

be added, because section 4 states that the corporation is established for the following purposes:

- (a) to assist in the development of trade between Canada and other nations, and
- (b) to assist persons in Canada
  - (i) to obtain goods and commodities from outside Canada; and
  - (ii) to dispose of goods and commodities that are available for export from Canada.

As far as powers are concerned, they in no way comprise within their ambit the powers asked. There is a subsection regarding directions which reads as follows:

- (2) The corporation shall comply with any general or special direction given by the governor in council or the minister with reference to carrying out its purposes.

I suggest to the minister first that until section 4, dealing with purposes, is amended, section 17 has no application whatever to this particular act; for certainly none of the purposes set out in section 17 have to do with the development of trade between Canada and other nations, or with the assisting of persons in Canada to obtain goods and commodities from outside Canada or to dispose of goods and commodities that are available for export from Canada.

Mr. ABBOTT: That power is vested in the minister.

Mr. CLAXTON: May I clear up that point? Perhaps I did not make myself clear, because I was not expecting this debate to come on at this time; I was actually before the Newfoundland conference. My recollection is that the powers with regard to purchasing and the like for the defence department, which were exercised by the Minister of Reconstruction and Supply, were transferred by order in council under the Transfer of Duties Act—which was put before parliament and dealt with in a previous debate—to the Minister of Trade and Commerce; and he has used the facilities, the employees, of the corporation to do this job as his agent. It has not involved any activities as a corporation. It has been carried on in that way.

Mr. DIEFENBAKER: Well, Mr. Speaker, if it has been carried on in that way, it has been carried on unlawfully.

Mr. CLAXTON: No.

Mr. DIEFENBAKER: Because the corporation can only receive a general or special direction from the governor in council or the minister with reference to the carrying out of its purposes, to quote section 4, subsection (2). This procedure indicates once more, sir, what we have so often said, namely, that this government still has the power complex

[Mr. Diefenbaker.]

which it had during the days of the war and the tendency by order in council to do things which are contrary to the law.

Mr. CLAXTON: It could have been left with reconstruction and supply.

Mr. DIEFENBAKER: My hon. friend is now wanting to make a third speech. I allowed him to make a second one. But I suggest that section 4 be submitted to the law officers, and I have no doubt what the opinion of the law officers will be. They will say it will have to be amended if the present amendment is to be accepted by this house.

There is one other matter with which I wish to deal, and it was dealt with generally by the hon. member for Carleton (Mr. Boucher); I refer to the result which will follow should this power be granted as requested by the minister. Section 6 of the Canadian Commercial Corporation Act sets out as follows:

- (1) The corporation may, notwithstanding the Civil Service Act or any other statute or law, employ such officers or servants as it deems necessary to carry out this act and may determine their conditions of employment and their remuneration which shall be paid by the corporation.

- (2) The corporation has, under the minister, the control and supervision of the officers and servants employed under this act.

I suggest that to make such a provision as this, using the corporation for purposes which were never anticipated, is just another means on the part of this government to circumvent the civil service commission. That has been going on. The minister pointed out the reductions in staff, of the Department of National Defence during the past two years. With the end of the war there would naturally be a reduction in staff. He ascribes that reduction, however, not to the ending of the war but to direct action on the part of his department. Actually there is direct action on the part of this government to get around the operation of the civil service commission. The minister speaks of reduction in staff. I wish to point out that during the past two years—between May 9, 1945 and April 30, 1947—72,500 have been appointed to civil service positions in this country, outside of crown corporations, a large number of these being replacements.

Mr. ABBOTT: Has the hon. member the figures as to how many have left the service?

Mr. DIEFENBAKER: Yes, the figures are here.

Mr. ABBOTT: What are they?

Mr. DIEFENBAKER: They give the picture.