

The WITNESS: We will have to.

Mr. RINFRET: You are quite satisfied with that position?

The VICE-CHAIRMAN: Section 16.

Mr. FLEMING: Just before you come to section 16, I wonder if Doctor Coleman would include in his consideration of section 15 over the week-end, clause 11. "The secretary of state may from time to time prepare and publish in the *Canada Gazette* lists of the persons as to whom orders have been made under this regulation."

The WITNESS: I would be prepared to change it to "shall" in the first line. I think it was worded in that way for security reasons. I think that was the purpose.

Mr. FLEMING: We could change that now.

The VICE-CHAIRMAN: Rule 16, cancellation of contract.

Mr. FLEMING: I do not want to be doing all the talking.

The VICE-CHAIRMAN: Doctor Coleman advises me, Mr. Fleming, before you go on, that there is a modification in that section.

The WITNESS: This is our proposal for section 16:—

16. Where, on the application of the secretary of state, it appears to a judge of the Exchequer Court of Canada that a contract entered into prior to or after the commencement of the present war with an enemy or with a person in respect of whose business an order has been made under regulation fifteen of these regulations is injurious to the public interest, the judge may by order cancel or determine the contract either unconditionally or upon such conditions as he deems proper.

We are proposing to delete 16 and substitute what I have just read to you. The idea there was to substitute "court" for "the minister".

Mr. FLEMING: That amendment meets the point I was going to raise.

The VICE-CHAIRMAN: To bring it before the meeting, it is moved by Mr. Fleming, seconded by Mr. Golding, that the amendment as read be substituted for 16.

Mr. FLEMING: May I ask Doctor Coleman about the last clause of section 16 which is not carried over. "And thereupon such contract shall be deemed to be cancelled or determined accordingly".

The WITNESS: We are agreeable to have those words added.

The VICE-CHAIRMAN: Is it agreed?

Carried.

Section 17, notice to enemy.

The WITNESS: That is a necessary provision. There are companies with enemy shareholders or with shareholders residing in enemy territories and they could not hold their meetings unless they had some authority to direct their statutory notices to the custodian.

Mr. FLEMING: Has it been the practice of the custodian to endeavour to communicate to persons under such circumstances.

The WITNESS: Now that postal communications are restored to most of the countries we direct the company to send the notices in the usual way. There are, however, still areas where there are no postal facilities that I know of, such as Japan and in some areas of Germany.

The VICE-CHAIRMAN: Shall section 17 carry?

Carried.

The VICE-CHAIRMAN: Shall section 18 carry?

Carried.

The VICE-CHAIRMAN: Shall section 19 carry?