

Navigable Waters Protection Act

have been somewhat the same, or in the same category, as would be the factors involved if my hon. friend were choosing a law partner. It would be a matter of consideration of that applicant's background, his behaviour under other conditions and all that goes with it. However, in my case I would probably have available more skilled sources of information than usually come to one, namely, the resources of the Royal Canadian Mounted Police and of the Department of Justice. So therefore in answer to his question as to the factors affecting the matter of the decision with respect to either refusing or agreeing to provide a card, these are to be found in the record of the applicant's background, as ascertained from the R.C.M.P. and from any other reliable source.

As to the other part of his question, in administering these regulations I have no jurisdiction over the matter after the applicant's refusal of a card for employment on the great lakes has been delivered to him.

Mr. MacInnis: Mr. Chairman, this is the most amazing discussion that I can remember in connection with a bill in the House of Commons. When the Minister of Labour spoke on second reading of the bill, he dealt with the matter of screening, the number of applications received and the number which were rejected. Then when the Minister of Justice spoke on second reading of the bill, he too made quite a point of the fact that the intention of the government was to prevent sabotage by screening. But in the bill before us there is not a word about screening. What we are asked to do in this bill before us is to approve penalties for infractions or crimes but we do not know what those crimes are going to be. The minister shakes his head. I am afraid there is a whole lot more in the section than there is in his head, Mr. Chairman. Let me read it to him. The section reads as follows:

The governor in council may make such regulations as he considers necessary or desirable in the interests of the safety or security of Canada respecting the employment of seamen on board Canadian ships in the great lakes, and may prescribe the penalties to be imposed on summary conviction for violation of any regulation made under this section,—

The section says "any regulation made under this section"; the thing is wide open. It continues:

—but such penalties shall not exceed a fine of five hundred dollars or imprisonment for a term of three months or both fine and imprisonment.

That is what the House of Commons is asked to pass. That is what the members of this committee are voting on. Regardless of

[Mr. Gregg.]

what sophistry the Minister of Justice may use in explaining the bill, he cannot explain away that fact.

He says that their purpose is to prevent crime or to prevent sabotage. But does my hon. friend say that he prevents sabotage by the mere screening of the employee who may operate on board these ships? Is it not quite possible and quite feasible for a bomb to be put on a ship going through one of the locks in the Welland canal or in any other canal, and for it to be put there by someone other than an employee who has gone through government screening? I am quite in favour of making sure, as far as we possibly can do so, that the persons who operate these ships are persons on whose loyalty we can depend. But that is not what is provided in this bill. What is provided in this bill is the imposition of penalties for violations of regulations which we do not know anything about.

If the regulations are contained in order in council P.C. 2306 of May 2, 1952, why was that order in council not made a part of the explanatory notes? In any case, we should have been given a copy of it when considering this measure. Then we would know something about it. I am afraid that other regulations may be made. At this time we know what the government really wants to do by this bill, and if they want to do what they say they want to do they had better add another section because what they want to do is certainly not contained in the bill at the present time.

Mr. Garson: I am sending over a copy of the order in council to my hon. friend.

Mr. Fulton: The Minister of Justice has repeated again the statement he made before, and of course his repetition does not make it any more accurate the second time than the first. He has said that order in council P.C. 2306 does not create any new offences which would, as it were, be in the nature of enacting a new Criminal Code. I cannot understand why the minister fails to comprehend that that is exactly what it does.

Mr. Garson: On a question of privilege, my hon. friend did not understand me correctly. I said that it created no new offences other than some few summary conviction offences for the purpose of administering the order in council.

Mr. Fulton: I think I shall be able to establish that it does create a new offence, that it inflicts upon the person found guilty by the Minister of Labour of having committed that offence a most severe penalty,