

Mr. JACKMAN: I am not suggesting whether it is sloppy or not. I am addressing myself to the freedom of the individual. That becomes paramount.

Mr. MARQUIS: You do not need a big book. You need only a small one.

Mr. JACKMAN: But if you carry that on for six years, you will have a big one. I should like to know, around this table, how many keep books of account of what they do for six years.

Mr. MARQUIS: If you oblige some people to keep books I do not know why other people would not be obliged to keep books.

Mr. JACKMAN: They are not in business in the sense this would be taken.

Mr. MARQUIS: They would be in this particular business.

Mr. JACKMAN: No, they are not. It is a case of how it is going to be interpreted by the board.

Mr. MARQUIS: How can we make a distinction between those who are doing a big business, those who would be doing a smaller business and so on? It would be pretty hard to decide between the two groups.

The CHAIRMAN: Shall the section carry?

Mr. LESAGE: With regard to this section 42, we will have to have subsection (4) stand.

Mr. RINFRET: And subsection (3) also.

Mr. LESAGE: And subsection (3).

Mr. RINFRET: For the same reason as subsection (4) stands.

Mr. LESAGE: Yes. There is no sense in giving such powers to any customs inspector. Ninety days is much too long. Thirty days would be more than sufficient.

Mr. MARQUIS: We can make an inspection of the first two subsections.

The CHAIRMAN: If the department get word of an individual, isolated transaction, why should not they depute the inspector of customs to go out, make enquiries and report?

Mr. MARQUIS: All right, depute the inspector; but that is not what the section says. It says,

Where, during the course of an inspection under this section, it appears to an inspector that there has been a violation of this Act, the inspector may seize and take away any record or books or any accounts. . .

and so on. The inspector has the right to seize any books without any search warrant.

Mr. IRVINE: What is the use of having an inspector otherwise?

Mr. MARQUIS: Then where do we go with the Criminal Code?

Mr. IRVINE: What is the use of having an inspector if he does not have some authority to act with regard to things he finds wrong?

Mr. JACKMAN: We do not believe in snoopers.

Mr. LESAGE: He does not have to have a search warrant. Of his own authority he seizes any books and retains them for 90 days. Where do the liberties of the citizen go with this?

Mr. MARQUIS: I think those last two subsections should stand, the same as section 41. It is against the whole set-up of our laws.

Mr. JACKMAN: Are you speaking of the Act or just this section?

Mr. MARQUIS: No, just this section.