

Combines Investigation Act

His most interesting answer was that the report would be tabled on Monday. I asked him when he had received it, and was given a further interesting answer, namely, "some time ago".

Then came the next day, Friday, November 4. I felt it was only fair to the minister and to all of us that he should have the opportunity to tell us precisely when he received the report. Therefore I asked him that question, and it is recorded on page 1438 of *Hansard*. I want you to note, Mr. Speaker, that on page 1439 of *Hansard* there is recorded the introduction and first reading of the bill. Note how closely these circumstances are related. I should like to read from page 1438, as follows:

Mr. Knowles: Is the Minister of Justice now in position to answer the question I asked yesterday, namely, the date on which the flour milling report was transmitted to the Minister of Justice by the commissioner under the Combines Investigation Act?

Mr. Garson: December 29, 1948.

There was nothing more to be said; there it was. The Minister of Justice had been caught cold breaking the act. A few minutes later, as recorded on the very next page—page 1439 of *Hansard*—the Minister of Justice stands up in the house and asks for leave to introduce and move first reading of a bill to strengthen the enforcement of an act which he had admitted a few minutes earlier he had broken. Was the house ever so grossly affronted and insulted as it was by the circumstances connected with the introduction of this measure?

It is my intention to move an amendment stating that very fact. I suppose I should expect that at some point someone will wonder whether my amendment is in order. I can assure you, Mr. Speaker, and everybody else, that it is. I am glad to note acceptance by the Minister of Justice, with his broad smile, that it undoubtedly is in order. I might as well move it now. May I say that in drafting the amendment I paid particularly close attention to citation 657 of *Beauchesne's Parliamentary Rules and Forms*, third edition, which of course is taken from *May's* thirteenth edition. To paraphrase a part of that citation, it says that it is competent for a member at the second reading stage to move an amendment, and these are the words that I wish to quote directly:

... expressing opinions as to any circumstances connected with its introduction, or prosecution. . . .

The reference is to the measure. In other words, it is quite clear that a member of the house has the right, on the motion for second reading of a bill, both to speak and to move an amendment expressing opinions as to any

circumstances connected with the introduction or prosecution of the measure then before the house.

Having said that, I take it that the terms of the amendment which I shall propose will be obvious; because even at the risk of labouring the point I have made it clear that I feel, and I think most hon. members of the house feel, that the circumstances connected with the introduction of this measure constitute an affront to parliament. This is particularly so, as I have been able to point out, because of the fact that it is on the very day that the embarrassing questions are first asked that notice is filed that the bill is to be introduced, and it is on the very day that the minister is caught cold in the admission he has broken the act that he stands up in the house and moves to introduce a bill for the stated purpose of strengthening the enforcement of the act, the breaking of which he has just admitted.

So, Mr. Speaker, I think I shall read my amendment now, but on second thought I will not move it now and thus make the mistake made by the hon. member for Lake Centre. In other words, I do not think I had better send it to you yet; that might end my right to speak.

Mr. Diefenbaker: You will end everything if you do.

Mr. Knowles: My amendment, when I move it, will be in these terms:

That Bill No. 144 be not now read a second time, but that it be resolved that in the opinion of this house the circumstances connected with the introduction and prosecution of this measure, namely, the action of the government in seeking amendments to the Combines Investigation Act, for the stated purpose of strengthening the enforcement thereof, at the very time when it has just been discovered that the Minister of Justice, with the approval of the government, has deliberately violated section 27, subsection (5), of the said act, is an affront to parliament, and that further consideration of this bill should be deferred until this house, by this amendment, has censured the government for violating the said act by failing to make public until November 7, 1949, the report of the commissioner under the said act with respect to the flour milling industry, which was submitted to the Minister of Justice in its final form on February 23, 1949, and which he was required by law to make public not later than March 10, 1949.

I had this amendment here on my desk yesterday in slightly different form. The one change I made was with respect to the dates at the end of the motion. Before the Minister of Justice spoke yesterday I would have had the last part read "which was submitted to the Minister of Justice on December 29, 1948, and which he was required by law to make public not later than January 13, 1949." However, I am prepared to accept the minister's statement yesterday, in the two and a half hour defence he made, that he did not have that report in its final form until February