

CANADIAN FORCES BILL

THIRD READING

Hon. Mr. Macdonald moved the third reading of Bill 80, an Act respecting the Canadian Forces.

Hon. John T. Haig: Honourable senators, in committee I took objection to the amendments to five statutes going through in one bill. Since then my opinion has been strengthened by that of several able lawyers, that this is not a proper way to amend legislation. It would have been much better for this house, or for the other place, to have had each of the five acts amended separately.

Hon. Mr. Aseltine: For the benefit of the public.

Hon. Mr. Haig: It would be much better for the house itself, and also very much better for the public. It takes considerable time and trouble to trace the various amendments of a statute in the law texts, and it is far more satisfactory to have one act amended by one bill. As far as my knowledge goes, that is the practice in all legislatures and parliaments. In 1924 the Revised Statutes of Manitoba were amended by the legislature. Counsel were appointed, at a cost of about \$20,000 to \$25,000, to make the revision. The amending of statutes is quite a difficult job, and it has to be done very carefully and minutely in order to avoid mistakes. In that same year the legislature passed an overriding statute to give effect to all the amending statutes up to that date, without revising the main statute. The revision took about four or five years, and it was a good thing for the lawyers—I admit that. But the ordinary layman could not find out what the law was at all; he was just lost; all he could do was to consult the different statutes and hunt up the amendments; and probably he could not find some of them, and even if he did he could not correlate them. That system has been done away with now.

Of course, I know it would be a little more difficult for the draftsmen of government legislation to take each act and amend it, but that method would be simpler to deal with in committee. In this particular instance, we had five different acts before us in committee, and we were obliged to take the word of the expert from the Department of National Defence as to whether the amendments in each case were satisfactory. The expert may be honest and fair, but our duty is to understand the effect of amendments on the legislation as it exists. That is more the responsibility of this house than of the other place, because we are concerned rather with the legislation itself than with public

opinion. Our object is to pass the best legislation for the people of Canada as a whole, and in terms that they understand.

I am not going to vote against the passing of this bill—the committee has reported it, anyway—but I would suggest that in future when an act is to be amended, a bill be put through for that act by itself. It would not take much longer to draft a separate bill for each act, and both this house and the other place would find it much more satisfactory if that procedure were followed.

Hon. Mr. Macdonald: Honourable senators, I agree to a certain extent with what the honourable Leader of the Opposition (Hon. Mr. Haig) has said. Probably it would be more convenient if each act were amended separately. However, the bill has received second reading in this house and the principle of the bill has been adopted. Also, the bill has gone to committee and, as my honourable friend said, has been reported back without amendment.

Honourable senators will recall that this is at least the fourth year in which a bill similar to this one has been passed by parliament. Therefore, it is nothing new; in this legislation parliament is just following an established custom. As the honourable leader opposite has said, the procedure has some undesirable features. I assure the house that I shall bring his suggestion to the attention of the Department of National Defence.

Hon. Mr. Haig: Thank you.

The motion was agreed to, and the bill was read the third time, and passed.

SALARIES BILL

THIRD READING

Hon. Mr. Macdonald moved the third reading of Bill 172, an Act to amend the Salaries Act.

The motion was agreed to, and the bill was read the third time, and passed.

EXPORT CREDITS INSURANCE BILL

SECOND READING

Hon. James A. MacKinnon moved the second reading of Bill 295, an Act to amend the Export Credits Insurance Act.

He said: Honourable senators, it was my privilege just ten years ago this summer to introduce in the other house the original legislation which this bill proposes to amend. When the honourable Leader of the Government (Hon. Mr. Macdonald) asked me to explain this bill, my first thought was that