

Emergency Powers Act

Mr. Cruickshank: Send it over television.

An hon. Member: Write him a letter.

Mr. Casselman: Don't put on the steam roller.

Mr. Speaker: Order.

Mr. Robichaud: Is the Department of Fisheries aware of the serious situation of the cod fishermen and the packers of fillets in the maritime provinces?

Mr. Speaker: I doubt whether that is the type of question that should be asked on orders of the day. I cannot allow the question.

NATIONAL DEFENCE

RIFLE RANGE AND OTHER PROJECTS AT BAIE-DU-FEBVRE, QUE.—PROTEST AGAINST INSTALLATION

On the orders of the day:

Mr. Leon Balcer (Three Rivers): Mr. Speaker, is the Minister of National Defence in a position to answer the question I asked yesterday?

Hon. Brooke Claxton (Minister of National Defence): No, Mr. Speaker. I have not had the information yet.

EMERGENCY POWERS ACT

PROVISION FOR CONTINUATION OF ACT FROM MAY 31, 1953 TO MAY 31, 1954

Hon. Stuart S. Garson (for the Prime Minister) moved the second reading of Bill No. 279, to amend the Emergency Powers Act.

Mr. Macdonnell (Greenwood): Is the minister going to speak?

Mr. Garson: Mr. Speaker, my position in interrupting my friend the hon. member for Greenwood is that if I do not say something in moving the second reading of this bill, I shall not have an opportunity of making a reply; and if I have no opportunity of making a reply, I shall not have an opportunity of answering certain misstatements of fact and of law which now deface the record of this debate. Hence I wish to deal fairly briefly in my present remarks with the—

Mr. Drew: Mr. Speaker, I regret that, with the noise in the chamber, I could not hear what the minister said. If it would not be asking too much, might I ask him to start over again because I assure him that we on this side of the house could not hear what he said.

Mr. Speaker: May I ask hon. members not to carry on conversations in the house. If any hon. members desire to leave the house

now that we have reached the orders of the day, may I ask them to do so as quietly as possible. That request applies not only to today but to every day. When hon. members who have other duties to perform are leaving the chamber, I would request them to leave as quietly as possible.

Mr. Garson: Mr. Speaker, in response to the suggestion of my friend the Leader of the Opposition (Mr. Drew), may I say that I had opened my remarks by saying that I regretted having to interrupt my friend the hon. member for Greenwood (Mr. Macdonnell), but that my position is that if I do not speak in moving the second reading of the bill I shall not later have an opportunity of making a reply, and for that reason would be deprived of the chance of correcting what I must regard as certain serious misstatements of fact and law which deface the record in this debate.

Mr. Drew: Is that word "debase"?

Mr. Garson: Deface.

Mr. Fournier (Hull): Change the face of.

Mr. Garson: The issue in this matter has been discussed perhaps at great length, but somewhat desultorily in committee and my only purpose in my present remarks is to bring together in as brief a compass as I can the basis upon which we of the government are asking that the Emergency Powers Act should be extended for another period of one year.

As we have made clear, in 1951, when the act was first passed, and on a number of occasions since, we have been seeking in the Emergency Powers Act not an extension or an increase in the powers of the governor in council, but on the contrary a diminution, an important diminution, in these powers. Once it is a fact that the nation is in the emergency of apprehended war, and the wide amplitude of powers under the War Measures Act become available to the governor in council under the War Measures Act, then the passage of the measure which we are now considering, the extension of the Emergency Powers Act, does not increase, it substantially diminishes the powers of the governor in council and subjects the orders in council passed in the exercise of those powers to the prompt tabling in parliament, and to a scrutiny by parliament, and to annulment proceedings that may be taken in a summary manner in respect of anything that is done pursuant to the Emergency Powers Act.

I concede at once that the validity of our argument depends in large measure upon one fact, and that is whether there was an emergency of apprehended war in 1951 when the