

*Succession Duty Act*

Department of National Revenue the practice was for the minister to make those decisions, in form. That is, he signed them. The reason why he did not spend a lot of time on them was that he did not have the time to spend. It was a decision by the minister on the advice of his officials; that is really what it was.

Mr. HANSON (York-Sunbury): Here is an attempt to delegate authority.

Mr. ILSLEY: That is the reason why I say I do not think a regulation would be made under section 58 (2) (d), by which the minister would delegate to the commissioner authority which is vested in the minister by section 37. I believe he would get what help and advice he could in disposing of an appeal. In practice that would mean that the officials would do practically the whole thing, and the minister would sign it.

Mr. HANSON (York-Sunbury): That is what the legislation attempts to do, namely, what the minister says is not done. Here is the authority to do it.

Mr. ILSLEY: It may be the authority; I am not sure about that, in view of the express terms of section 37. This would cover other matters which would come within the minister's general power. In section 58 (1) the minister has a general power of administration, and instead of exercising those powers himself he has authority under section 58 (2) (d) to authorize the commissioner to exercise those powers.

Mr. HANSON (York-Sunbury): That is reserved to the minister by section 37. Would the minister exclude 37?

Mr. CHURCH: May I ask the minister if under paragraph (d)—

Mr. HANSON (York-Sunbury): Just a minute.

Mr. MacINNIS: If the leader of the opposition would rise in his place when he is speaking, the committee would know who has the floor.

Mr. HANSON (York-Sunbury): I apologize to the Chair and to the committee for having carried on a conversation from my seat. I know it is not quite proper. If this were limited by excluding the provisions which might be applied on section 37, I would not have so much objection. But section 37 makes a special reservation to the minister. Under section 58, power is given to delegate authority to the commissioner. I must point out that the power of determining a question of appeal is a wide power. That is all I have to say about it.

[Mr. Ilesley.]

Mr. CHURCH: May I ask the minister why under paragraph (d) he is setting up a separate organization for duplicate death duties and for the administration of the same class of property for which provision is made by the British North America Act? Under section 92, death duties relate to property and civil rights in the provinces and are exclusively provincial. The minister has been inconsistent ever since he has held office. Two years ago, when it was urged in the house that the minister should let Ontario collect its own income tax, when both federal power and provincial power had taken all this away which was formerly exclusively municipal, he said "Oh, no; we will save a whole lot of money by collecting the two income taxes ourselves for the provinces as well." Instead of the provinces collecting their own income tax, in this bill we set up two administrative offices, for death duties. If the minister would wield the big stick and bring about a little economy in all the departments, it would be far better. Instead of that, he is setting up a new administrative death duties staff to deal with property rights which, since confederation, belonged to the provinces exclusively.

Why should he have accepted the work of the province of Ontario to collect their income tax for them and then turn round and set up another duplicate branch, with a staff of inspectors and clerks, federal and provincial, two separate staffs, collecting on one and the same property? Where is this going to wind up? It is nothing but state socialism. I am only giving my own opinion on it all. The minister has made a vast excursion into this field. Paragraph (d) reads:

(d) authorizing the commissioner to exercise such of the powers conferred by this act, as may, in the opinion of the minister, be conveniently exercised by the commissioner.

That might be all right under the drastic Kingsley Wood principle of collecting death duties, but all people may not own property when it comes to these rival taxing powers on the same class of property. They are likely to lose what small property they have in real and personal estate and, in the end, die in the poorhouse, with two vast organizations taxing them and putting federal burdens on real estate. It is expected that \$10,000,000 will be collected this year and in a full year, \$20,000,000 from this measure. Is it any wonder the people are asking why the head of the province is objecting to federal authority invading provincial and municipal institutions and taking their revenues in this way?

Mr. GIBSON: I do not know whether or not the hon. member is familiar with the set-up proposed to collect these duties, but