entered into. But all unions are not strong, and all employers are not reasonable, any more than all unions are reasonable.

The Minister of Labour referred, and I think rightly so, to the statesmanlike policies and actions of the British trade unions during the last ten or twelve years. I agree with him. Their restraint is an object lesson to trade unionists all the world over. But you must remember that along with that statesmanship and really giving birth to it was the responsibility that was put on the shoulders of these trade unionists, particularly during the last five or six years.

I do not want to talk this measure out, Mr. Speaker, and although there is much more that I should like to say, I will conclude by saying that it would be much better to deal with the amendment purely on its merits rather than to take us on a merry-go-round all over the globe. You may not agree with it. The Minister of Labour (Mr. Mitchell) may not agree with it. The members of the house may not agree with it. Nevertheless, it is a simple amendment; and it is not contrary to the principles or procedure that at present exist in this country between employers and employees. I suggest that no harm could be done; and I am sure it would serve some good purpose if this amendment were made to the Industrial Relations and Disputes Investigation Act.

Mr. Paul E. Cote (Parliamentary Assistant to the Minister of Labour): Mr. Speaker, I should like to add a word or two following the remarks made by the hon. member for Vancouver East (Mr. MacInnis). In his own language, this bill would be simple in its nature and in its effect on the Industrial Relations and Disputes Investigation Act. I strongly disagree with him on that point. As was pointed out by the Minister of Labour (Mr. Mitchell) a few moments ago, if this bill were carried, it would transform the Canada labour relations board into a court of justice. All through the Industrial Relations and Disputes Investigation Act, the emphasis has been placed on the conciliation character of the board and of the services provided by the department in case of negotiation of agreements and settlement of disputes.

If this bill were to carry, I submit that the purport of the act would be changed in a radical way. On account of that fact, there are several amendments that it would be necessary to make in order that the bill now before the house become really effective and applicable. One of the first changes would be to amend, if not to strike out, the existing section 40, subsection 2, which has been quoted by the Minister of Labour and which relates precisely to the offence of discharging an employee contrary to the provisions of this act, and in which hon. gentlemen will find that adequate penalties are provided in case of a conviction. If the bill before the house were to carry without this amendment to section 40 being made at the same time, one would find that there would be in the act two sections in direct conflict one with the other. This would surely not make for the better administration of the act.

Another point which has been referred to by the minister himself is that the amendment before the house does not provide for the summoning of the parties before the board and for the holding of the hearing which is surely necessary if the board is to issue an order such as is provided for in the amending bill. In order to give the board the necessary powers Bill No. 6, which is on the order paper, would have to be carried in the first instance. In Bill No. 6 the first provision is as follows, and I just wish to quote these few words in order to make my thought clear on that point:

> 43. (1) Any employer or trade union may apply to the board for an order that any person, employee, trade union, employer or employers' organization has violated a provision of this act.
>
> (2) Upon receipt of such an application, the board shall by notice in writing, direct the party making the complaint and the party against whom the complaint has been made to appear before it and shall hear and receive such evidence as may be presented to it.
>
> (3) After hearing the evidence, as aforesaid, the board may, if it is of the opinion that there has been a violation of the provisions of this act, issue an order indicating the precise nature of the violation.

I submit that a provision such as this would be essential for the carrying out of the provision embodied in the bill which is now under discussion.

Another point, Mr. Speaker, is this. If the labour relations board were to be turned into a judicial body, as is the direct aim of this amending bill, one would have to give thought to changing the provisions of section 58, subsection 6, of the act, which reads as follows:

> The board may receive and accept such evidence and information on oath, affidavit or otherwise as in its discretion it may deem fit and proper whether admissible as evidence in a court of law or not.

There are several other provisions in the act which clearly indicate that the labour relations board is not a judicial body; it may be considered as a semi-judicial body, an agency for the conciliation of disputes and for the administration of the act generally, and nothing more.

Mr. Knowles: Question.

Some hon. Members: Nine o'clock.

Mr. MacInnis: It has the power to make an order now, has it not?