

*Emergency Powers Act*

Those of us who have in the post-war years in this house sought to bear on the exercise of any special powers enjoyed by the government our conception of responsibility on the part of the government to this house will examine this kind of legislation closely, looking for those safeguards that in times past we have found to be so abundantly necessary.

I submit that this bill ought to contain restrictions or safeguards. In the first place, it should carefully define the emergency. It should carefully define the powers that are sought and the duration of the powers commensurate with the duration of the emergency. In the second place, it should trespass as little as is required to meet the emergency on powers that are, under our constitution, normally held by the provinces. In times of emergency measures of course have to be taken on a national scale. We will examine the bill with that end in view. In the third place, we shall wish to see that the exercise of those powers is carried out with due regard for the responsibility of the cabinet to this house. We will wish to see publication of all orders in council and we will wish an opportunity for review thereof in parliament. We do not wish to see the government blithely legislating, by order in council while parliament is in session, on matters on which parliament itself ought to be legislating. In the fourth place, as to defence of the rights of individuals in this country, rights that have often been ignored under similar legislation in times past, there must be in this bill provisions to safeguard the rights of the individual, so that he will not be denied access to the courts in the assertion of his rights.

In conclusion I say that the presentation of a measure of this kind to parliament necessarily increases the task of parliament; because when parliament is called upon to give to a government extraordinary powers commensurate with the national need in the light of a national emergency, parliament must see to it that the exercise of those powers is carefully supervised. Parliament must be even more vigilant in the giving of those powers, and in the supervision of the exercise of them after they have been given, than it is in normal times. On the opposition will rest a special task in this regard; because unless hon. members supporting the government really rally to their task in this respect it will be left to the opposition members again to see that the exercise of those powers is kept within due bounds, within the terms of the legislation, and within the principle of responsible government.

Edmund Burke once said, "People never give up their liberties but under some

delusion." In vesting extraordinary powers of this kind in the government, it is the duty of parliament to make sure that the rights of the individual in this country are not overlooked: The right to go to the courts with his cause, and not to be denied access to the courts. Those are rights that must be safeguarded when parliament comes to legislate in the terms in which it is by this resolution invited by the government to legislate.

I have said that, in the face of an emergency, some powers obviously of an extraordinary nature must be taken. But I say that an inescapable duty rests on parliament to examine those powers, to scrutinize the terms of this legislation and to exercise the utmost vigilance with regard to the exercise of those powers by the government once those powers have been given to it by parliament.

**Mr. W. Ross Thatcher (Moose Jaw):** I should like to say a few words about this resolution. Like the hon. member who has just taken his seat, I suppose I am going to have to vote for it, but I am going to vote for it not because I think it represents action legislation. As has been pointed out here today on numerous occasions, this, once again, is an example of government stand-by legislation.

What is the purpose of the legislation which is now before us? According to the Minister of Trade and Commerce (Mr. Howe), speaking several weeks ago, the purpose of this legislation is to confer upon the cabinet powers to impose certain price controls and other controls in order to maintain economic stability in this country. We of the C.C.F. party believe that these powers are needed, but we go further. We say that when these powers are passed they should be used immediately. I think that is where we differ primarily from the government.

The government says, "We are going to pass these powers; we may or may not use them." This party says—"we should pass these powers, and we should use them." I think it is agreed in all parts of the house that there is no domestic issue facing parliament today which is as serious as this runaway inflation. Since April, 1946, the cost of living has gone up 52 points. It is so acute, Mr. Speaker, that today we witnessed, as the Prime Minister (Mr. St. Laurent) pointed out, I think for the first time in history, the four large trade unions of Canada representing, as he said, one-third of our population, getting together to ask the government for remedial action.

The time has come for this parliament to rush some kind of relief to the Canadian