

## Motions for Papers

with this possibility. Well, Mr. Speaker, this possibility was raised by the hon. gentleman who sponsored this motion. It was raised as one of the ways in which the object of this motion could be satisfied. As reported in the middle of page 3697, interpreting his own motion—and I assume he is the one most eligible to interpret it—he said:

Possibly it would be difficult to make copies of all of them and table them—

In other words, he is admitting that that is a possibility.

—but I would suggest that the originals be tabled.

Therefore we have two ways of interpreting this motion, and the Minister of Justice was dealing with one of them, namely that they should be reproduced.

The minister argued that this would not be desirable, and I think that the sum of his rather elaborate argument—not being a lawyer I do not pretend to understand it all—is to be found at page 3703 of *Hansard*, where he is reported as saying:

In other words, it is clear that if I, in the first place, were to create a work of art or make a design and if I submitted it as a suggestion, as long as I do not waive my copyright, as long as I do not grant permission to issue that design, I keep my copyright. It is not to be published. I am the only one entitled to decide whether or not the said design will be published or issued.

I think that was the sum of the argument made by the Minister of Justice a week ago. It was an argument against the reproduction of these models and designs.

Still on that same possible interpretation, I want to suggest to the house, when the house is considering the possibility of passing this motion, that great cost would be involved. I have inquired into this matter, and I am informed by the national film board, which proved to be the agency most suitable to undertake this kind of reproduction, that a rough estimate of the cost of reproducing approximately 3,000 flag designs in their original colours would amount to \$45,870. The rough breakdown of the cost is as follows. There would be photographing with a 4 x 5 negative at a cost of \$12,000. There would be proofs costing \$3,450. There would be prints at \$10 each, totalling \$30,000. Then there would be the charges for a photographer at \$60 a day for seven days, which would amount to \$420.

**Mr. Clancy:** What are you selling—shares in a new company? Get on with the business. We don't want the cost.

**Mr. Stewart:** The hon. gentleman says he is not interested in the costs, but I am sure many hon. members of the house are.

**Mr. Clancy:** I asked, are you selling shares?

**Mr. Stewart:** An alternative procedure for reproduction would be to have the flags reproduced on slides. This would reduce the cost to approximately \$18,000; but of course, if eventually actual prints from these slides were desired, the cost would mount again to something like the figure I mentioned previously. Consequently, I do not think that any hon. member, on consideration, would wish to propose this extensive expenditure in order to reproduce these models and designs.

I come now to the second possibility, which is that the originals be brought here in response to the motion now before the house. This would be a cumbersome process perhaps, but it would be physically possible. We could bring in the bales of designs and models. We could even bring in the plywood model.

But there would be, as I am sure you realize, Mr. Speaker, a great difficulty, which is a procedural one. Many of the authors who own these designs have requested that these designs be returned to them.

**Mr. Clancy:** Hear, hear.

**Mr. Stewart:** At page 180 of *Beauchesne's* fourth edition we find the following words:

The custody of all papers and files is entrusted to the Clerk of the House and it is "at his peril" if he suffers any of them to be taken away without leave of the house. As the number of reports and returns laid on the table is too large for the Clerk to handle, a special branch was set up for that purpose in 1929. It keeps a register of all papers tabled and records the names of the members of parliament who may take them out. The general public may consult these papers in the presence of these clerks. Every member who takes out a report or return must sign the register. There are on the ground floor of the parliament building three large vaults with iron doors and combination locks for the safe-keeping of these papers. Once a document has been placed on the table and recorded in the *Journals*, it becomes the property of the house.

It is true, sir, that some of these designs and models do not appear on paper, but since this is a motion for the production of papers we are regarding these models and designs as being governed by the rules that would apply in the case of normal papers. As the citation to which I have just referred says:

Once a document has been placed on the table and recorded in the *Journals*, it becomes the property of the house.