

Mr. McLARTY: The employer requests the commission to advance certain moneys to a prospective employee to transfer him to the employer's plant. In the event of the commission complying with the request and advancing the money, that becomes a debt from the employee to the commission.

Mr. HOMUTH: Not according to the bill

Mr. McLARTY: I think so.

Mr. HOMUTH: Subsection 3 reads:

Any such advance may be made at the request either of the employer or of the worker, and the person on whose application the advance is made shall be liable to repay the same.

In the case I suggest it is the employer who is making the application.

Mr. McLARTY: Perhaps what the hon. member has in mind is the case where the employer actually makes the advance and not where the commission makes it, because in that case it is not a debt due to the commission. The question may be easily answered. If the employer chooses to advance the money to the employee, just where does the commission come into the picture?

Mr. HANSON (York-Sunbury): And he would have the right of set-off.

Mr. HOMUTH: But where the employer asks the commission to advance the money—

Mr. McLARTY: Then it becomes a debt to the commission, because the commission makes the advance.

Mr. MacINNIS: The hon. member for Waterloo South drew attention to subsection 3, which reads:

Any such advance may be made at the request either of the employer or of the worker, and the person on whose application the advance is made shall be liable to repay the same and give such undertaking with respect to repayment of the advance as the commission may, from time to time, by regulation prescribe either generally or as regards any specified district or class of applicants.

This section is perfectly clear. I cannot understand how anyone can misconstrue it. If there is one section that is clear, it is this one. The employer asks for an advance for the employee and the employer is liable to the commission. Under subsection 4 all advances of the kind discussed shall be made out of moneys provided by parliament for the purpose. If they are repaid before the end of the fiscal year, advances may be made any number of times without the necessity for the sanction of parliament. It seems to me that the section is the acme of clarity.

[Mr. R. B. Hanson.]

Mr. HOMUTH: I insist that if the employer makes the request, he is liable to the commission for the money.

Mr. HANSON (York-Sunbury): There is no doubt about that.

Mr. HOMUTH: There is no provision whereby the employer may take these advances, for which he is liable, out of the pay of the potential employee.

Mr. HANSON (York-Sunbury): What the hon. member says is absolutely correct, according to a careful reading of the bill. If the employer makes the request, then he is liable to the commission and there is no express provision as to his being repaid by the employee. There is, however, a declaration that if the moneys are advanced by the commission they become due to the commission, whoever makes the request. I have a suggestion which might protect the funds of the commission, to a limited extent at any rate. Subsection 2 leaves the recovery of advances as a matter of process of law. It makes it an ordinary debt. It ought to be a crown debt and have priority. After all, it is the money of the taxpayers. They stand in a preferred position, as the minister knows.

Mr. McLARTY: My hon. friend means only to the extent that such sums are advanced by the commission?

Mr. HANSON (York-Sunbury): Yes; the minister leaves it an ordinary debt. If he makes it a crown debt, the board is in a better position.

Mr. McLARTY: Perhaps we should consider this: This commission is a corporation; it is not a branch of any department of government. Could we create the right in an incorporated body to recover a debt as if it were one due the crown?

Mr. HANSON (York-Sunbury): That is a good point; in one sense that is true. Supposing the debt is not recovered, by what fund or what portion of the fund will the loss be borne?

Mr. McLARTY: I refer the hon. leader of the opposition to section 71; does he think that would help us out?

Mr. HANSON (York-Sunbury): Yes; that certainly is covered. I think that would be satisfactory.

Section agreed to.

Section 91 agreed to.