

*Canada Shipping Act—Munitions*

paragraph (b) of section 290 of the Customs Act as amended. The definitions are the same. Section 290 of the Customs Act provides that the governor in council may—

(b) prohibit, restrict or control the exportation, generally or to any destination, directly or indirectly, or the carrying coastwise or by inland navigation, of arms, military, naval or air stores, or any articles deemed capable of being converted thereinto or made useful in the production thereof, or provisions or any sort of victual which may be used as food by man or beast.

Thus it will be seen that the definition of the articles affected by the present bill is precisely the same as the definition employed last year in amending section 290 of the Customs Act to describe the articles whose export from Canada might be controlled.

It has to be borne in mind always that the present bill is only a measure to provide powers. The bill itself prevents nothing. Like section 290 of the Customs Act it simply provides a precautionary power to take certain action in the future if the interests of Canada should appear to warrant such action. The insertion of the words in question cannot be taken to mean that the government have in mind any situation which would warrant making use of them in present circumstances.

Right Hon. R. B. BENNETT (Leader of the Opposition): Inasmuch as our rules provide that on the second reading of a bill the principle of it only shall be discussed, and the details contained in the sections should not be considered, I content myself with saying that the principle is the control, so far as our jurisdiction may enable us to exercise it, of the shipment of munitions of war in Canadian vessels. That is as far as it goes, and I am afraid that a great many words are used in the section to accomplish very little. As the minister himself knows, whatever benefits may accrue lie within a very narrow base. There are some details of the measure which require amplification and explanation, but everyone is agreed, I believe, that we should have the power, and that will expedite the passage of the bill through this chamber, because no one will deny that parliament should authorize somebody to have the necessary control of a matter of this kind. If the Customs Act as amended last year is not broad enough to deal with it, we should of course proceed with this amendment of the shipping act; but I question very seriously, for reasons that are obvious, the extent to which the powers can be exercised.

[Mr. Howe.]

The real crux of the matter lies in the fact that a single section might have covered all that is contemplated, because the governor in council is the motive power behind any action that may be taken. Within its jurisdiction and within the rules and regulations and orders in council passed by it must be found any value or benefit that may attach to this measure. The explanations in the subsections are only an amplification of the power that is to be exercised after the governor in council has made such provisions for the operation of the act as are regarded by the government of the day as being necessary.

I have some questions to ask the minister in respect to the question involved. He indicated a moment ago that there had been no matters arising in this country with respect to the Spanish conflict. I think he will find on investigation that from Paris were sent cables, to which a negative answer was given by the government here, as to the shipment of certain articles of trade and commerce from Canada to Spain. My memory does not serve me at the moment as to which one of the belligerents they would go to, but certainly a negative answer was given as to permission for the handling of certain traffic which was offered, involving some millions of dollars, and the commodities in question were not shipped from this country. I recall that vigorous complaints were made, that this should have been prevented. Perhaps some details will be given when the matter is in committee.

Motion agreed to, bill read the second time, and the house went into committee thereon, Mr. Johnston (Lake Centre) in the chair.

On section 1—Prohibition of shipment of articles of war to countries in a state of war.

Mr. BENNETT: Can it be said that that is quite what this section says? The ship now is out of Canada and out of Canadian waters; she is in the Mediterranean; how can we reach that ship there and in what manner would we enforce our fiat with respect to the matter, assuming that the governor in council has declared that some section or area in the Mediterranean is an area to which the act applies?

Mr. HOWE: A Canadian ship is always under the jurisdiction of the laws of Canada. If a ship breaks the law by carrying war materials from a Mediterranean port to a country at war it will be subject to the penalties provided by the act.

Mr. BENNETT: The minister has not followed me. The ship is laden with munitions in France and sails for the Mediterranean;