

relieved of his position on the commission; Mr. Hartley Dewar; Mr. E. J. Daly, of Ottawa; Mr. F. R. Russell, K.C.; Mr. L. A. Rivet, of Montreal.

It is quite a coincidence that just last week the *Canadian Bar Review* carried an article by the law clerk of the house, Doctor Maurice Ollivier, on the subject of revision of the statutes. It is an article in which there is much learning. The author reviews the work of revision on the previous occasions. He outlines the work of revision of the statutes in the United Kingdom, and in some of the provinces where revisions have been carried out much more frequently than in the dominion sphere.

Some thoughts are expressed by the law clerk which call for some comment. He has a paragraph on page 810 of the May issue of the *Canadian Bar Review* on the need of revision. I should like to read the paragraph. He says:

There is no doubt that a new revision of our federal statutes is long overdue. Many reasons have been given for not starting it. The main one is certainly the unusual situation created by the second world war. This had the effect of interrupting many normal activities and concentrating attention on more pressing problems. The situation thus created has not yet returned to normal, nor stabilized itself. The annual statutes are cluttered up with emergency and temporary measures; some of these may exist for a short time only, while others may be of the sort of temporary nature which is sometimes referred to as permanently temporary. Until the situation has been clarified by the lapse of time, it is difficult to say which of these acts should be included in a general revision and which should be omitted.

He points out the necessity for revision in certain classes of statutes, such as the criminal code, statutes relating to taxation, and some other acts which he mentions. But Doctor Ollivier goes on to deal with another matter which in my opinion calls for comment in this house. The law clerk offers his views with respect to the procedure to be followed in the house in the matter of revision, and I must say I am shocked at some of the views expressed in the paragraph which I should now like to quote. It will be found at page 811:

It would expedite matters if an act could be passed, or the rules of the house amended, to provide that when a revised act is introduced it would receive first, second and third readings without any discussion, if the minister introducing it states that the bill is simply a consolidation without any new matter or essential change. It could be provided further that, if the minister so desires, the bill will be referred to a committee, there to be further revised, studied and examined. The work of the committee would consist simply in verifying that the consolidation contains no new matter and that the changes made are matters of form and

do not substantially change the law, and in suggesting any further improvements in drafting or arrangement of sections.

He then goes on to point out what he considers to be the advantages to be derived from following a procedure of the kind—a sort of short-circuiting procedure. I entertain the highest respect for Doctor Ollivier, but I certainly do not share the view he has expressed in the paragraph I have read, in which he indicates that parliament should be quite content, so far as the work of revision is concerned, simply to give, without any discussion, first, second and third readings to bills of any kind which the minister introducing them intimates do not contain any change in matter or substance.

It is not the function of parliament to be a rubber stamp for anybody, the government or anybody else. While I hope that the commission on the revision of statutes will be a commission of eminent men whose opinions on the revision of statutes and the consolidation of sections will be entitled to the highest respect, I do not think that parliament will be paying to the work of the commissioners the respect which we trust will be due to their labours if we simply swallow their reports holus-bolus without addressing ourselves to the subject matter of the statutes so presented.

Surely parliament would be remiss in its duty if it simply conferred upon the reports of the commissioners, in effect, the force of statute without going through the procedure that has been laid down for the review of bills introduced in this house. Whatever is good in the reports of the commissioners—and I am sure that much in their reports will be good—should have careful study in this house. I trust therefore there will be no thought, on the part of those who will be members of this house when the reports of the commissioners are brought in, of simply taking that work and rushing it through first, second and third readings without careful consideration.

Parliament itself ought to be a party to the task of the revision and consolidation of the laws it passes. Simply because this is conceived to be a work of revision of existing statutes, there should be no excuse for parliament turning its back on its duty of accepting primary responsibility for such a revision.

Mr. POULIOT: Mr. Chairman, I have to register the most solemn protest against one of the suggestions of the hon. gentleman. He has suggested the appointment of "eminent men" to that commission. What is an eminent man? How many eminent men have we, those splendid looking wizards who impress bureaucratic civil servants? I hope the minister will not appoint any so-called eminent