

Navigable Waters Protection Act

Mr. Gregg: Mr. Chairman, I could not say but I am quite sure the answer is no. In accordance with the provision laid down in the regulations there is no attempt on the part of the Minister of Labour to identify the applicant as a communist or non-communist.

Mr. Knowles: In view of the fact that the order in council is now dead what is the status of the seamen's cards that were issued when the order in council was in effect?

Mr. Gregg: These cards are in the hands of the seamen and the employers association and the labour organizations have been made aware of the fact the Emergency Powers Act would lapse before new regulations would be authorized, but I am convinced the program is going forward in good faith during this period of hiatus as though the order in council had been in effect.

Mr. Knowles: Will these cards have to be reissued?

Mr. Gregg: No, the cards which are in the hands of the seamen will all be honoured when this comes into effect.

The Deputy Chairman: Shall we proceed with consideration of section 35?

Mr. Fulton: Mr. Chairman, I am not quite sure whether the minister has done so but I would be glad if he would tell us the names of those on his advisory committee.

Mr. Garson: Yes, but perhaps I had better read the section in the order in council which covers it. It reads on page 3 as follows:

12. A person whose application for a seaman's card has been refused or who has been required to deliver his seaman's card pursuant to section eleven may by application in writing to the minister request that the refusal or requirement be reviewed by an advisory committee.

13. (1) The minister shall appoint committees of not less than three members, herein referred to as "advisory committee", to advise him with respect to reviews requested under section twelve.

(2) An advisory committee shall inquire into and investigate whether the presence of the person who has requested the review on board a Canadian ship in the great lakes might prejudice the security of Canada, and shall report its views with respect thereto to the minister.

(3) An advisory committee shall, subject to the direction of the minister, furnish to the person who has requested the review such information made available to it as in the opinion of the committee it is possible to furnish to him without prejudice to the security of Canada and the public interest, and shall afford to that person an opportunity to make representations to it either personally or with the assistance of counsel or other representative.

(4) The chairman, or any member of an advisory committee, may administer oaths for the purposes of this section, and an advisory committee may receive and accept such evidence on oath or by affidavit or otherwise as in its discretion it considers fit and proper.

I can read the remaining subsections, but that will give my hon. friend some idea of the procedure.

The Deputy Chairman: Is there any further discussion on section 34?

Mr. Fulton: Mr. Chairman, I thought it was agreed we would consider them one by one and perhaps call section 34 first.

The Deputy Chairman: Yes, is there any further discussion on section 34?

Mr. Fulton: Mr. Chairman, could you put the question on section 34?

The Deputy Chairman: I am of the opinion that I am not able to put the question on section 34 because the clause in the bill is clause 2 which contains three new sections which it is proposed to add to the act. I believe I must eventually put the question to this committee on clause 2 of the bill as a whole.

Mr. Fulton: Well, Mr. Chairman, I do not think it matters except that we would have preferred to be able to vote against section 34 since section 34 contains the meat of the whole matter, and our attitude to this bill will be determined when that question is put.

The Deputy Chairman: Is there any discussion on section 35?

Mr. Fulton: Mr. Chairman, for reasons I do not think it necessary to rehearse it is obvious it would be very much more preferable in our view if this new provision was continued in force for only one year. In fact, it would be preferable from our point of view if it did not come into effect at all. But I am anticipating that, as usual, we will win the debate and lose the vote, and I take it the clause will probably carry and come into effect.

But may I point out that the previous order in council was effective only as long as the Emergency Powers Act was effective and that act was in effect only from year to year and required positive action by parliament to renew it. But now, under section 35 which reads:

This part shall continue in force for a period of three years from the day on which it came into force, and no longer—

—this regulation would be given the force of law for three years and parliament would not be entitled to review the situation during that time. I therefore move:

That the proposed new section 35 be amended by deleting the words "three years" where they occur in lines 31 and 32 and substituted therefor the words "one year".

I hope the government will accept that amendment because they had only one year