

am a little afraid that the banking committee is losing caste, if I may use that term. Not long ago the Prime Minister said in effect that the banking and commerce committee was not competent to inquire into questions of banking, currency and credit in Canada, and to-day I think the Minister of Finance rather inferred that the committee was not as competent to deal with this act as the banking committee of the Senate. I do not think we should allow these aspersions, if I may call them that, to be cast upon our banking and commerce committee. It would expedite the business of the house and of the session if these three bills were sent to our select standing committee on banking and commerce.

Mr. RHODES: I will ask the Minister of Justice to move an amendment to section 2, the interpretation clause.

Mr. GUTHRIE: I beg to move that paragraph (n) of section 2 be amended by striking out the words "issued under the provisions of this act."

Mr. RHODES: This amendment has been suggested by the Department of Justice and I think it is to get away from the question of the business of insurance. As a matter of fact, policies are not issued under the provisions of this act, they are issued by the companies by virtue of their powers.

Mr. POWER: It means that the government admits it cannot control the business of the issuing of policies.

Mr. RHODES: That is within the jurisdiction of the provinces.

Amendment agreed to.

Section as amended agreed to.

On section 4—Registration required.

Mr. McKENZIE (Assiniboia): I was wondering why the words "save as hereinafter expressly provided" were included. The section would read all right without them.

Mr. RHODES: If my hon. friend will look at section 65 he will see that certain exemptions are provided for; this section has reference to that section.

Section agreed to.

On section 5—Filing of document copy of charter.

Mr. COOTE: Paragraph (c) reads in part:

(c) a statement in such form as may be required by the minister of the condition and affairs of the company on the thirty-first day of December next preceding, or up to the usual balancing day of the company.

[Mr. Coote.]

Is it intended to supersede or override the order in council passed last year authorizing insurance companies to value their securities at a previous date rather than at the date of the issuing of the statement?

Mr. RHODES: That would come under section 25.

Section agreed to.

Sections 6 and 7 agreed to.

On section 8—Companies licensed under Insurance Act deemed registered.

Mr. SPENCER: I would suggest that the chairman read all the explanatory notes given for each section.

Mr. COOTE: Line 17 of this section reads, "such company shall have assets in Canada, for the purposes of this act." Does that mean that the assets must be held in Canada, and when a company is holding bonds, does it mean that a place will be designated where those bonds are to be kept in Canada, or does it mean that the company must have money invested in Canadian securities?

Mr. RHODES: The company must have securities lodged either with the minister or with a trustee approved by the minister.

Mr. ILSLEY: A few minutes ago we were discussing a section which was held to be beyond the powers of parliament. It provided that it should be unlawful for any alien company within Canada to solicit or accept any risk unless under licence of the minister granted pursuant to the provisions of the act. Section 4 of the present bill reads:

No company shall transact the business of insurance in Canada (save as hereinafter expressly provided) unless it is registered and holds a certificate of registry from the minister.

Why does the minister say that this section is within the powers of parliament while the old section was not? What is the difference in principle between saying that an alien company shall not transact the business of insurance unless under a licence issued by the minister, as was the language of the old act, and saying that no company shall transact the business of insurance unless it is registered and holds a certificate of registry from the minister, as is the language of this bill? The old section was clearly beyond the powers of parliament because it attempted to dominate the business of insurance, to use the words of the decision of the privy council. Does not this section attempt to dominate the business of insurance carried on by foreign companies in almost the same way? What is