me when the writs are issued and—

Senator REID: But not before.

Mr. CASTONGUAY: But not before. The doubt expressed in the house was whether or not I have those powers before an election.

The CHAIRMAN: Where do you find that in section 5 subsection (2) exactly?

Mr. CASTONGUAY: It reads as follows:

“If during the course of any election—”

and that is defined—

it transpires that insufficient time has been allowed or insufficient election officers or polling stations have been provided for the execution of any of the purposes of this Act, by reason of the operation of any provision of this Act or of any mistake or miscalculation or of any unforeseen emergency, the Chief Electoral Officer may, notwithstanding anything in this Act, extend the time for doing any act or acts, increase the number of election officers, including revising officers, who shall however, be appointed by the appropriate *ex officio* revising officer, who have been appointed for the performance of any duty, or increase the number

of polling stations, and, generally, the Chief Electoral Officer may adapt the provisions of this Act to the execution of its intent; but in the exercise of this discretion no votes shall be cast before or after the hours fixed in this Act for the opening and closing of the poll.

Now, I have made an official request to the Secretary of State for the Canada Elections Act to be amended to provide the power to the returning officer for the new electoral district, to appoint additional election clerks.

Senator MACDONALD (*Brantford*): Would that require an amendment?

Mr. CASTONGUAY: That would have to be an amendment to the Canada Elections Act. Now, for the preliminary work required before an election can be ordered, the returning officer has all those powers now. We have been working on this for some time, and I am quite happy that I will be, by the end of this month as ready in the new electoral district, if it is passed, as in any other electoral district in this country. The returning officer has been in Ottawa consulting with me, and we have worked on it and had the co-operation of the Department of Northern Affairs.

Senator BAIRD: In other words, you have done all this beforehand?

Mr. CASTONGUAY: Well, we have done a great deal of preliminary work, the returning officer and myself, and I am quite satisfied that by the end of the month we shall be as ready as in any other electoral district in this country. I anticipated this.

Senator MACDONALD (*Brantford*): Why do you want the amendment to the Canada Elections Act?

Mr. CASTONGUAY: I want the amendment to the Canada Elections Act for this reason, that I would like to have an election clerk in Frobisher with the powers to nominate and appoint enumerators and deputy returning officers and to select polling places, and I would like one in Rankin Inlet or Bakers Lake to handle the Keewatin district and also would like one in Mackenzie. We can do all the preliminary work in anticipation of the passing of this Bill. Polling divisions will be set up. We have an estimate of the population, not of the electors, but the population, and we provide supplies based on the population. I am not trying to tell the committee this is going to be easy. It is going to be difficult, but not any more difficult than in Labrador, the Mackenzie district or Saguenay, which is just as difficult.

Senator MACDONALD (*Brantford*): Yes, provided you have these clerks in the places you just mentioned?

Mr. CASTONGUAY: Well, yes, taking it as a hypothetical situation, I will be prepared once this bill is through to operate overnight if the house dissolves and if the writs are issued; and if a general election is ordered I will use my powers to appoint these additional election clerks, even if I have no amendment; but I feel that I must draw to the attention of parliament that I do not like to exercise these powers when parliament is sitting and this is a problem parliament can resolve rather than that I should have to resolve during an election.

Senator MACDONALD (*Brantford*): So it would be much better in order to carry out an election in a more orderly and effective way for you to be able to set up these powers immediately?

Mr. CASTONGUAY: They are not necessary now, Senator Macdonald. They would be essential once the election is ordered. They would not be essential now because the returning officer of the electoral district in Mackenzie has all the powers to operate.

Senator MACDONALD (*Brantford*): It would be advisable, in your opinion, if the Canada Elections Act were amended now, and you could go ahead now, is that right?

Mr. CASTONGUAY: No. The election would not be any more orderly if the Canada Elections Act was now amended by parliament. I would use my emergency powers and if I have to do so. I do not see how you can get along in an electoral district of that size without three election clerks, and I would use my emergency powers and the election would be just as orderly as if parliament passed the necessary amendment. However, all I feel is that I do not like using my emergency powers when this is a matter that parliament can deal with.

Senator MACDONALD (*Brantford*): That is right, I agree. We all want these people to have the vote and have the opportunity to vote, and we want it done in an orderly way and do not want to take any chances of the election being set aside after we have gone all through this. That is why I for one feel that it would be much more advisable to amend the act so that there would be no question about it and you would not have to use your emergency powers and it would be an election similar to anywhere else.

