

Emergency Powers Act

On section 1—*Expiration of sections 1 to 3.*

Mr. Fleming: Mr. Chairman, in the debate on second reading the point was made by the hon. member for Vancouver-Quadra that this bill departs from the form of extension contemplated for the present year. When the bill was first enacted in 1951 it provided for extension after the end of one year by addresses of both houses of parliament. Last year the bill was extended for one year by that method. On various occasions during the debate on the resolution stage and on second reading, something has been made—or an attempt has been made to do so—by the Minister of Justice of the fact that more was not done in 1952 in the way of opposition to the bill. One reason was that there was only one opportunity. The address simply provided one opportunity for debate; and when that passed rather unexpectedly or suddenly, the opportunity was gone for the entire session.

The house has now approved—in my opinion erroneously—the idea of an extension for one year. With respect, Mr. Chairman, I urge that if this section is to be approved in the committee in any form at all, it should not be approved in a form that contemplates still further extensions of the extraordinary powers conferred by this bill upon the governor in council.

This section does two things. In its present form it does extend the life of these powers for another year, until May 31, 1954. That was the effect of the resolution which the house approved and which paved the way for the introduction of this bill. But this section does not stop there. It goes further and provides for a still further extension—and lays down a method by which it can be achieved—beyond May 31, 1954. At the various stages when this measure has been under debate already this session we were told in the most soothing terms that the government had no thought whatever of extending these powers beyond a year. Now when we see the bill, Mr. Chairman, and in this committee have an opportunity of examining it in detail, we find that the government's intentions with respect to the extension of these powers are not nearly so innocent as the house was led to suppose by the statements made on behalf of the government.

The extension is there, of course, to May 31, 1954. But the government are preparing for further extensions, and they are preparing to make them in the most simple and expeditious manner possible, and one that will admit of the barest minimum of debate in the House of Commons. We of the official opposition are just as strongly opposed to the extension of these powers for one day as

we have been at any time. We are absolutely opposed to it.

At six o'clock the committee took recess.

AFTER RECESS

The committee resumed at eight o'clock.

Mr. Fleming: Mr. Chairman, just prior to the dinner recess I was drawing attention to the fact that the bill, as we examine the provisions of section 1, goes further than the terms of the resolution. That resolution which was approved by the house, and which was the forerunner of the present Bill No. 279, simply proposed the extension of this act for the period of one year to May 31, 1954. Now we find on examining clause 1 that the bill does more than that. It not only extends the effective operation of this bill to May 31, 1954 but it goes on to contemplate and provide for further extension beyond that date.

We have been told from time to time in this debate, Mr. Chairman, that the government were simply proposing the one-year extension and were not asking this house to commit itself in any particular beyond that date. If that be the case, Mr. Chairman, then there is in my submission no justification for making provision in this bill for further extension at all; and there is no reason, in my submission, why this additional provision should be allowed to remain in the bill.

We had experience last year of the continuance of this measure, with the extraordinary and virtually absolute powers which it confers upon the government, when we had opportunity of considering it on only one occasion. That is the fundamental flaw, it seems to me, in a provision of the kind we have here, that the bill may be extended simply upon addresses passed by both houses. That means there is only one stage of debate, only one opportunity. It is a sudden death matter as far as that one stage is concerned, and if I may be permitted once more to refer to a certain occasion that has already been referred to several times, I will assure the Minister of Justice that if it had not been such a sudden death matter last year he would have had his full opportunity of seeing divisions, and more than one of them.

This year this matter has come before the house in what I think is in procedure the proper way, namely a resolution followed by the introduction of a bill which is open to debate at several stages. Therefore I propose that section 1 of the bill should be amended; that the new clause 4 should have all the words including and following the word "except" stricken out so the section