

Defence Production Act

last war and we cancelled it when the reconstruction period was over. We are now asking to re-establish it. I believe it is a necessary law; I believe it is a desirable law if it is the intention to place defence production over civilian matters. I see no reason for changing the clause.

Mr. Fulton: I can see the necessity for powers provided by section 28(1) in time of emergency or in time of actual war when the minister has to get supplies quickly. But as was said earlier this evening, and I do not agree altogether that it is true, many of these things are much more acceptable in time of an actual shooting war because of the patriotic fervour that is engendered in the people. I do not think that Canadians are patriotic only in time of war. I think they are equally patriotic in a time such as this when it is necessary to place ourselves in a position to restrain aggression.

I suggest to the minister that for the time being I believe he could carry out the project he has in mind under section 28(1) by negotiation as well as by order. I admit that it would take a little longer but I should like to hear the minister's opinion on this. Until we are actually engaged in a shooting war I think an appeal could be made to the patriotism and good sense of contractors who could supply the materials the minister desired to purchase. Such a man could be appealed to to let that material go for defence purposes. Even with the slight delay that would be involved I believe that that would meet the purposes the minister has in mind.

Let us assume that a contractor has a contract to build a highway bridge in one of the provinces and the minister suddenly finds that he needs steel with which to build motor vehicles. Could he not say to the contractor, "I want to divert your supplies of steel to the motor car company". I believe that contractor and the provincial government would agree that under the circumstances the steel should go to the motor car company and they would get along with a wooden bridge in the meantime.

I suggest that these results could be accomplished by negotiation rather than the issuance of an order. I ask the minister whether it could not be provided that that subsection be brought into effect by proclamation to be issued in the emergency of a shooting war or some other greatly accelerated emergency. In the meantime we should try to get along and accomplish these things by negotiation rather than the setting aside of provincial statutes or contracts.

Mr. Howe: I said last night that as far as the production of munitions goes we are in a

[Mr. Howe.]

war at the present time. We have a schedule to get this country armed and to assist our allies to arm just as rapidly as possible. The fact that there is no shooting does not change the position in any way as far as the production of munitions goes. If I did not think that this subsection 1 was necessary, I would not have proposed it.

I would have no objection to changing the words "the minister may" to read, "the governor in council may." That would provide a pretty good safeguard because the minister would have to go to the full government in order to have the section made operative. Would that meet the situation?

Mr. Fulton: Yes.

Mr. Howe: I will move that.

Mr. Macdonnell (Greenwood): Could the minister give us an illustration where it was found necessary during the last war to override statutes under the provisions of the munitions and supply act?

Mr. Howe: I can remember cases but not definitely enough to give chapter and verse. If it is made "governor in council" I think that would provide a sufficient safeguard. Governments do not like to interfere with other governments. I assure you that ministers do not, and governments even less. I would move:

That section 28, subsection 1, be amended by deleting the word "minister" in line one and substituting therefor the words "governor in council."

Amendment agreed to.

Mr. Knowles: May I ask whether at any time relief from income tax legislation was given under section 15 of the Department of Munitions and Supply Act?

Mr. Howe: No.

Mr. Knowles: Everybody is smiling, but the section seems to be worded in such a way that an order could be passed to provide that a person working on a defence contract could be relieved from the provisions of that statute. It seems to me that that kind of relief could be afforded, but I hope that is not so. I should like to know if there was any such case during the time the munitions and supply act was in effect.

Mr. Howe: There was no such case. It is a pretty fair rule of this government that no minister moves to upset the regulations of another minister of the same government by force.

Mr. Knowles: This refers to the possibility of relieving persons from the provisions of any statute and it raises the question as to what statutes are in mind. There are many federal statutes which come under the supervision of the other ministers.