Senator BRUNT: Mr. Castonguay, may I ask this question: If the Canada Elections Act is not amended and you have to use the emergency powers because of that, would there be any possibility of this election being set aside?

Mr. CASTONGUAY: None whatsoever.

The CHAIRMAN: You feel that you are authorized to make the additional expense that you will have to incur in carrying on the election in that district?

Mr. CASTONGUAY: Oh, yes. I have that power under the act.

The CHAIRMAN: Without any doubt whatsoever.

Mr. CASTONGUAY: Yes. I would like to clarify the estimate of expense I have made. The basic estimate of cost would be in the neighbourhood of \$10,000. This is for enumerators, deputy returning officers, polling places, the printing of the lists—the normal expenses. When I spoke to Mr. Nielsen about \$25,000 I had in mind that this area cannot be serviced by scheduled flights and that chartered flights would have to be used. We can get supplies to Frobisher Bay and Rankin Inlet via scheduled flights three times a week, and into Baker Lake, I think, once a week, but with a tight schedule of 58 days, as we have during an election period, we cannot start using scheduled flights. It has to be done by chartered flights, and the polling places will be widely scattered and these areas are not cheap to conduct elections.

Senator BEAUBIEN (*Provencher*): During an election you have these extra powers you have referred to. These new polling places will be scattered far and wide and you could not prepare for an election immediately because writs would have to be issued. Are you using your extra powers now in order to prepare for such an election?

Mr. CASTONGUAY: No, I am not. The extent of the preliminary work I have done is that I have called the returning officer to Ottawa for consultation with my department and with the Department of Northern Affairs and National Resources. We have worked on this for quite some time, but I am not using these powers at all now.

Senator BAIRD: In other words, this bill will give you just the rights and privileges to do what you want to do?

Mr. CASTONGUAY: Once the bill is through I can operate quite well.

Senator REID: You mentioned 58 days. How do you reach that figure?

Mr. CASTONGUAY: The Canada Elections Act prescribes that the enumeration must commence on the 49th day. The act also provides for a period of five days for the candidates to select their enumerators for urban polls. So you have another five days on top of the forty-nine. On the sixth day returning officers appoint such enumerators and then there is a further period

of 24 hours in which the returning officer must give to candidates in the event he refuses to accept the nomination of an enumerator to replace such enumerators. So it all adds up to 58 days.

Senator MACDONALD (*Brantford*): Forty-nine?

Mr. CASTONGUAY: Forty-nine and then six and then a 24-hour period. That brings you to a Sunday.

Hon. SENATORS: Oh, oh.

Senator CONNOLLY (*Ottawa West*): What time?

Senator MACDONALD (*Brantford*): That brings me to church.

Senator WALL: As you foresee the 48 to 50 polling divisions, what percentage of these 8,000 people, and the approximate 2,500 to 4,000 voters, would be near enough to the projected polls to vote? In other words, what coverage might we expect to get?

Mr. CASTONGUAY: It is only an estimate, but I would say about 70 per cent coverage.

Senator MACDONALD (*Brantford*): How much?

Mr. CASTONGUAY: About 70 per cent coverage.

Senator REID: How many polls?

Mr. CASTONGUAY: We would have approximately 48 new polling divisions. Some would be handled from Yellowknife, some from Rankin Inlet, and some from Frobisher Bay. When I was explaining the difference between the \$10,000 basic cost and the \$25,000 minimum, this would depend on the time of the year and the number of charter flights required. The returning officer would have to charter aircraft to go to Baker Lake, Rankin Inlet and Frobisher Bay to deliver the ballots, and he would have to make another trip to get the ballot boxes to Yellowknife for the official addition of the votes, and then the election clerks in Frobisher Bay and Rankin Inlet would have to have chartered aircraft to deliver the supplies in their own areas. This is all an unknown quantity. In the last election in the Mackenzie district the cost of chartered flights amounted to around \$5,000.

Senator CROLL: What is the basic cost of an election in the urban and rural areas of Ontario and Quebec

Mr. CASTONGUAY: It varies. The only way I can give you an estimate of these costs is to say that the 1958 general election they ran at about \$1.03 per elector throughout Canada.

Senator CROLL: Is it the same in the urban and the rural areas?

