

On section 155—All spirits to be warehoused.

Mr. MACKENZIE KING: I notice that from here on there seem to be a number of instances where power apparently is again being taken away from the governor in council and given to the minister. Looking at section 155 it would seem to me that as respects the class of matters there referred to there might be justification for allowing the minister or the department to make the necessary regulations they seem to relate only to the business of the bonding of warehouses. Undoubtedly that is the sort of thing with which the governor in council should not be troubled, beyond approving the general course to be followed. On the other hand, in other sections of the act power is taken away from the governor in council and given to the minister and his officials to make regulations which may affect the revenues of the country. There I think great care should be taken to see whether this transfer of power is justified in the first instance. What I should like the minister to do if he will on these sections that transfer from the governor in council to the minister power to make regulations is just to direct the attention of the committee to those sections and give his reasons as to why it has been thought advisable to take power into his own hands instead of leaving it with the governor in council, as it has been in the past.

Mr. HACKETT: Under this section subsection 6 is the only clause granting that power.

Mr. MACKENZIE KING: I am not taking exception to section 155, but in regard to this section I should like the minister to indicate why he has taken power in the matter of making regulations for vatting, blending and so forth.

Mr. MATTHEWS: That is purely administrative and in my opinion the power should be given the minister to make these regulations.

Mr. MACKENZIE KING: The minister used the word "administrative" as though everything administrative should be in the hands of the minister. Administration is part of the duty of the governor in council as well as of individual ministers. The point I wish to make is that in the public interest it is wholly desirable that in most matters of administration all members of the cabinet should at least have knowledge of regulations that are being made, especially where they are likely to affect the public interest or several departments of government. That is

[Mr. Matthews.]

particularly so with regard to matters which relate to revenue, duties, abatements of duty, and so forth, as well as to matters that may have a vital bearing upon policies, the tariff policy and the like. In every instance where the power to make regulations has been removed from the governor in council and given to the minister, the minister should justify the change which places this power in his own hands. We might let this section stand.

Section stands.

Section 156 stands.

Sections 157 and 158 agreed to.

On section 159—Bottling spirits in bond.

Mr. MACKENZIE KING: Stands.

Mr. HACKETT: Is not that section so much like subsection 6 of section 155 that it could be carried?

Mr. HANBURY: It was not carried.

Mr. HACKETT: Subsection 6 has been carried?

Mr. HANBURY: No.

Section 159 stands.

Section 160 agreed to.

Section 161 stands.

Sections 162 to 168 inclusive agreed to.

On section 169—Penalties of sale of spirits unlawfully manufactured.

Mr. MATTHEWS: An amendment will be proposed to section 169, and is made on the recommendation of the Deputy Minister of Justice, to make it clear, in case of any question arising, that a vehicle in or upon which is found illicit spirits or spirits illicitly removed from premises, subject to excise, is forfeited without regard to the circumstances of the removal or transportation in which the vehicle is engaged.

Mr. RHODES: At the request of my colleague I beg to move:

That section 169 of the bill to amend and consolidate the Excise Act be amended by striking therefrom the words "removing the same" in lines 43 and 44, and substituting therefor the following words "transporting the spirits so manufactured, imported or removed, or in or upon which the same are found."

Mr. MERCIER (St. Henri): I think there is another amendment to the section. I notice that in line 23 of section 169 the word "one" is underlined.

Mr. HACKETT: It used to be "two."