

*Radio Broadcasting*

On section 14—Regulations to be published in Gazette.

Mr. BENNETT: As the section stands, it will be noted that the regulations shall, as from the date of publication or any later date mentioned therein, take effect as if they were enacted by parliament. That part of the section is quite understandable. But in view of the fact that it takes four or five days for a Gazette to be transmitted from one part of Canada to another, as a result of my own experience and observations I have concluded it would be desirable to say definitely that the regulations shall take effect, say ten days after the first publication in the Gazette. I am not mentioning ten days as a definitely suggested period, but am giving it simply as an example of a fixed date after the date of publication. The minister will see at once the difficulty which otherwise might arise.

Mr. HOWE: Yes, and I am glad to accept my right hon. friend's suggestion.

Mr. DUNNING: I move:

That for the words "shall as from the date of publication" in the seventh line be substituted the words "shall ten days from the first date of publication."

Mr. HOWE: Would seven days be a satisfactory period?

Mr. BENNETT: That would be hardly sufficient time for Vancouver island.

Mr. LAWSON: No; seven is not enough.

Mr. FINN: It seems to me the committee is giving very wide powers, almost dictatorial powers, to the Minister of Transport. Under another section he is the sole judge as to what the offences are, and they are to be laid by him. We find that the department in the right of the crown collects all the moneys, and nothing goes to the magistrates or justices of the peace.

We now come to the present section and must consider regulations which have almost force of law behind them. These regulations are made under statutory power given to the minister and his technical officers. How is anyone in Nova Scotia to know that regulations have appeared in the Canada Gazette? The broadcasting legislation is so broad in compass that I say the regulations should be published along with the statutory enactments; because it is now going to be impossible for a person in any part of Canada, whether he be in British Columbia or Nova Scotia, to know what regulations have been passed, or to know that a regulation has been in the Canada Gazette for seven days.

Such person may be guilty under the statute. As has been pointed out to the

[Mr. I. Mackenzie.]

minister, we are getting into a new field in which laws are enacted outside the criminal code and outside the powers given in connection with the laying of informations under this measure. Cases are placed in the hands of magistrates or justices of the peace for trial. I think in fairness to the hundreds of thousands of people in Canada who have radios in their homes, they should have greater opportunity of ascertaining what the regulations are. The suggestion of the right hon. the leader of the opposition is along the right lines, but I do not think it goes far enough. The regulations in my opinion should be embodied in the statute. Surely the Minister of Transport and his technical officers are in a position to say what the regulations are going to be and to put them in the statute, so that every one in Canada, no matter where he may live, may know whether or not he is guilty of an infringement of a regulation.

Very few people, with the exception of some in Ottawa, read the Canada Gazette. It is a publication which may go out to members of parliament; but those members are not going to make unpopular suggestions to their constituents; at least I should think they would not. I am asking the minister if there could not be some way in which the regulations would be made clear to the owners of radios, so that advantage would not be taken of them, and so that they would not be accused of being guilty of an offence under regulations of which they had no knowledge? An accused person might say he had no knowledge, and there was no manner in which he could receive it, unless he were a person who read the Canada Gazette.

Mr. BENNETT: There has been a great improvement, and most cases which would arise are now covered in the statute.

Mr. FINN: I am pleased to hear the leader of the opposition say that. It gives me some balm of conscience to know he believes that the amendment suggested by the Minister of Transport is sufficient. I have no desire to have any difference with the Minister of Transport, but it is my hope that people using radio sets in far distant parts of Canada shall not be confronted with regulations of which they had no knowledge and about which they were not in a position to know. They may have had no intent to commit an offence under the regulations, because they would have no knowledge of those regulations.

Mr. BENNETT: Apropos of what the hon. member has said I was going to say