

carrying out a mandatory allocation program for a controlled product.

In statutes there is sometimes found clauses similar to subparagraph (s) to pick up anything previously referred to but not covered in sufficient breadth. That kind of basket clause could, perhaps, be considered; but this one, which provides powers to regulate on other matters, whether or not they are of a like kind to those referred to in paragraphs (a) to (r), in my view goes far beyond what is necessary and conveys powers the extent to which we cannot imagine.

When one considers that these can be subject to delegation by the board to any other person we can think of in the whole, wide Dominion of Canada—if I can use that old-fashioned phrase—one will see the impact of subparagraph (s). It is too broad and is simply unacceptable. I should like to see it struck from the bill, and, to do that, I move:

That Bill C-42 be amended by striking out lines 19 to 25 on page 13 and substituting the following:

“lations are made under this section.”

The Chairman: It is moved by Senator Roblin, seconded by Senator Macdonald:

That Bill C-42 be amended by striking out lines 19 to 25 on page 13 of the bill and substituting the following therefor:

lations are made under this section.

Is that the amendment?

Senator Roblin: Yes, Madam Chairman. It is drafting technique that I am not fully familiar with, but if you read it carefully, the substance of it is that subclause 16(1) paragraph (s) is struck from the bill.

Senator Forsey: I must point out something on this in support of the motion. This particular subparagraph appears to have been modelled on the similar subparagraph in the Air Canada bill which was before the Senate last session. That subparagraph would have given Air Canada the right to engage in any enterprise under the blue dome of heaven, from running a peanut stand to space exploration. That subparagraph was struck out of the Air Canada bill at the insistence of the Standing Senate Committee on Transport and Communications. It was dropped.

I should like to suggest, as Senator Flynn did a few moments ago that, if we were not under the kind of pressure we are under now, probably a good many people on the other side and to my left would be prepared to vote in favour of this motion for the exact same reasons given in the case of the Air Canada bill.

I have one further observation to add. I am not altogether sure that under this enormous basket clause—a basket taking in most of the universe, in fact—it will not be possible to introduce some measure of wage and price controls. There seems to be no limit to it whatsoever.

The Chairman: I apologize, Senator Roblin, but I am still somewhat confused. This simply says “striking out lines 19 to 25.”

Senator Grosart: It gets rid of the word “and”.

Senator Roblin: Madam Chairman, if you look at page 13 and take line 19—

Senator Flynn: It may be line 20 in the revised bill.

Senator Langlois: It is lines 20 to 25.

Senator Flynn: That would be true in the French version, so perhaps this is an appropriate time to point out that the amendment might be correct, because it does conform to the French version.

Senator Roblin: I am looking at a bill as passed by the House of Commons on March 21, 1979. I am further looking at page 13. The proposal is, as Senator Grosart has stated, to get rid of the word “and” which appears at the end of line 19. The technique adopted is to strike out all of line 19 and also the balance of subparagraph (s) and substitute “lations are made under this section.”

Senator Flynn: It is not necessary that everybody understands.

Senator Denis: It is only part of one word.

Senator Flynn: Why do you worry?

The Chairman: All those in favour of the motion as read please rise.

All those against the motion as read please rise.

The Clerk of the Senate: Yeas 8. Nays 16.

The Chairman: I declare the motion lost.

● (1540)

Shall clause 16 carry?

Some Hon. Senators: On division.

The Chairman: Shall clause 17 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 18 carry?

Hon. Senators: Carried.

The Chairman: Part II, Rationing of Controlled Products.

Shall clause 19 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 20 carry?

Senator Roblin: Madam Chairman, I have the same objection to clause 20 which I expressed in connection with clause 16. Paragraph (l) of clause 20 is another one of these blanket provisions which is just as unsatisfactory as that contained in paragraph (s) of subclause 16(1). Without repeating my objections, I would simply move a resolution which would have the effect of deleting paragraph (l), as follows:

That Bill C-42 be amended by striking out lines 3 to 9 on page 17 of the bill and substituting the following:

“fied in the regulations.”

That is another one of these split words, Madam Chairman.