

Defence Production Act

Then, away from the stress and strain of the house, the committee could decide what powers in the act would be made permanent and what powers would be granted for a certain length of time, subject to renewal by parliament. Naturally such a committee would have on it members from all parties in the house, but there would be a majority of government members.

Apparently the minister has no intention of accepting the amendment. Is it because the minister may feel that he and his departmental officials would not be able to convince the members of that committee that it is necessary to have these sweeping and drastic powers for an indefinite period?

As has been pointed out, it is likely there will be another session of parliament before this act expires on July 31, 1956. As yet I have not heard the minister or any member on the opposite side of the house give any reasonable explanation why the bill could not be referred to the banking and commerce committee or why the whole matter could not stand until next session.

As was so well pointed out this afternoon by the Leader of the Opposition, great results may flow from the meeting to be held at Geneva in the near future. At the next session of parliament the picture may be entirely different from what it is today. In fact, only this morning the Prime Minister indicated, quite frankly and in a forceful manner, that he could foresee no major conflict during the next twelve months. All hon. members in this house know that during the first world war, the second world war and the Korean conflict, parliament did not hesitate to delegate to the minister and the government whatever extra powers they needed to deal with the emergency. But as yet neither the minister nor the Prime Minister has advanced any reason or shown the house that there is an emergency at the present time which would require the granting of these extraordinary powers.

All hon. members will agree that in both world wars Canadian labour and industry co-operated in every way and did a splendid job. There is no reason to doubt that if the occasion should arise again, Canadian labour and industry would do another fine job. Canadians are a type of people who do not like threats, restrictions or clubs held over their heads. For that reason I wish the minister, before the debate ends, would give the house in plain and simple language the reasons why he feels his department needs these most sweeping and drastic powers for an indefinite period of time.

[Mr. White (Hastings-Frontenac).]

The only reason I can find in the minister's speech is that found at page 5382 of *Hansard*, where he says:

The situation has reached the point where the government must insist that this legislation be passed.

Does that mean the minister has made that decision, that the Prime Minister has made the decision, that it has been made by the government, or that the whole Liberal caucus has decided that this legislation must be passed? It has been said during the course of this debate that parliament can trust the minister. Why then cannot the minister, members of the cabinet and all other Liberal members trust parliament?

As I said before, the record shows that in the past, in times of emergency, parliament has never hesitated to grant whatever powers were needed. Yet the minister and the Prime Minister have not yet explained the type of emergency that exists today that would warrant the granting of these powers to one minister. Surely the Minister of Defence Production or the Prime Minister will not suggest for one moment that the parliament of Canada is not still supreme and that the rule of law must not govern. On the other hand one wonders why the Minister of Defence Production does not want parliament at any future date to review the activities carried on under the powers of this act.

I believe it would be most beneficial to all members if the Minister of Justice would either give his opinion or have a legal opinion prepared as to the supremacy of parliament, and also a legal opinion on the words of the minister at page 5378, where he said:

Other provisions of the act affect property, but there is no provision in the Defence Production Act that affects the freedom of any person. It gives the government the right, if required for the defence of Canada, to take over the production facilities of certain defence manufacturers. That is the sole effect of the balance of the act. When people rant about the freedom of the individual, I defy anyone to show me one section in the act which affects the freedom of the individual.

It would be interesting if the Minister of Justice were to give a legal opinion on that statement, read in conjunction with certain provisions set out in section 32 of the act, of which subsection 3 states:

Every person guilty of an offence under this act, other than an offence mentioned in subsection (2), is liable upon summary conviction or conviction upon indictment to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding two years or to both fine and imprisonment.

Subsection 2 also makes provision for a fine, upon summary conviction, not to exceed \$500. Perhaps the Minister of Justice could