

War Risks Insurance

a difference between shipping and air transport. If hostilities should break out in Europe and four or five T.C.A. aircraft were there, they could be back in Canada the next morning. However, if Canadian ships were in Europe at the outbreak of hostilities they would be caught in those harbours without any insurance protection.

I think I have covered the principal points raised during the resolution stage. If it is desired I could place this little table from the United Kingdom ministry of transport on *Hansard*.

Mr. Speaker: Is it agreed that the parliamentary assistant have permission to place the table on *Hansard*?

Some hon. Members: Agreed.

Mr. Sinclair: The table follows:

(Figures supplied by U.K. Ministry of Transport)
U.K. Marine War Risk Schemes—World war II

	as at Mar. 31/52 (in million pounds)		
	British hulls	Foreign hulls	Total
A. Ships			
Premiums received.....	308	188	496
Claims paid or outstanding	284	137	421
Balance + or deficit — ..	+24	+51	+75
B. Cargo (All classes—to and from U.K. including cross voyages)			
Premiums received	154		
Claims paid and outstanding	118		
Balance + or deficit — ..	+36		
C. Total net premium revenue for ship and cargo insurance + 111			

Mr. J. M. Macdonnell (Greenwood): Subject to one question I shall raise before I take my seat I think the parliamentary assistant, expanding what the minister said when we were at the resolution stage, has made very clear the need for some measure of this kind. He has explained that in the last war we relied on the facilities of Great Britain, and I think he has made clear the advantages which will accrue from being able to deal with the matter ourselves here at home. He has given certain interesting facts, and in particular has indicated the necessity of a measure of this kind by telling us that the private underwriters are not prepared to bear the risks of war. Of course it is perfectly clear that if war comes we must have immediately available some method of insurance whereby our ships can go to sea. He has given us a satisfactory reference to the attitude of the ship owners. On all that it

[Mr. Sinclair.]

seems that what the house has before it is prima facie satisfactory.

My objection to this legislation, and it goes to the whole root of the matter, is that this is not legislation at all but is merely permission to the government to legislate. What I mean is that we just have a couple of omnibus clauses—I will read them in a moment—which give the governor in council the power to do anything in connection with this whole area of our business life. I have tried to examine the corresponding British act. I have tried to follow the British legislation in the time available, and I have here the act of 1939. Subject to what the parliamentary assistant may say later, so far as I can discover their legislation, while it has been amended, is still outstanding; and compared with the measure now before us their act, while it does not go into a great deal of detail, does set out certain rights of the parties with very much more particularity than is the case here.

Indeed, this measure goes beyond what it seems to me we ordinarily find even in measures which give a great deal of power to the government; because I have noticed that the governor in council, in addition to being empowered to do various other things, is empowered in section 4 to define a lot of things. My recollection is that even in legislation which gives a great deal of power to the governor in council the tendency has been to have a pretty broad section defining certain things, which in itself is some safeguard. I shall now read the operative parts of sections 3 and 4, which I think really are the gist of the bill. The other clauses refer to dealing with money that comes into the minister's hands, to audit, to laying copies of agreements before parliament and so on, but the two operative sections are 3 and 4. Section 3 reads as follows:

The minister may enter into an agreement, in such form and containing such terms and conditions as are prescribed by the regulations or otherwise approved by the governor in council, with any person or association of persons for the insurance or reinsurance by him against any or all war risks of (a) aircraft; (b) vessels; or (c) cargo.

I shall not read all of section 4 but it reads in part as follows:

The governor in council may make regulations for carrying the purposes and provisions of this act into effect and, without restricting the generality of the foregoing, may make regulations . . .

And so on. I do not think I need to read the details because I think what I have read gives enough to underline the point I am making, namely that, as I said a moment ago, this is not really legislation at all. It is hardly an exaggeration to say that it merely