

Appeal from
order of
Minister.

(5) A person affected by an order made by the Minister under subsection three or subsection four of this section may within thirty days after the receipt of a copy of such order inform the Minister of his intention to appeal against such order to the Exchequer Court of Canada and within such period of thirty days file a notice of such intention in the Court, whereupon all proceedings under such order shall be stayed pending the disposition of the appeal by the Exchequer Court. 5

Hearing of
appeal.
Directions.
Decision.

(6) On the filing of the notice of appeal, the Exchequer Court shall on the application of the Minister or of the appellant give directions relative to the disposition of the appeal, and shall upon the hearing of the appeal confirm the Minister's order or vary the same as it deems just and the decision of the Court shall be final and conclusive. 10 15

Failure to
comply an
offence.

(7) If any person fails to comply with any of the provisions of this section or any direction given by the Minister under this section, he shall be guilty of an offence under this Act.

Excess profit
recoverable
by suit.

(8) If any person fails to comply with a direction of the Minister under subsection three or subsection four of this section to pay an amount of money to the Receiver General of Canada, such amount shall thereupon be recoverable in the Exchequer Court of Canada or any other court of competent jurisdiction, with full costs of suit, as a debt due to His Majesty, notwithstanding that any proceedings have been instituted under subsection seven of this section. 20 25

In case of
failure
Minister may
authorize
other person
to carry on.

(9) If any person fails to comply with any of the provisions of this section or any direction given by the Minister under this section, the Minister may authorize any other person to carry on, until the Minister otherwise directs and subject to and in accordance with the provisions hereafter contained in this Act, the whole or any part of the business of the person so failing, whether or not proceedings have been instituted under subsection seven or subsection eight of this section." 30 35

8. Subsection one of section sixteen of the said Act, as enacted by section nine of chapter thirty-one of the statutes of 1940, is repealed and the following substituted therefor:— 40

Power to
secure
adequate
functioning
of under-
taking.

"16. (1) The Minister may direct any person carrying on an undertaking being used or capable of being used to produce munitions of war or supplies or to construct or carry out defence projects, to take such measures and within such period as he may deem necessary to secure the adequate functioning of such undertaking." 45