

Excise Act

On section 15—When spirits may be entered for consumption.

Mr. ILSLEY: Spirits, except gin, cannot be taken out unless they have been in for two years. In practice there has always been an exception made in favour of spirits manufactured from native wine, when these spirits are used for fortification purposes by registered wine manufacturers. This simply makes statutory the practice which has heretofore existed.

Mr. BENNETT: I am familiar with the discussion that took place at the time it was done, and the differences of opinion expressed. There was one group who felt that it should not be done; that the spirits used for fortification purposes should be at least two years old. But the exception was in fact made by regulation, and is now being made statutory. I suppose it is a sound exercise of the power of parliament to do it, but I know there was a sharp conflict of opinion at the time.

Mr. ILSLEY: I am informed that it is satisfactory to the trade and has been carried on for seven or eight years now.

Mr. BENNETT: Yes, ever since they started to use the fortification after the inability to use certain types of sugar.

Item agreed to.

On section 16—Second convictions under other provisions of same sections deemed subsequent offence.

Mr. ILSLEY: There are two sections of the act which enumerate certain offences against the act, sections 164 and 169. Last year another section, 169B was passed, which does not add more offences, but has to do, if I remember correctly, with charges of having in possession. As the law stands, apparently, if an offender is convicted of one of the offences enumerated in these two sections, and then later is convicted of another offence, he can be punished on that second occasion only as for a first offence, although he is to all intents and purposes a second offender. The effect of this section is to make him punishable as a second offender even though it is a different offence; but it must be one of the offences enumerated in these two sections, 164 and 169. These sections are aimed at bootlegging.

Section agreed to.

On section 17—Amount of bond.

Mr. BENNETT: Why raise it from \$2,000 to \$5,000?

[Mr. Ilesley.]

Mr. ILSLEY: The increase in the duty on malt to six cents doubles the amount there involved, and the bond was not increased at the time the rate was raised.

Mr. BENNETT: But having regard to the minister's well known economic views, surely he does not want to raise the bond from \$2,000 to \$5,000 in contemplation of the possibility of continuing the duty of six cents a pound on malt. It would be a monstrous sort of thing, to suggest that he would even think of it! Why should he raise the amount of the bond now merely because in a fit of economic unreasonableness parliament imposed a duty on malt of six cents a pound instead of, say, two cents, which would be in accordance with the tenets of Adam Smith and the free traders, or possibly only one cent?

Mr. ILSLEY: That is one kind of freedom of trade, but not the kind we usually talk about.

Section agreed to.

On section 18—Beer casks, barrels and bottles to be stamped with name and address of brewer or bottler, and other prescribed information.

Mr. BENNETT: Perhaps we have gone a long distance the other way now, Mr. Chairman. As the statute was worded originally, the label had to show in conspicuous type the name and address of the brewer or bottler of the said beer and also the percentage of proof spirits contained therein. Now we are going to leave the department to determine what information shall be given on the label. Is it not rather asking for departmental regulation of something which, in view of the policy indicated by previous sections—that is, making provision by statute for what heretofore has been a matter of regulation—should be dealt with in the same way? I suggest this is a movement in the wrong direction. So far the whole theory of the minister has been that it is desirable to have in the statute what we used to have in the regulations. Now we are going to reverse that and put in the regulations provision for a label that hitherto was provided for by statute. The minister will remember that there has been a good deal of discussion about this very matter. This is rather substituting for the will of parliament the will of the departmental official or officials. The section now reads:

—there shall at all times be securely fixed by the brewer or bottler of the said beer a label showing in conspicuous type the name and address of the brewer or bottler of the said beer and showing also the percentage of proof spirits contained therein.