

the groups are united as was suggested in a previous meeting; once the French name of the Boy Scouts of Canada drops the word "Catholic" out and once the two groups are together, then I think possibly the Boy Scouts of Canada could proceed in the way Mr. Otto has mentioned. It is a matter of first uniting them and then I think these other matters will come up.

Mr. Peters: Mr. Chairman, it is my understanding that although we did make the machinery available for letters patent for changing of names and things of that nature, that we did not eliminate the possibility, when so desired, of an association or company coming before us with a private bill. The right to petition for a private bill is still available. There are alternative methods and those who have followed the operation of this Committee in some of the machinations of legislation will agree that there are reasons why some would rather do it other ways. I think it is still a right and there has not been any limitation of the right to petition for private bills. In some cases there is a special status attached to an Act of Parliament that is not attached to letters patent.

Mr. Otto: Mr. Chairman, if I recall there was a Mr. Peters and a Mr. Howard and many other members who worked very hard over a number of years trying to get all this business out of the House of Commons and I am only asking: What is the special requirement? What is the Boy Scouts prerequisite that they want to be an association by statute, rather than under the Corporations Branch? Is there a reason that you want to do this?

Mr. Joyal: Yes, I think the reason as far as the Boy Scouts of Canada is concerned—and perhaps Mr. Ross might have more definitive information than I can provide you on this—is that it has had a long history of a corporate status by private legislation of this nature. I think in those circumstances, unless other circumstances should arise where they would find it preferable to go to letters patent under the Corporations Act, I think there are intangible values there which they would like to preserve. As Mr. Guay said it might conceivably be that once these two associations are grouped together under one common statute, thereafter they might very well in later years come under the Corporations Act. I think there is a principle involved which is of great importance to them. If they are going to have one French-speaking and one English-speaking Boy Scout movement, they have to be

joined somewhere. The way they are going to be joined is under a common statute which will be Bill No. S-39.

Mr. Otto: Thank you.

Mr. Joyal: I do not know if I can give you any more practical reason than that. It is more intangible I think.

The Vice-Chairman: Are there any further questions?

Preamble agreed to.

Clauses 1 to 10 inclusive agreed to.

Mr. Peters: I have questions on Clauses 11 and 12.

On Clause 11—*Application of mortmain laws*

On Clause 12—*Transfer of property held in trust*

Mr. Peters: I would just like to know whether the act that the Boy Scouts now have allows national control of property?

Mr. Joyal: No. If I could answer on Clause 11. This is one which you will find not only in federally incorporated bodies by private statute. However, you will also find that the same

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rule applies to federally incorporated companies under the Corporations Act, they have the power to hold land. But, if in any one province there is a statute relating to the corporate holding of lands, which is usually called the Mortmain and Charitable Uses act, then that company must apply in that province for a mortmain licence in order to enable it to hold land in that province. It is a problem of divided jurisdiction, I think. In other words, it specifies, "You have power to hold land anywhere in Canada, but to the extent that it is beyond our legislative competence, such as property and civil rights, you are subject to provincial laws".

Mr. Peters: Clause 12 would be the same. You hold in trust no doubt now under incorporation.

Mr. Joyal: Yes, there is some of the land.

Mr. Peters: Are the French Boy Scouts and the English Boy Scouts separate as to property at the present time? This section is to allow them to transfer the holdings of both associations to this Act, I presume.