

and not the Hall Commission's report which practically ignored the recommendations of the Canadian Medical Association after Senator McCutcheon resigned as a member of that commission.

However, I wish to place on record today a judicial decision of the High Court of Australia. In Australia a compulsory state medical care plan was declared illegal because it abrogated fundamental rights defined in the Australian Constitution. Chief Justice Latham, Chief Justice of the High Court of Australia, referring to the Pharmaceutical Benefits Act on which the decision turned, noted that it involved "civil conscription." He stated:

There could in my opinion be no more effective means of compulsion than is to be found in a legal provision that unless a person acts in a particular way he shall not be allowed to earn his living in the way, and possibly in the only way, in which he is qualified to earn a living.

Thus the High Court did not declare the plan invalid because it proposed to give medical benefits contrary to any provision in the constitution; it declared it invalid because the court regarded the proposals as an act of civil conscription, and therefore ultra vires the constitution.

In Australia the state was thwarted in its attempt to impose involuntary servitude and civil conscription. In that country, our sister dominion, both citizens and physicians appear to be content—a principle consistent with individual rights, duty and liberty. The citizen has not surrendered his rights to the state and the state has not abrogated the rights of the physician.

With the enactment of this legislation, this Government will be responsible for the deleterious effect that will be done to the people of Canada in the provision of quantity, not quality, medical services. Pass the bill!

Hon. Mr. Burchill: Honourable senators, I was present this morning at the meeting of the Banking and Commerce Committee as a member. I attempted to ask the minister a question in relation to this bill, but unfortunately he had to leave shortly before the meeting adjourned. Perhaps the sponsor of the bill (Hon. Mr. Macnaughton) can give me the information I wanted. Has there been any estimate made of the initial cost of this legislation?

Hon. Mr. Macnaughton: Honourable senators, there has been an estimate. Just what the exact terms are, I would not want to state this afternoon because I am not sure of my information. I have heard estimates of from \$53 million up to \$200 million. I regret to say that I am not in a position to give an exact figure; I suppose no one is able to do so at this stage. However, it would be 50 per cent of the cost of a provincial medical claim inside a province, depending on the number of provinces participating.

The Hon. the Acting Speaker: Honourable senators, with leave of the Senate, it has been moved by the honourable Senator Macnaughton, seconded by the honourable Senator Hays, that this bill be now read the third time. Is it your pleasure to adopt the motion?

Hon. Mr. Sullivan: On division.

Motion agreed to and bill read third time and passed, on division.

NATO PARLIAMENTARIANS

TWELFTH ANNUAL CONFERENCE AT
PARIS, FRANCE

Hon. John B. Aird rose pursuant to notice:

That he will call the attention of the Senate to the Twelfth Annual Conference of NATO Parliamentarians held at Paris, France, 9th November to 14th November, 1966, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada.

He said: Honourable senators, it is my pleasure to give you a brief report of the recent meeting of the NATO Parliamentary Group in Paris, and of the visit to the Canadian army and air force bases in France and Germany, as well as a special trip made to Berlin as guests of the Federal Republic of West Germany. As you know, the Senate was represented by Senator Brooks, Senator Lefrançois and myself. We had a very active trip and, as no doubt other senators will be speaking in due course, I will confine my remarks to several impressions and conclusions which have occurred to me personally.

I would like to discuss the current NATO situation from a Canadian point of view, under three headings: firstly, NATO and Canada; secondly, Britain and the European Common Market; thirdly, the Canadian delegation.