

met in London in the fall of 1929 and in due course it made a report. That report was submitted to this parliament at its last regular session and, it will be recalled, was adopted without a dissenting voice. It was criticized, but no vote adverse to that report was taken. It is important to ascertain just what the recommendations of that conference were. The report, after noting the origin and purpose of the conference, dealt with the three main phases of United Kingdom control of dominion legislation on the following lines:

(a) Disallowance, and (b) reservation.

First, the existing condition was summarized. I need hardly say to hon. members that under the British North America Act it is provided that legislation passed by this parliament may be disallowed within two years by the sovereign acting upon the advice of his advisers, his council in Great Britain. The practice has of course become obsolete. But twice has it in any sense been set in motion since we became a dominion.

Second, with respect to statutes that are reserved for the action of the Imperial government, we mean that such legislation as was passed here would not on the last day of the session be assented to by His Excellency the Governor General, but rather, we being uncertain as to its effect upon either the interests of Great Britain or other imperial interests, it would be reserved for the consideration of the sovereign, acting upon the advice of the cabinet of Great Britain. Obviously those two provisions with respect to disallowance and reservation constituted a very clear exception to the principle of equality of status, and so it became necessary to deal with them.

The report of 1929 in the second place indicated the constitutional position that neither power may now in practice be exercised by the United Kingdom government contrary to the wishes of the dominion government concerned except with reference to the Colonial Stock Act of 1900. It possibly becomes advisable that I should make a short reference to that. The late Right Hon. W. S. Fielding was always very anxious that Canadian securities should occupy a preferred position on the London money market. As is perhaps within the memory of most hon. members, there is in England a provision whereby only certain securities can be treated as belonging to that preferred class—the consols, the securities of some of the municipalities, Indian securities and others. Mr. Fielding succeeded in inducing the British government so to relax their restrictions as to

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provide that Dominion of Canada securities might come within the preferred class, but this was not purchased without a price and the price that was paid was that we would consent to the British government advising that legislation passed by this parliament might be disallowed if it interfered in any way with the validity, shall I say for the sake of a better word, of those securities. That right still exists. That right has not been taken away. There are those who think that some steps should be taken in that direction. I recall that at the conference some discussion of an unofficial character took place, and the representatives of one of the dominions believed that it was valuable to have it still there, not so much in the case of Canada, but in respect to some of the other dominions. That is, the right to enjoy a preferred position with respect to securities was considered a matter of very considerable importance, and so the Colonial Stock Act of 1900 still remains.

The conference of 1929 further recommended that no action be taken for the abolition of the legal powers of disallowance and reservation, but it was stated that any dominion which wished to bring the legal position into harmony with the conventional position could do so by amending their constitutions in the customary manner, with the aid of the United Kingdom parliament when required, or by repealing the provisions of United Kingdom statutes providing for reservation of bills dealing with particular subjects.

In other words, the clear distinction between the conventional and the legal having been defined, it was suggested that no action be taken at the moment to change the strictly technical and legal position largely because of the Colonial Stock Act of 1900, but that the conventional practice be continued, and if any dominion saw fit to take the necessary action to modify or change the conventional into the legal it might do so.

Then there came up for consideration a question which has always been a matter of some difficulty, the extraterritorial operation of dominion legislation. That means, of course, as the very derivation of the word indicates, extending beyond the territory of the country. It will perhaps be within the memory of some members of this house that a former Minister of Justice endeavoured to deal with that problem. I refer to the discussions that took place in parliament on the initiative of Mr. Doherty, sometime Minister of Justice. No accomplishment that is of any great value stands to the credit of this parliament in that