

Hon. Mr. HAIG: Yes. Under bankruptcy you can examine the debtor under oath.

Mr. REILLEY: He can be examined under oath at the meeting of creditors if you want it. I have just forgotten whether I have that in or not, but you could put that in.

Hon. Mr. EULER: So that protection would be as great under your proposal as in bankruptcy?

Mr. REILLEY: Yes.

Hon. Mr. HAIG: In bankruptcy if creditors think the debtor has assets which he has not disclosed they can have him examined under oath.

The Acting CHAIRMAN: Once the debtor submits himself to the trustee under the new section the same procedure would follow.

Hon. Mr. HAIG: It was not so in 1919.

Mr. REILLEY: I answer that question by this section that I have put in the bill.

The Acting CHAIRMAN: Which is it?

Mr. REILLEY: Section 13:

"If the creditors by a ten per cent vote of those voting in person or by proxy at the meeting"—

I have put that down to 10 per cent, which is a sufficiently low percentage to give them the right to a further investigation.

Hon. Mr. HAIG: 10 per cent in value or in number?

Mr. REILLEY: Any creditor by proxy or in person may vote.

The Acting CHAIRMAN: It is number, not value.

Mr. REILLEY: Yes, number, not value. This is the new section 13.

(1) If the creditors by a ten per cent vote of those voting in person or by proxy at the meeting at which a proposal is being considered so require the meeting shall be adjourned to such time and place as may be fixed by the chairman,

(a) to enable such further appraisal and investigation of the affairs and property of the debtor to be made as may be deemed advisable in which case the information thereby obtained shall be incorporated in a report and placed before the adjourned meeting or may be read in court on the application for approval of the proposal.

(b) for the examination under oath of the debtor or of such other person as may be believed to have knowledge of the affairs or property of the debtor as elsewhere provided in this Act. The testimony of the debtor or such other person, if transcribed, shall be placed before the adjourned meeting or may be read in court upon the application for the approval of the proposal.

(2) The court if not satisfied with the report or the testimony of the debtor or such other person may direct that such further investigation be made as it may deem advisable or that the debtor or such other person attend before the court for further examination.

Hon. Mr. EULER: I am not a lawyer, but after all this is only common sense. You say the creditors would have the same protection by the appointment of a trustee as they would have if the debtor went into bankruptcy?

Mr. REILLEY: I think so.

Hon. Mr. EULER: They would not labour under any of the defects of bankruptcy?