Mr. CASTONGUAY: Yes. Transportation costs in the rural areas offset other costs in the urban areas.

Senator CROLL: So, it is about the same?

Mr. CASTONGUAY: I would say it is about the same basic cost. But I am not speaking of the electoral districts which border on the Northwest Territories.

Senator CROLL: No, I said in the urban and industrial areas of Ontario and Quebec.

Senator BRUNT: Does that apply to a riding like York-Scarborough?

Mr. CASTONGUAY: Yes. There is a potential of 180,000 electors in York-Scarborough. Our tariff of fees is so much per elector, and the printing is so much per name, and so on, and that would still apply there. You still have to have polling stations for every unit of roughly 250 electors. York-Scarborough is the equivalent of about three urban electoral districts now.

Senator HIGGINS: How many electors are in a polling district?

Mr. CASTONGUAY: In the urban polling divisions we find it practicable to try to keep polling divisions to about 250 electors.

Senator HIGGINS: I am talking about the Northwest Territories where you have one man 100 miles away from his neighbour.

Mr. CASTONGUAY: The plans we have in mind—at least that I have in mind—for this new area is to more or less cover settlements but not such things as ice flows. We are thinking of trading posts and other communities. This is what we do in the Mackenzie district. We establish polling divisions for settlements. For instance, the ones we can handle from Yellowknife are in Sachs Harbour, with a population of 53; Minto Inlet, 45; Holman Inlet, 45; Read Island, 35; Dease Strait, 20; Cambridge Bay, 270, and Winter Harbour, 50. Those are populations.

Senator CROLL: In each case you will have a poll there?

Mr. CASTONGUAY: Yes. Then we have Baker Lake, a population of 480; Eskimo Point, 245; Whale Cove, 150; Rankin Inlet, 600; Chesterfield Inlet, 130; West Simpson and Pelly Bay taken together, 221; Spence Bay, 446. Then we go down the list and we have places like Mould Bay, Isachsen and Eureka with a population of 10 each.

Senator MACDONALD (*Brantford*): There is one poll in each of these places?

Mr. CASTONGUAY: Yes, but remember that in these places we have the D.E.W. line sites or weather stations so that many of these people will be able to use the facilities that service these bases at certain times of the year. In other words, if an election is called at a certain time of the year we might be able to use the aircraft which normally service these places.

Senator MACDONALD (*Brantford*): But where you have a poll with 10 people, on election day you have a deputy returning officer and a poll clerk and who else?

Mr. CASTONGUAY: That's all.

Senator MACDONALD (*Brantford*): Two will be election officers and eight will not have anything to do with the election?

Mr. CASTONGUAY: They all vote if they wish.

Senator MACDONALD (*Brantford*): The places you mention with a population of 10, how many voters are there?

Mr. CASTONGUAY: In that type of place there would be 10 at least. You would not have children there.

Senator CROLL: In the area where you mentioned 600, it occurs to me that the voters there would be to some extent, let us say, problem voters in that you would probably have to use interpreters, and so on. Could you get through the poll in one day where you have a great number who are new to this sort of thing?

Mr. CASTONGUAY: You see what happens. This is a polling division of 600 that is the population. Once the enumeration is completed, if there are more than 350 electors then you have two ballot boxes.

Senator CONNOLLY (*Ottawa West*): Mr. Castonguay, could you finish the list of numbers that you commenced giving?

Mr. CASTONGUAY: Yes. Resolute, 250; Mould Bay, 10; Isachsen, 10; Eureka, 10; Alert, 65; Coral Harbour, 275; Repulse Bay, 93. Those are from the Baker Lake area.

From Frobisher Bay we have: Cape Dorset, 373; Lake Harbour, 246; Frobisher Bay, 1,630; Pangnirtung, 750. Cape Dyer, Broughton Island, Cape Hooper and Clyde are all grouped into one, 238; Pond Inlet, 262; Arctic Bay, 142; Igloodik, 564; Rowley Island, Foley Island, Mid-Baffin, Nottingham Island, 9; West Melville, Hall Lake, Resolution Island, 40; Belcher Islands, 187; Port Burwell, 36; Griese Fiord, 75; Alexandra Fiord, 4. This is one that would be a Dew Line site, and it would be serviced through the ordinary channels.

Senator MACDONALD (*Brantford*): But there would be two officials there?

