

approval first to be obtained by the Minister of the Chairman of the Dominion Trade and Industry Commission so long as that Chairman is a lawyer of ten years' standing at the Bar of any province of Canada; or the approval of the President of the Exchequer Court, in any event—such approval to be obtained on *ex parte* application, the approval to be valid if *ex parte*, but with the judge having the power to request further evidence or any further hearing he wishes. If he does not think it necessary he does not need to do it. And that before the power of committing or penalizing is exercised the approval of any Superior Court judge be first obtained.

It is absolutely correct, except that it does not enable anyone but the judge to hear anybody. I think it is pretty plain that that is the meaning of what I said, especially when you look at this. It is provided exactly, except the judge is not enabled to have a further hearing. If that is the interpretation, the words "If he does not think it is necessary he does not need to do it" have no meaning at all.

HON. MR. DANDURAND: What did you read?

Right Hon. Mr. MEIGHEN: To carry that out it was drafted in this way. I will read it all:

Notwithstanding anything in this Act neither the Commissioner nor any special commissioner nor any other person shall have power to compel the attendance of any witness or the production of any book, paper, records or article, or the examination of any person under oath, or have power to exercise for the enforcement of any order made by such Commissioner, special commissioner or person, or for punishment on account of disobedience of such order, the powers that are exercised by superior courts for the enforcement of subpoenas to witnesses or punishment of disobedience thereof, unless and until on the application of the Minister (which shall be heard *ex parte*) either the President of the Exchequer Court of Canada or the Chairman of the Dominion Trade and Industry Commission shall have certified, as either of them may, that it is fit and proper that the action mentioned in the application should be taken;—

I think those words are all right. I had suggested "reasonable grounds," but I think those words are all right.

Provided that when any investigation under this Act is proceeding in any province and the Commissioner or special commissioner is desirous of exercising power to commit to prison or otherwise penalize pursuant to this Act any person whether for contempt or otherwise, the application may be made by the Commissioner or special commissioner upon reasonable notice to the person concerned, to a judge of the Supreme or Superior Court of the province who shall for the purposes of the application have the powers which by this section are conferred upon the President of the Exchequer Court and the Chairman of the Dominion Trade and Industry Commission.

(2) The provisions of this section which relate to the Chairman of the Dominion Trade and Industry Commission shall apply only whilst such Chairman is a barrister of one of the provinces of Canada of at least ten years standing.

(3) Such President, Chairman and judge, respectively, may, before granting such certificate, require the applicant to secure and subsequently produce to him any further evidence or proof of relevant circumstances as he shall deem to be necessary.

HON. MR. DANDURAND: What are the words you add?