

Another purpose or secondary purpose is to avoid the use of repeating phrases over and over again throughout the Act, where we have to repeat "owner, charterer, agent, master of the vessel, etc." You see from the note that the primary purpose is not to add anything to the Act, nor to enlarge the powers of the board as they exist under the present Act. That is why we claim that this adds nothing to the Act. It is merely a new definition to avoid repetitions further on in the Act and it is far from our mind to increase the power of the board in that direction. Does that answer your point, Mr. Winch?

Mr. McIVOR: Carried.

Mr. BELL: I am inclined to agree with Mr. Green and the main difficulty is that we have taken the word "owner" to loosely mean the owner of a vessel. We have taken it and have given it this particular meaning in the interpretation section now and I suggest we will have to go all through the Act and examine the word "owner" as it was used before and see what the ramifications will be with the new definition and whether it increases the powers—which of course has been admitted today and was admitted the other day—there was an increase in the powers given by this definition of the word "owner". I suggest that instead of making all these amendments, Mr. Chairman, it might be better to take the clauses in which you feel the word "owner" is weak and does not give you sufficient powers and spell out in those sections any addition to the word "owner"—ships' agents and charterers, etcetera. Otherwise, we will have to change and argue each section of the old Act and examine its present meaning and it will take us days to do that because the word "owner" is used, for example in section 18, I happen to note, and in other sections. It will have to be examined in the new light, and therefore I suggest that the sections that are bothering you are the ones about seizure, and if there are other ones that you feel the word "owner" alone does not give you enough powers under, let us know what those are and we can spell them out.

Mr. LANGLOIS (*Gaspé*): What Mr. Bell is suggesting now is what we have been trying to avoid, those numerous repetitions of owner, agent and so on in other sections of the Act, and that is why we have to define "owner". Counsel for the board and the lawyers of the Department of Justice have been very careful in drafting the wording of the new section 16, since we were defining "owner" and this has been, as I said before, argued at quite some length with the representatives of the Shipping Federation when they came up to Ottawa some time ago. Let me illustrate a point by giving you an example. Some years ago a ship on her departure from the port of Vancouver crashed through one of our jetties going out of the harbour doing over \$½ million damage to our property, miraculously with little or no damage to the ship. The ship, however, remained in harbour and the amount of the damage involved was settled, but had that ship sailed—she was able to sail, she had very little damage—had she been a foreign ship then we would have welcomed our recourse against the agent. That is why we do not want to do away with that particular power that we have now under the existing Act to get after the agent, when the ship has sailed and the shipowners have no physical assets in Canada on which we might make good a judgment in court.

Mr. GREEN: A ship cannot creep out of a harbour like a thief creeping out in the night. If your local harbour officials are on the job no ship can get away; she has to be cleared. It just could not happen that a ship could get out like that. The Board admitted the other day that they have not lost one cent in the eighteen years they have been in existence by reason of damage caused by a vessel to your docks, so needing this power to prevent loss does not carry very far.

Mr. LANGLOIS (*Gaspé*): Let me give an example to Mr. Green to illustrate why I do not agree with him, when he says if the employees of the board are