

Supply—Privy Council

place provided for it by the people of this country, under vote or appropriation, to protect the country should there be a nuclear attack. I made no reference to the person of the Prime Minister at all. It was to the Prime Minister's office being removed from that place where it should be with the other officers of the cabinet.

Mr. Pallett: Perhaps the hon. lady would indicate by telling us—

The Deputy Chairman: I think I shall just intercede voluntarily to state that in my opinion to some extent I think the parliamentary secretary had a point that was reasonably well taken. I heretofore allowed a fairly wide ranging discussion on this item which has to do with the administration and operation of the emergency measures organization. The word "administration" led me to leave a fairly wide basis for discussion. However, I think at this point I should caution hon. members to try and hold themselves fairly close on the track.

Miss LaMarsh: I did not mean and I did not ascribe to the Prime Minister anything improper as the present incumbent, but I wish to state that I do believe any incumbent in that office has no right in time of national emergency to be other than with his cabinet directing the affairs of his country.

I am particularly interested in obtaining from the Prime Minister an answer to the problem I originally raised. What authority has there been under which the emergency measures organization, and in particular Tocsin I and Tocsin II, have been set in force? What, in fact, has been done with respect to the orders in council? Will the Prime Minister table the two orders in council for Tocsins I and II to indicate to this house how he acted and under what legislative authority?

This matter has been raised with me by constitutional authorities, constitutional students, who are concerned whether in peacetime a government may on its own choice enter into such measures without having parliamentary authority to do so. As I understand it, there is no act of this parliament which has given the government such authority. However I understand what was said by the official of the cabinet who was charged with it that this problem remains to be solved and will be solved before there might be any emergency. Hon. members know that we could have been faced with such tension over Berlin.

We have not discussed this in committee of this house since June of last year. Now almost another year has gone by. Perhaps

[Miss LaMarsh]

the Prime Minister would tell this committee whether the executive has such a committee set up to work out this problem, or whether he has worked it out already within his own office, and whether any legislation has been drafted which would make the War Measures Act automatically come into effect.

I am informed that it does not automatically come into effect unless the cabinet has a declaration issued and signed by the Queen's representative, and that means that the government then, under authority of the statute, can operate in an emergency situation. I would be grateful to the Prime Minister if he could favour the committee with that authority.

Mr. Martin (Essex East): Does the Prime Minister not think he should make a statement? Earlier I thought he was going to initiate the discussion.

Mr. Diefenbaker: This is purely for information services.

Mr. Martin (Essex East): Is it not the Prime Minister's intention first of all to answer the questions of the hon. gentleman?

Mr. Diefenbaker: I do not want to deprive the hon. gentleman of the opportunity to give the committee the benefit of his views.

Mr. Martin (Essex East): I am sure the Prime Minister is one of those who could profit by views which come from this side of the chamber.

Mr. Diefenbaker: Not from the experience on the part of the hon. gentleman.

Mr. Martin (Essex East): I would have thought, in view of the fact that we have not had a statement from the Prime Minister, who really is in charge of all civil defence operations as chief co-ordinator, we would have had from him a report of what has been done in this important but difficult field since we last met. The Prime Minister, however, has chosen to confine himself, as his observation of just a few moments ago indicates, to questions involving information services, the direct matter involved in the specific vote before the committee.

Mr. Chairman, the committee will of course appreciate that the information services of civil defence, the pamphlets, the publications, the films and so on, deal with every aspect of civil defence. While one does not want to abuse the area which you, Mr. Chairman, envisage for discussion, it is difficult to conceive that we could have an adequate discussion even of this particular item without traversing in a general way, as the hon. member for Peterborough so ably did, the whole matter of civil defence.