Mr. CASTONGUAY: These are proposals. I am not trying to say this would be our final polling division arrangement. We estimate 48 polling divisions, and the estimate may be increased or reduced. We have to determine whether we can service these small places. By no means do I want this to be considered a final arrangement.

The CHAIRMAN: Do you feel that with the distribution that you have everybody will be given a chance to vote?

Mr. CASTONGUAY: I would not say everybody, because some of these Eskimos are nomadic, but we will give them such facilities as we can, which I think would be about 70 per cent coverage. The facilities will be there, but whether they will be able to avail themselves of the facilities is another matter.

The CHAIRMAN: To give a chance to all the people living in that area you might have to carry out an enlargement?

Mr. CASTONGUAY: Yes.

The CHAIRMAN: Do you feel it should be a Government decision as to whether you should carry it on much further, to give everybody a chance to vote?

Mr. CASTONGUAY: The decision is made by Parliament to set up a new electoral district, and then I have the Canada Elections Act to operate. Once Parliament has established an electoral district of this size the Canada Elections Act has every provision to carry out the election.

The CHAIRMAN: Any other questions?

Senator BRUNT: If there are no other questions of Mr. Castonguay, I would like to have you call Mr. Slessor, from the Department of Mines, as a witness, in order that he might answer a question raised by Senator Roebuck when the bill was receiving second reading.

Mr. Slessor, Senator Roebuck asked this question:

Instead of showing the boundaries on a map why do we not have them described by metes and bounds in the schedule? They surely can be described in that way. That is the way all other constituencies are described. Why do we not do the same here?

Can you tell us why we do not have a metes and bounds description?

Mr. D. R. Slessor, Assistant Surveyor General, Department of Mines and Technical Surveys: Is this for the whole district?

Senator BRUNT: It would have to be the whole district.

Mr. SLESSOR: I would say that description could be provided. It would be more on the basis of meridians of longitude and parallels of latitude.

Senator BRUNT: Have you any idea of what it would cost?

Mr. SLESSOR: To actually make the survey, or to make a description?

Senator BRUNT: To make the survey.

Mr. SLESSOR: To make the survey, about the only place I think a survey would be involved would be on the straight line boundary, which is this one.

Senator CONNOLLY (*Ottawa West*): You cannot say "this" for the reporter.

Mr. SLESSOR: The boundary between—

Senator CONNOLLY (*Ottawa West*): —the present riding—

Mr. SLESSOR: Yes, the present riding and the proposed riding. I must say, gentlemen, I am not familiar with what the ridings are. The distance is roughly 550 miles. I would make a rough estimate it would cost at least \$400,000.

Senator BRUNT: How long would it take?

Mr. SLESSOR: This depends on the size of the survey party. Basing it on the experience we have had in surveying the boundary between Saskatchewan and the Northwest Territories, and Manitoba and the Northwest Territories, I would say it would take up to six years.

Senator BRUNT: Six years at a cost of \$400,000?

Mr. SLESSOR: That is a minimum cost. That depends, of course, when it is done. That would be the cost were it done now.

Senator BRUNT: That is all I wanted to get on the record.

The CHAIRMAN: Are there any other questions to be asked of the witness?

Is there any other witness honourable senators would like to hear on this bill?

We have Mr. Brown present, who is the Deputy Commissioner of the Northwest Territories.

Senator MACDONALD (*Brantford*): Do we want to hear any more witnesses?

The CHAIRMAN: Is there any member of the committee who would like to hear from Mr. Brown?

Senator BRUNT: That is up to the committee. Is there anything you wish to say, Mr. Brown?

Mr. W. G. Brown, Deputy Commissioner, Northwest Territories Council: Honourable senators, I had nothing specific to add to what has been said. I was asked to come here to answer any question a member of the committee might feel I might be able to answer. I would be very pleased to, if you have any such questions.

The CHAIRMAN: Is there any question to be put to the gentleman by members of the committee?

Senator BRUNT: Was no one else asked to attend?

The CHAIRMAN: That is all the witnesses who are here.

Is the committee ready for the question?

Some Hon. SENATORS: Ready.

The CHAIRMAN: An amendment has been talked about by Senator Crerar. If an amendment is going to be moved—

Senator CRERAR: No, I will not press my amendment.

The CHAIRMAN: Is the committee ready for the question?

Senator REID: I move that this bill be reported without amendment.

—Motion agreed to.

The committee adjourned.



