

vast bulk of the work is of an entirely transitory nature, and had there been treaties of peace at the end of the war, which would have enabled the bulk of the work to be completed, I have not any doubts that by now it would be down to skeleton proportions.

Q. My point is that with regard to clerks who hold tenure of office for any considerable length of time they should be appointed by the Civil Service Commission so that they could get the same rates, privileges and benefits as other civil servants, rather than be taken out of the Act. If this were only a matter of temporary employees I could see some justification for it, but as far as the permanent employees or employees with considerable service are concerned I do feel that this matter should be limited there.

Mr. CLEAVER: Do you think they should be permanent?

Mr. BOUCHER: I think they should be employed in the same manner as other civil servants. This Act will continue for a considerable length of time; it is not limited to a short period.

Mr. GOLDING: There will be a large number—

The VICE-CHAIRMAN: Now, gentlemen, we got along very nicely at our last meeting because we were a little more formal. I requested members to stand when they spoke. I disregarded that instruction this morning; but if you are going to talk to one another I shall have to ask you to accept that instruction again for the sake of keeping order.

Shall the subsection carry?

Carried.

Subsection (4): "Department of Government."

Carried.

Section 7:

Mr. FLEMING: This subsection brings us into a major problem under the whole of the regulations. Under this section, as you will see, very wide immunity is given to the Secretary of State or custodian.

No person has any rights or remedies and no action lies or may be brought against any person in respect of:

- (a) an act or omission that was required by the Secretary of State or Custodian;
- (b) an act or omission that the person acting in good faith reasonably believed to have been required by these regulations or any regulations heretofore in force with respect to trading with the enemy or enemy property; or
- (c) property transferred, delivered or paid to the Secretary of State or Custodian or pursuant to his direction either before or after these regulations came into force.

Now, obviously, people who act on the instructions of the custodian must have some immunity if they come within the scope of the instructions of the custodian, otherwise I should think there would be a complete breakdown. The custodian could not hope to have co-operation from people like the banks and trust companies from whom the custodian has need of co-operation at all times. It seems to me that this goes too far in curbing the rights of other persons where those rights have been, perhaps, negligently interfered with—perhaps interfered with by officials exceeding their powers. My criticism is that those regulations go too far in restricting the rights of individuals whose property or other rights have been seized or taken in possession or otherwise interfered with by the custodian. Now, what redress has he got? There are two other regulations which bear on this question: 27 and 36. No. 27 refers to court proceedings. It says:—