

Mr. RHODES: I should think my hon. friend from Battle River would be the last person to take exception to our following a new course because it is from that section of the house that we always expect new paths to be pursued, and my hon. friend must not expect us always to follow what he believes to be the Tory course. I think we are singularly fortunate in this instance, Mr. Chairman, because before the Senate committee all parties were represented and there were a number of eminent legal gentlemen appearing as counsel who had the time to devote to an intensive study of this measure. Without calling in question or reflecting in the slightest degree upon those who form the banking and commerce committee of this house, they have had a tremendous amount of work to perform this session, with numerous sittings of the committee dealing with very important matters, and were they of even greater intelligence than they are they could not have found the time to deal with this measure, along with all the other work they have had to do, in the complete way in which it was considered by the Senate committee. In the Senate committee it took some three or four weeks of exclusive time and attention, assisted as the committee was by eminent gentlemen learned in the law from the various provinces of Canada. I think that we are indeed fortunate that that was the situation. If this were a matter in respect to which there was contention or there was any danger of the public interest suffering, there might be something to be said for what my hon. friends have suggested, but as a matter of fact the very course that was taken was designed to give the public interest the fullest possible protection, and I think now we are in the very happy position of having a measure before us which has had so much time and attention given to it and which has proved so acceptable to all parties interested, and, I think, to the public at large.

Mr. LUCHKOVICH: I would ask the minister whether any objection was taken to this bill by any of the provinces when it was being considered by the Senate committee.

Mr. RHODES: Mr. Chairman, this bill is the result of the pooled wisdom of all parties interested. While perhaps I cannot go to the point of saying that the provinces are in complete agreement, I can say that six of the provinces agree, and that three provinces leave themselves open, if they choose so to do, at a later stage to take exception to the measure. In the meantime at least they are not opposing the bill.

Mr. EULER: This legislation could have effect and force only if the provinces do not object?

Mr. RHODES: No, not at all; on the contrary it will have full force. As a matter of fact I do not assert my view is worth anything in this matter, because this is a subject which will require far more study than I can give it. However, eminent lawyers with whom I have conferred are of opinion that this bill is within the competence of the legislative jurisdiction of this parliament.

Mr. LUCHKOVICH: Away back in the year 1916 the province of Alberta took the matter of jurisdiction in insurance to the privy council, and if I remember correctly the verdict was in favour of handing over jurisdiction to the provinces. I was just wondering whether the province of Alberta had counsel before the Senate committee, and whether such counsel did not object.

Mr. RHODES: As I have said, Mr. Chairman, the privy council has held in all cases that the business of insurance, as a business, is within the sole jurisdiction of the provinces; there is no question about that; we do not assert anything to the contrary.

Mr. EULER: And this bill does not conflict with that?

Mr. RHODES: No, in no shape or form.

Mr. ILSLEY: The minister has said that six of the nine provinces are in agreement. Of course it is not necessary to point out that the agreement of the provinces does not confer jurisdiction upon the federal parliament.

Mr. RHODES: Quite so; that is a legal position which could be taken.

Mr. ILSLEY: It may be that the provinces would not take exception to the legislation, but that companies would take exception. In such case the position taken by the provinces would not preclude the action of the companies. Speaking particularly about the part of the bill now under discussion, I must say I do not see anything of a controversial nature. Speaking however as a member of the House of Commons who has not yet had the opportunity of reading any of these bills, I would expect the Minister of Finance at some stage or another to take up the question of jurisdiction, and make a simple explanation to the committee of how the proposed legislation gets around the very sweeping decisions of the privy council. Such an explanation should not be a very difficult matter. If the legislation is *intra vires* it