

War Risks Insurance

says to the governor in council: You go off and make any legislation you like. There are a few definitions of war risks, minister—they had to define him—and certain other things, and then we come to the two sections which, as I say, give the whole power to the governor in council which, practically speaking, means to the minister.

I am not going to labour the point. The point is there and is clear. It seems to me it is a most regrettable kind of legislation, and we are getting a great deal of it. I can understand the attraction of it. It is so easy to draw. I am sure it must be the delight of the draftsmen simply to say that the governor in council can make regulations and give ample power to the ministers. At this rate we will really get our legislation so abbreviated that it can all be put into a clause or two. Therefore, having made this point clearly, although perhaps not as fully as I might have done, I move, seconded by the hon. member for Souris (Mr. Ross):

That this bill be not now read a second time but that the subject matter thereof be referred to the standing committee on banking and commerce.

Mr. Donald M. Fleming (Eglinton): I should like to make an observation. It is quite clear from our experience with the reference of legislation to committees that legislation is in better form in most cases when it comes back to the house. Here is one case where a committee is likely to be very helpful in making recommendations as to the kind of legislation that parliament should adopt in a somewhat new field. What has been said by the hon. member for Greenwood (Mr. Macdonnell) is quite sound. After all the bill is an enabling measure. It does very little more than confer powers on the governor in council. We are not in wartime now. We want to provide for situations that, unhappily, may arise unexpectedly, but surely we are not in such a position that we need to pass blank cheque legislation of this kind. I urge the government to give serious consideration to the suggestion embodied in the amendment. I think my colleague has made a most helpful suggestion.

Mr. Sinclair: With respect to the observations made about the legislation conferring great powers on the cabinet to make regulations, if this were the type of bill that applied to the people of Canada by some compulsion such criticism would have some point, but it must be remembered that the bill is drawn up at the request of the ship owners themselves.

Mr. Macdonnell (Greenwood): May I ask a question?

Mr. Sinclair: Yes.

Mr. Macdonnell (Greenwood): Will there not be compulsion on ship owners?

Mr. Sinclair: No. Whether or not ship owners decide to join the pool is entirely a matter of decision for them. In the last war there were some ship owners who did not insure. They took a chance, although it was a very big chance. There is no compulsion on the ship owners at all. The Canadian Ship-owners Mutual Insurance Company, the bill concerning which is now before the Senate, is a co-operative association to which they may or may not belong according to their desire. If the ship owners find that the government's terms are too onerous they can protest or withdraw. The government certainly does not intend to lose the taxpayers' money under this measure. The British record shows that they will not from that point of view.

The other thing is that stand-by legislation such as this, which is put on the statute books to be ready for use in case of need at the outbreak of hostilities, because of its very nature cannot be very specific. We do not know under what circumstances—we hope never—hostilities may break out. Let me direct the hon. member's attention to one clause. He mentioned the British act of 1939. Section 2 (f) (iii) of the bill covers a ship registered in any country designated by the governor in council, whether or not it is owned, chartered or otherwise controlled by a Canadian. One might say that these are extraordinarily wide powers because we can cover any ship whether or not it is owned or chartered by a Canadian. That is the consequence of the unexpected experience the British had at the outbreak of the last war with respect to the collapse of Norway. With the Norwegian merchant marine on the high seas the British took it over. Some of us can remember Churchill's famous declaration to the British people that if by any chance the island should fall they would fight on in the dominions across the seas, which would also involve such a transfer.

There is certainly no objection whatsoever to the bill going to the banking and commerce committee after second reading when the principle of the bill has been approved. That committee is sitting tomorrow, and we will gladly refer the bill to it.

Mr. George A. Drew (Leader of the Opposition): Mr. Speaker, would it not be wise to have this go to the banking and commerce committee so we could have the