

Mr. MacNICOL: That is a government concern; I was thinking of private business.

Mr. HOWE: He left the post of vice-president of Montreal Light, Heat and Power, where he was receiving a salary of \$35,000 a year.

Mr. MacNICOL: At the same rate we ought to pay the Minister of Reconstruction a salary of \$100,000 a year.

Mr. HOWE: I shall be grateful for that.

Mr. CASE: How many members are there?

Mr. HOWE: Three.

Mr. CASE: They are all paid?

Mr. HOWE: They are all paid.

Mr. CASE: This section provides that two shall form a quorum?

Mr. HOWE: That is right.

Section agreed to.

On section 3—Jurisdiction.

Mr. BLACKMORE: Can the minister give the reasons for permitting the apportionment of such tremendous powers to any one member of this board as are indicated in this section? The new section 7B which is to be added reads:

The board, or any member of the board, may order that any person resident or present in Canada may be examined upon oath before, or make production of books, papers, documents or articles to the board—

And so on. These are far-reaching and extensive powers, and I should like to know why it is deemed advisable to give such powers to any one member of the board, apparently without his being required to get the consent of the whole board before he takes action.

Mr. HOWE: These are really not extraordinary powers; they are the ordinary powers of a justice of the peace or a member of a court. A subpoena is to be issued by one member of the board rather than the full board as a matter of convenience. This is simply giving the board the ordinary rights of a court to require the attendance of witnesses and the obtaining of information.

Mr. BLACKMORE: Is there anything similar to this in any other act or any other organization under the government?

Mr. HOWE: As a matter of fact it is in the wartime prices and trade board act and the Department of Munitions and Supply Act, with which I happen to be familiar, and in many other acts.

Mr. BLACKMORE: Permitting one member of the board to do that?

Mr. HOWE: I think so, yes.

Mr. FLEMING: The hon. member has directed attention to a section which contains some very arbitrary features. It is significant that the bodies referred to by the minister just now were set up by order in council; they are not bodies created by statute. What we are dealing with here is a body created by a statute of this parliament in 1944, and its powers are being extended by the bill now before us. One could search in vain through the Railway Act to find anything comparable to the powers conferred by this section on any member of the board. If hon. members will read this section they will find that the powers conferred on a member of the board are not confined to the mere issuance of subpoenas. A single member of the board has power not only to issue subpoenas but to examine under oath any person summoned before him. He has also power to direct such a person to submit to examination by an officer of the board. I submit that that is arbitrary. I do not think we ought to have legislation of this kind, conferring such broad powers upon a member of a board created by statute.

We have just approved section 2, which provides that the quorum shall be two members of the board. Why should not any proceedings under 7B (1) with reference to the examination of witnesses be taken on the action of not less than a quorum of the board? Let it not be said that this is only a trifling matter of procedure. It is a great deal more than that. It confers a power capable of arbitrary exercise. Look at the provisions of section 7B (1):

The board, or any member of the board, may order that any person resident or present in Canada may be examined upon oath before, or make production of books, papers, documents or articles to the board, or any members of the board, or before or to any officer of the board, or before or to any other person named for the purpose by order of the board or such member, and may make such orders as seem proper for securing the attendance of such witness and his examination.

In other words the power is unlimited in any member of the board to direct any person, resident or present in Canada to appear before him, or such person as he may designate, and to produce books, papers, documents and articles on any subject. There is no justification for conferring powers so broad upon a board of this kind. It is not a large board, and there is no hardship in requiring the board to proceed in the normal way through a