

Defence Production Act

goods is set at a certain point that particular industry or business would want to know that there was a reasonable certainty that the price would have some degree of permanency, just as the minister has said that a particular industry would want to know that an order with respect to materials would have a degree of permanency. In the case of the Emergency Powers Act the Prime Minister and the Minister of Justice consented—in fact it was said that it was a good suggestion—that an amendment should be made in that respect.

Under section 28 of this bill the minister has the power to set aside provincial statutes and municipal bylaws. Under section 30 the governor in council is given the power to declare materials essential and to control them, and the same with services. To adopt the words of the hon. member for Winnipeg North Centre, although it might be agreed that the circumstances are such that the government should have this power, we are entitled to ask that parliament be informed as rapidly and as fully as possible as to what is being done under the power we have delegated.

As the minister has said on a number of occasions—for the sake of argument we will agree with him on this occasion even though we have not before—what will be done under these powers will be reasonable and essential for the proper defence of Canada. If an order or regulation is passed for that purpose and in that spirit, what concern need the government or the minister have simply because that regulation or order is to be tabled in parliament in the shortest possible time? If it is reasonable, then it can be supported and explained. Surely under those circumstances there would not be much likelihood of its being repealed. The only purpose of this amendment is to get the matter drawn to the attention of parliament, have it brought before parliament as early as possible.

I hope the minister has not altered the opinion he expressed a couple of nights ago when he said that he would have no real objection to the incorporation of any such provision in this bill. If he has not changed his mind then I can see no reason why he should object to this amendment. May I ask the minister if he is now adopting the practice of saying one thing to the people of Canada and another thing to this House of Commons?

Some hon. Members: Oh, oh.

Mr. Fulton: My hon. friends say, "oh, oh," but let me point out to them what was said in the broadcast radio interview of two nights

ago. The minister was asked these questions by one of the correspondents:

Q. In respect to letting parliament scrutinize some of these orders, the Prime Minister was good enough to consent in the emergency powers bill to give parliament the power to annul every such order and regulation that came to it. Would you have any objection to having such a provision incorporated in the defence production act?

A. No, none particularly, no.

Q. But there is no such provision in the act?

A. No.

I point out that the provision now sought to be included in this act is exactly the same as the provision in the Emergency Powers Act.

Mr. McIlraith: A different set of circumstances.

Mr. Fulton: I suggest that the minister in consistency cannot say one thing on the radio to the people of Canada and then not comply with the request to incorporate it in the act when it is made in the House of Commons.

Mr. Knowles: Mr. Chairman, I am just as anxious as anybody else to keep the government in check. Sometimes the minister gets annoyed at things I say to him, and that will happen again, indeed many times. But just now I should like to point out the difference between the Emergency Powers Act and this act. The Emergency Powers Act is almost a blank cheque. It gives the government powers to do things not defined in the act. I do not think there is any argument but that it was imperative that there be written into that act the provision enabling parliament to annul orders passed under it. It is there, and we are glad that it is. But the bill before us is a bill setting up a department of government. Does it not have to be looked at in the same way as other departments of government, the Department of National Health and Welfare, the Department of Public Works, the Department of Justice and so on? All of them have under their statutes authority to pass orders in council to carry out the provisions of those acts but none of them have in those statutes a provision making it possible for parliament to annul orders in council passed by those departments in pursuit of their regular duties and functions. If we are going to introduce that principle into this department do we not have to ask for the same thing with respect to these other departments? That would be rather drastic.

I submit that not only is there that difference but it must be pointed out that, whereas the Emergency Powers Act was a short one not defining the powers that the government can take, this is a fairly lengthy bill of some forty-one sections in which there is some considerable definition of the powers that this department is to have. I think there is a