

Canadian Livestock Feed Board

FISHERIES MANAGEMENT AND DEVELOPMENT

15a. Grants, contributions and subsidies in the amounts and subject to the terms specified in the subvote titles listed in the details of estimates, \$435,227.

FISHERIES RESEARCH BOARD OF CANADA—

20a. Administration, operation and maintenance, \$135,000.

Fisheries—

LOANS, INVESTMENTS AND ADVANCES

L34a. To extend the purposes of the revolving fund established pursuant to Vote 542 of the Appropriation Act No. 3, 1953, to include the financing of transportation, dressing and dyeing and other expenses incidental to receiving and disposing of fur seal skins accruing to Canada pursuant to the Interim Convention on Conservation of North Pacific Fur Seals entered into by Canada, the United States of America, Japan and the Union of Soviet Socialist Republics, dated at Washington, February 9, 1957; additional amount required, \$200,000.

The Chairman: This completes the estimates of the Department of Fisheries.

Mr. Groos: Before the estimates are finally carried, I wonder if the minister would care to comment on one suggestion I made while I was speaking. I think he overlooked it in his remarks. I refer to the problem on the west coast of dealing with sports fishermen coming across the border and not coming within our jurisdiction. I made some suggestions to him, and I hope he is considering them.

Mr. Robichaud: Yes; in fact, I have already taken note of those suggestions and I am bringing them to the attention of the officials of my department in order to determine if it would not be possible to have the co-operation of lighthouse keepers as the hon. member has suggested.

Resolutions adopted in committee of supply this day reported and concurred in.

CANADIAN LIVESTOCK FEED BOARD

ASSISTANCE IN STORAGE AND
TRANSPORTATION COSTS

The house resumed from Tuesday, October 11, consideration in committee of Bill No. C-218, to provide assistance to livestock feeders in eastern Canada and British Columbia—**Mr. Sauvé**—**Mr. Batten** in the chair.

On clause 20—*Offence and punishment.*

Mr. McQuaid: Mr. Chairman, with respect to subclause 3 of clause 20, there is a reference to the fact that a prosecution may be instituted within two years from the time when the subject matter of the complaint

arose. I should like to inquire from the minister how he is going to square this provision with the provision of the Criminal Code of Canada which provides that in summary conviction cases there cannot be a prosecution unless it is taken within a period of six months after the subject matter of the complaint has arisen.

In the Criminal Code, "proceedings" are defined as proceedings in respect of offences that are declared by an act of the parliament of Canada or an enactment made thereunder to be punishable on summary conviction. Proceedings as defined in the Code are to be taken directly under this act, and yet this act purports to abrogate section 693(2) of the Criminal Code.

Mr. Sauvé: Section 693 of the Criminal Code contains the expression:

Except where otherwise provided by law—

The provision in this bill comes within that exception to the provision that proceedings should be taken within six months.

Mr. Herridge: There is one section here, Mr. Chairman, that has concerned some of us. I refer to clause 20(1)(b) which reads:

—fails to comply with an order issued to him pursuant to this act is guilty of an offence and liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

I have some knowledge of the acts covering marketing boards within the province, and things of that sort, but this seems a very drastic provision in that it definitely states a person is guilty of an offence before he has even been tried. Could the minister explain this section, and perhaps give an illustration of how the provision should be applied. There are provisions like this in the British Columbia marketing act, but you are not guilty until you are proven guilty.

● (5:00 p.m.)

Mr. Sauvé: Clause 20 (1) (b) refers to an order issued. Then you you have to refer to clause 6(g). The order has to be served personally by registered mail. Evidently he cannot be found guilty until the order has been issued. In other words, if the order has been issued and he has not complied then he may be found guilty. That is, if the order has been issued, and if it is proved in court that he has not complied, then he may be found guilty.