

of limiting production but of restricting sale in as many directions as possible, at all events of putting that power into the hands of the governor in council and ministers of the crown. This bill in that regard is in keeping with some other measures we have had before us this session. For the first time in a bill respecting excise there is being taken away from parliament and placed in the hands of the minister of National Revenue the expressed power of restricting trade by restricting the sale of goods. This is a new feature, allowing the minister of his own discretion to restrict the sale of some goods. I do not care to how small a number or category of goods it may relate, the fact is that it gives the minister power to restrict sales and I object strongly to that power being placed in the hands of any minister or department.

Section stands.

Sections 237 to 241 inclusive agreed to.

On section 242—Duties of excise on manufactured tobacco.

Mr. MACKENZIE KING: Is there something new there?

Mr. MATTHEWS: There is no change there. The underlining relates to the duties having been put into the schedule rather than into the body of the bill.

Section agreed to.

Section 243 agreed to.

On section 244—Boxes of cigars to be marked.

Mr. MACKENZIE KING: There is something new there again, probably the inclusion of the words:

As is prescribed by departmental regulations.

That term is being used now in this provision for the first time. Perhaps in addition to what I said before, I should have gone on to say that where in existing legislation matters were general, they are now being made more specific. Formerly under some of the sections there have been departmental regulations, the matter being expressed simply as left to the department. It is now specified as being prescribed by departmental regulations.

Mr. MATTHEWS: I might point out to the leader of the opposition that the words underlined—

As is prescribed by departmental regulations.—take the place of these words:

In such manner as is determined by the department.

[Mr. Mackenzie King.]

Mr. MACKENZIE KING: That bears out what I have just said. Under the old act certain matters were regulated by the department; such regulations were looked upon as departmental regulations. In this revision they are now referred to as regulations prescribed by the department. I think there is an improvement there.

Section agreed to.

Sections 245 to 252 inclusive agreed to.

On section 253—Re-working tobacco and cigars.

Mr. COOTE: Is clause 253 new or is there an old section dealing with that?

Mr. MATTHEWS: Clauses 253 and 254 correspond with sections 287 and 288 of the existing act. The only difference is that the wording has been slightly changed.

Section agreed to.

Sections 254 to 261 inclusive agreed to.

On section 262—Regulations—by minister.

Mr. MACKENZIE KING: This I think is the proper way of setting forth the powers of a minister to make regulations. Parliament itself defines the class of regulations which the minister should make. I do not think we should give power to a minister to make regulations which do not fall under one or another of the headings which definitely set forth the limits within which the minister's powers shall be exercised.

Mr. MERCIER (St. Henri): Clause 262 replaces section 304 which reads:

The governor in council may, subject to the provisions of this act, make such regulations—

Mr. MACKENZIE KING: Under the old act it was the governor in council.

Mr. MATTHEWS: Yes, the word "minister" should be underlined.

Mr. MACKENZIE KING: Yes; but what I said a minute ago still applies. If the minister is to be given any powers at all, they ought to be included under a similar clause as regulations specified in it; in addition to powers which parliament has given, he should not be given the right later on to make any regulations he pleases.

Mr. MERCIER (St. Henri): Stand.

Section stands.

Sections 263 to 283 inclusive agreed to.