

Navigable Waters Protection Act

should do so, so that we can reach the committee stage and have answered the various questions which apparently hon. members are anxious to ask.

Mr. Angus MacInnis (Vancouver-Kingsway): Mr. Speaker, I wish to say a few words in connection with this bill. Earlier this morning the Leader of the Opposition (Mr. Drew) mentioned that, because of some phenomenon of which he was not aware at the moment, he had found himself in accord with the Secretary of State (Mr. Pickersgill) on a number of occasions. At this time I find myself in the same position in respect of the remarks made by the Leader of the Opposition.

Mr. Drew: Do not become alarmed by it.

Mr. Knowles: But it is not a threesome.

Mr. MacInnis: I am not shutting out the Secretary of State. Indeed, I would be glad to include him.

According to the explanatory note, there are two purposes in the bill. The first makes provision whereby the minister may recover the cost of marking, removing or destroying a wreck. To that I have no objection.

The second provision in the bill is one whereby the great lakes seamen's security regulations, made under the Emergency Powers Act by order in council P.C. 2306 of May 2, 1952, may be continued in force for a period of three years.

The Emergency Powers Act had a life of one year and, if not renewed, expired at the end of that time. This year it was allowed to expire. We find here the peculiar situation in which the government now wishes to enact by order in council the power it enjoyed under the Emergency Powers Act, and wishes to have that power, not for one year, but for a period of three years.

When we turn to the section to which reference was made by the Leader of the Opposition and the Minister of Labour (Mr. Gregg) we find this:

The governor in council may make such regulations as he considers necessary or desirable in the interests of the safety or security of Canada respecting the employment of seamen on board Canadian ships in the great lakes.

We have spent several sessions, or parts of several sessions, on the Criminal Code, in which all items that could be connected with sabotage, or anything done that was contrary to the security and interests of Canada were provided for by law. We have the law in the Criminal Code to provide for such things. Why is it necessary now that the government may prescribe the penalties to be imposed on summary conviction for

violation of any regulation made under this clause? No one knows what the regulations may be, but we are supposed to approve the penalties laid down in the act. It is said that:

... such penalties shall not exceed a fine of five hundred dollars or imprisonment for a term of three months or both fine and imprisonment.

To me it is a most amazing thing, particularly when we have spent years, let us say, on perfecting a Criminal Code, that we should be asked by the government now to give them the authority to impose penalties for crimes which they have not defined. I just cannot conceive of that as being good law for the Dominion of Canada. It might be for some other countries, but it is not a good precedent for this country to follow.

There may be some difficulties here, but surely we can get around them without resorting to this kind of legislation or the kind of governmental action that is outlined in this bill. If we adopt it here, are we not setting the precedent for adopting it in other circumstances? The Minister of Justice (Mr. Garson) shakes his head, but my understanding is that as a matter of fact the situation is becoming such now that the moment the government finds itself, or thinks it will find itself, faced with any opposition in the house in regard to any measure, the next step is to circumvent that by bringing the thing about by order in council. We had an indication of that yesterday, and it is becoming the normal thing.

I suggest that this is a very dangerous precedent to follow. I cannot understand the minister, who I know has a high regard for the rights of citizens, the laws of this country and the rule of law, supporting this legislation. This is not the rule of law at all. How can he propose a measure of this kind? During the luncheon recess he should have another look at it to see if there is not some other way to meet any situation that we may be confronted with on the great lakes.

Mr. E. D. Fulton (Kamloops): I should like to suggest to the ministers concerned other considerations in addition to those put forward by the Leader of the Opposition (Mr. Drew) and the hon. member for Vancouver-Kingsway (Mr. MacInnis) which they might take into consideration during the luncheon recess, and as a result of which I express the sincere hope that it would be decided as being in accord with the traditions of this country if this particular proposal were abandoned.

The Leader of the Opposition has referred to our intense dislike of and our opposition to any suggestion that the government should be given the right in advance to define crimes,