

Government Property Traffic Act

arise. Is that correct? Might I ask the minister whether there are any cases specifically in mind at the moment? If so, what are they?

Mr. Garson: I do not think that I can affirm that there are, although I suspect that there are. In order to answer my hon. friend's question categorically, it would be necessary to go back over the titles of all the lands which are to be brought under this bill and examine them as to whether they are owned by the crown, or whether they are leased by the crown or otherwise occupied by the crown. That is an undertaking which I do not think would pay off having regard to the value of information which it would provide. In the great majority of cases the lands affected will obviously be lands owned by the crown; but there may be the odd one upon which the crown merely has a lease but which we are anxious to bring within this system of traffic and parking regulations.

Mr. Knowles: Is the minister satisfied that, with these amendments, he now has a perfect bill?

Mr. Garson: No, Mr. Chairman; that is an illusion that I have never permitted myself to entertain with regard to any bill.

Mr. McLure: May I ask you polices the grounds at the entrance and the exit?

Mr. Garson: The Royal Canadian Mounted Police police the grounds.

Mr. McLure: There never seem to be any there at 11 o'clock at night, where you are coming in or going out. The leader of the Social Credit party can tell you about that.

Mr. Graydon: This measure is much wider in its application than simply to Ottawa. As I understand it, this legislation governs the control of traffic on any lands belonging to Her Majesty anywhere in Canada. What I am wondering is this. Has the government given careful consideration to whether or not in other parts of Canada there is some arrangement there for the control of traffic by provincial or municipal authorities? If that is the case, has that matter been thoroughly canvassed in order to see whether in trying to settle some problems around Ottawa, you perhaps may be getting into, in other parts of Canada, some problems that are not in the minister's mind at all?

Mr. Garson: I have already stated—and I should now like to emphasize—that this present bill in itself does not make regulations with regard to traffic. It merely empowers the governor in council to make regulations with regard to traffic. In making those regulations in regard to Ottawa, I am sure that in the ordinary course of events, and as a matter

[Mr. Knowles.]

of the most ordinary prudence, regard would be had to co-ordinating those regulations with the regulations which were in effect in the city that was concerned; or with any regulation in effect in a national park such as that at Banff, I am sure moreover that in all cases the provincial regulations would be checked to make sure that they could be co-ordinated most appropriately with those passed under this bill.

All we are doing by this bill is to give to the governor in council powers to pass orders in council making these regulations in respect of crown property. It is when we come to consider the terms of these regulations themselves that the considerations to which my hon. friend has just referred will arise.

Mr. Graydon: Did the government have in mind any other area in Canada when this measure was first introduced? If it is only for the purpose of dealing with an isolated case that arises on parliament hill, and if you are going to extend this, even with the enabling power which you give to make regulations all over Canada, it seems that you are, as it were, taking out a sledge hammer to try to kill a fly. I was wondering whether you would need to make the legislation as broad as you are making it. I should like to know, however, whether any other part of Canada was in the mind of the government, other than this difficulty on parliament hill?

Mr. Garson: I am only giving my impression. I have not sought any information nor have I been supplied with any information upon the point which my hon. friend is raising. The present law, being chapter 47, passed in July, 1930, reads in this way:

The governor in council may make regulations for controlling or prohibiting the operation of certain vehicles in or upon any of the parks, roads, avenues and driveways which are situate on the property of His Majesty, and over which there exists no public right of way.

As my hon. friend can see, that language is general in its application. My impression is, however, that there were no regulations passed under that original bill except those which related to property within the cities of Ottawa and Chalk River. It was because this 1930 statute had certain drafting defects, which made the regulations passed pursuant to it unenforceable, that we are now seeking the present bill which we hope is a remedy for all of these drafting defects. For example, one was with respect to a road or driveway "over which there exists no public right of way". It was found that it was difficult to establish, as an ingredient of the offence, that there was no public right of way over roads or driveways situate upon the property of Her Majesty because obviously the public were going to and fro all the time upon those lands of Her Majesty. There were three or