

to the principles she has expressed in moving the amendment. May I, however, point out one or two further matters to which attention might be drawn.

I direct the attention of hon. members to the evidence before the special committee, and turn particularly to page 115. May I observe at the outset that the official reporters have made a mistake in the name. I am sure the leader of the opposition (Mr. Hanson) does not want his name to be associated with anything I might have said. However, in the record the name appears as "Mr. Hanson" when it should have been "Mr. Hansell". I make this observation because some people in Canada might think the leader of the opposition is becoming a monetary reformer.

Mr. HANSON (York-Sunbury): It would be quite the contrary.

Mr. HANSELL: When I first read the measure I felt, as did the hon. member for Vancouver East (Mr. MacInnis), that perhaps this section was dangerous so far as labour was concerned. When Mr. Moore appeared before the committee to give evidence I thought perhaps he would spend a good deal of time in explaining the section, and might have some objections to make to it. However, he volunteered nothing, and for that reason I asked him some questions. I read from page 115:

Q. In your submission there was one thing which I expected you to comment on that you did not say anything about at all.

Then followed my question, to which he answered, as reported at page 116:

The question of misconduct is not left to local insurance officers to decide; he cannot just take the word of the employer. He has got to go to a referee; so there is a safeguard there, and it is up to the employer to prove it is misconduct, and not up to the man to prove it is not.

Mr. Graydon: The onus is on the employer.

Then the witness proceeds by further evidence to support the section. May I now call attention to a further paragraph at page 116, where the hon. member for New Westminster (Mr. Reid) interjected a question. I shall not read it all, but in part it is as follows:

My own view is that something specific should be placed in the act rather than left as to interpretation to the commission. I would like to have your views on that.

Then Mr. Moore proceeds, in a long paragraph, to state that the decisions of the appeal courts have been built up over a period of years. I shall read this small portion of what Mr. Moore had to say:

It is built up out of a mass of experience over a period of time, and that has been found much more effective than attempting to devise

strict regulations. In the light of that experience we were prepared to leave it to the development of decisions on appeals by referees and umpires in this case rather than to attempt to devise something in words that might defeat its own object before we got through with it.

Then the hon. member for Trinity (Mr. Roebuck) states:

My view of it is that while it is not entirely satisfactory, one might criticize it in detail, there is no other alternative scheme that is workable that we can substitute for what we have here with regard to labour disputes.

Then Mr. Moore said:

We think it is a workable act, sir.

The point I should like to emphasize is that the hon. member for Vancouver East and I have said that in the beginning this section attracted our attention. Then, the hon. members for New Westminster and Trinity were rather reticent to accept it without a little further evidence to show that in the eyes of labour it would be satisfactory. Therefore I believe the committee were generally agreed, on the basis of Mr. Moore's evidence, that the section should remain as it is.

Concluding my observations may I say that, should the amendment fail to carry, and in years to come should some difficulty be discovered which would bring about certain hardships on or discrimination against labour, we shall have to conclude that according to Mr. Moore's evidence, he and the people he represents must take some responsibility for it, because we were concerned about that portion of the measure. I believe I may say he assured us that labour was satisfied with the section.

Mr. GILLIS: I cannot understand what object would be served by the amendment. I should like to read the section as it would sound, were the section amended in accordance with the proposed amendment. It does not make sense. It states:

An insured person shall be disqualified for receiving benefit—

(a) If he has lost his employment by reason of a stoppage of work, which was due to a labour dispute at the factory, workshop or other premises at which he was employed, except where he has, during a stoppage of work, become bona fide employed elsewhere in the occupation which he usually follows, or has become regularly engaged in some other occupation, but this disqualification shall last only so long as the stoppage of work continues—

And the amendment affects the following part:

—and shall not apply in any case in which the insured person proves—

Then the rest of the section is eliminated down to:

... and where separate branches of work which are commonly carried on as separate