

*Emergency Powers Act*

should only be granted in a real emergency, and there is considerable doubt whether the present "cold war" constitutes such an emergency.

Mr. Speaker, these extracts do not seem as popular as I had hoped they would be, and perhaps I will not read any more of them. I have read enough to show that there is quite a widespread feeling in the country that we are not just discussing a long word, "emergency", that does not mean anything to anybody, but that it does concern things which very importantly affect our day to day life.

I would like to make a few brief comments resulting from the extracts that I have read. I have only been in this house a short time, but even in the short time I have been here I sense a constant increase, almost subconscious perhaps, almost automatic perhaps, of executive power. I suppose this was inevitable when there is such an overwhelming majority as against the last parliament, when the majority was quite moderate and when I think once it fell to as little as five. Whatever the reason is, the change is there.

Perhaps what has impressed me as much as anything is the incident to which I was going to refer when you stopped me. It is the fact that a man as courteous and considerate as the Prime Minister (Mr. St. Laurent), conscious of his duty, should feel that this matter of emergency powers was not of sufficient importance to warrant him staying and listening to two members on our side of the house who, I think, are as competent as any two people in this house to discuss this all-important question. The very fact that the Prime Minister did not stay made me feel more than ever that we have reached a stage where it is assumed that you have the power and you hardly need to justify it at all. The government are so used to getting what they want.

Now I just want to spend a few minutes examining what need there is for this government to have these powers. I would like to know how many of us have actually taken the trouble to find out what power the government has, and I will confess that until I tried to prepare myself to make this short speech, and until I had read the Emergency Powers Act and what is much more important the Defence Production Act passed in 1951, I was not aware of the extent of the powers which the government had. At least I was not aware of them in any real detail.

I would like very briefly, and I know that this is not the first time this has come up, to refer members to a few of the chief powers contained in the Defence Production Act. After all, the emergencies we are thinking

about are associated with war and defence. If in fact this Defence Production Act gives the most far-reaching, comprehensive and almost unlimited powers to the minister in connection with matters of defence, then I think it is very relevant to consider whether further powers need to be granted. Let me draw attention to a few of the powers which are contained in this Defence Production Act. I shall read just a few words to give you the flavour. Section 11 states:

The minister shall examine into, organize, mobilize and conserve the resources of Canada contributory to, and the sources of supply of, defence supplies and the agencies and facilities available for the supply of the same . . .

Later on in the section these words appear: . . . and generally shall take steps to mobilize, conserve and co-ordinate all economic and industrial facilities in respect of defence supplies and defence projects and the supply or construction thereof.

I shall now read just part of section 14:

The minister may, on behalf of His Majesty and subject to the provisions of this act, acquire, store, maintain and transport and sell, exchange or otherwise dispose of such materials or substances as may be designated by the governor in council as materials or substances essential to the needs of the community of which it is advisable to maintain stocks to safeguard against possible shortages . . .

Section 15 is a long section and I shall only read the beginning:

The minister may, on behalf of His Majesty and subject to the provisions of this act,

- (a) buy or otherwise acquire, . . . supplies;
- (b) manufacture . . .;
- (c) construct or acquire defence projects . . .;
- (d) arrange for the performance of professional . . . services;
- (e) purchase or otherwise acquire, sell, exchange or otherwise dispose of real or personal property . . .;
- (f) make loans or advances . . .

And so on. Section 16 provides the money. The minister has a defence production revolving fund. Section 17 gives the minister wide powers to contract.

The minister may . . . enter into contracts for the carrying out of anything he is authorized to do under section 14 . . .

**Mr. Speaker:** The bill before the house is the Emergency Powers Act and the hon. member is now discussing another act. I have no objection to him making brief reference to it, but I do not think he should continue further with that act.

**Mr. Macdonnell (Greenwood):** Well, with deference, Mr. Speaker, my argument is, as I shall seek to show, that these further powers are not necessary. I seek to show that partly by drawing attention to the very wide powers which the government has outside the Emergency Powers Act altogether.