

Provided that the Minister shall not give directions to any person under this section unless he is satisfied—

(i) that the person has accommodation available at the place specified in the directions for the munitions of war or supplies which he is required to store; and

(ii) in the case of any such person as is mentioned in paragraph (b) of this subsection, that the munitions of war or supplies which he is required to store are, or could conveniently be, used for or in connection with the production of the supplies mentioned in such paragraph.

(2) For the purpose of the proviso to the foregoing subsection, accommodation shall be deemed to be available for the storage of any munitions of war or supplies if—

(a) the accommodation is suitable for the storage of such munitions of war or supplies; and

(b) the accommodation is not already required for any purpose by virtue of any contract; and

(c) in the case of any such person as is mentioned in paragraph (b) of that subsection, the accommodation is not required for the normal business requirements of that person.

(3) A person for the time being storing munitions of war or supplies in pursuance of directions given under this section shall be under the same liability with respect to loss of or damage to same as he would be if he had agreed to store them for reward.

(4) Where the Minister is satisfied that a person to whom directions have been given under this section has failed without reasonable excuse to comply with the directions, the Minister may authorize any person to carry on, until the Minister otherwise directs and subject to and in accordance with the provisions hereafter contained in this Act, the whole or any part of the business of the person to whom the directions were given.

(5) Where directions are given to any person under this section for the storage of any munitions of war or supplies the compensation for such storage shall be such as may be agreed upon between that person and the Minister or, in default of agreement, the claim for compensation shall be referred by the Minister of Justice to the Exchequer Court of Canada."

Order in Council P.C. No. 9297 dated 27th November, 1941, amended the said Act by deleting paragraph (a) of subsection one of section twelve and substituting therefor the following paragraph:—

"(a) has under his control accommodation suitable for the storage of any munitions of war or supplies; or"

The proposed new section incorporates the amendment made by Order in Council P.C. No. 9297 and clarifies the powers of the Minister.