

● (2120)

[English]

Hon. Mr. Choquette: Honourable senators, I do not want in any way to embarrass the sponsor of the bill, Senator Lapointe, and this might be too legal a point to answer, but I notice the bill reads:

Whereas a Convention on the International Recognition of Rights in Aircraft was signed at Geneva on the 19th day of June, 1948—

Which is 25 years ago, if my arithmetic is correct.

—and it is expedient—

After 25 years.

—that legislative provision be made for giving effect thereto and for performing the obligations of Canada in respect thereof in order that Canada may adhere to the said Convention—

We are now asked to pass this bill.

My question is this: What happened during the last 25 years when an aircraft was about to be sold? I think the sponsor of the bill will recognize that an aircraft is a chattel, and there can be liens against that chattel, such as for fuel bills. Before a transfer of such a chattel is made, searches have to be made in the registry office, as was pointed out by the sponsor. My question still remains: What has happened without the help of this legislation during the last 25 years?

[Translation]

Hon. Miss Lapointe: If you will allow me, I shall reply in French.

Hon. Mr. Choquette: Yes, please do.

Hon. Miss Lapointe: I must say that, at the present time, whoever has any claim in respect of an interest in an aircraft must register it in every area, every province and every country in which the aircraft flies. This requirement is extremely demanding and complex. We have decided to adhere to this convention precisely to facilitate claims and to centralize them in a register here in Ottawa.

I believe one small point falls within provincial jurisdiction. That is why we are very careful in asserting that any claim submitted to the central registry does not establish title to any rights; I feel that the matter of rights would be a matter of provincial jurisdiction. We therefore evade that difficulty, because the convention itself does not require that a system of titles be set up, in that it does not require proof that the claim is legal. It is simply a matter of registry, whereby all claims are registered, that is all. There is nothing more to it than that.

Then, I think that the person who submits a claim must, if it is disputed by aircraft owners, plead his case before some court.

Hon. Mr. Martin: Fine.

Hon. Mr. Bourget: Fine, you are an excellent counsel.

Hon. Miss Lapointe: Other objections may also come to the minds of honourable senators. For instance, one may ask why we exempt "spare parts" of aircraft. It is because these "spare parts" may not be found in the same locations where a seizure of aircraft is likely to occur. The aircraft could be either in Paris, London or Chicago, and the spare

parts could be stored in a variety of other locations, which would make things very difficult, and this is why spare parts are exempted from seizure.

[English]

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Miss Lapointe: At the next sitting of the Senate.

Hon. Mr. Macdonald: Is it not going to a committee?

Hon. Mr. Martin: Whatever you wish.

Hon. Mr. Macdonald: I believe it should go to committee. After 25 years I do not think there is any great rush to get it through tomorrow.

Hon. Mr. Martin: I think there is a rush, but not that much of a rush.

On motion of Hon. Miss Lapointe, bill referred to the Standing Senate Committee on Transport and Communications.

THE ESTIMATES

REPORT OF NATIONAL FINANCE COMMITTEE ADOPTED

On the Order:

Resuming the debate on the motion of the Honourable Senator Everett, seconded by the Honourable Senator Paterson, for the adoption of the Report of the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1974.—(Honourable Senator Flynn, P.C.)

Hon. Allister Grosart: Honourable senators—

The Hon. the Speaker: Honourable senators, is it agreed that Senator Grosart be allowed to proceed in place of Senator Flynn?

Hon. Senators: Agreed.

Hon. Mr. Grosart: Honourable senators, the report of the Standing Senate Committee on National Finance, which is before us at this time, is the usual prelude to consideration of the first appropriation bill for the current year, which will come to us in due course. The committee has reported to the Senate in the report before us on a general overview of the bottom line of the projected government expenditures for the current year up to March 31, 1974. In addition, it has embarked on the first of what the report calls "a series of detailed examinations of selected programs or departmental expenditures."

The first estimates selected for this very detailed examination are those of Information Canada. I would like to make some comments on that, but it is perhaps proper that I should restrain my comments at this time, for several reasons. One, of course, is that the chairman of the committee has undertaken to provide the Senate with a supplementary report that will deal with its inquiry into Information Canada. Secondly, and perhaps more impor-