

THE SENATE

Wednesday, March 7, 1934.

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers and routine proceedings.

SHIPPING BILL

FIRST READING

Right Hon. Mr. MEIGHEN introduced Bill E, an Act respecting Shipping.

He said: The House will remember very well that last session we had before us two bills respecting shipping, one affecting shipping in inland waters, and the other shipping beyond those limits. Both were before the Committee on Banking and Commerce—or was it the Committee on Railways, Telegraphs and Harbours?—and received long consideration.

Right Hon. Mr. GRAHAM: I think it was the Committee on Banking and Commerce.

Right Hon. Mr. MEIGHEN: Perhaps it was. The committees are pretty much the same except for the Chairmen. As I say, the bills received long consideration, and much evidence was heard. The larger Bill was finally withdrawn, and the one respecting inland waters shipping was passed, and is now law, although it has not been called into effect.

Hon. Mr. CASGRAIN: It is not law.

Right Hon. Mr. MEIGHEN: It is suspended law.

As I am now introducing the second Bill in modified form, it behooves me to explain briefly the modifications. The reason the main measure was withdrawn last session was that, while in pursuance of the procedure outlined in the Statute of Westminster it became the part of Canada to repeal as respects Canadian shipping the laws of the United Kingdom which theretofore had applied to Canada, and to enact a shipping law of our own, it was necessary before we could depend upon the efficacy of our own law in all parts of the world to impose certain duties upon officials beyond the jurisdiction of the Parliament of Canada. Those duties, however, could be imposed only by the respective governments of the United Kingdom and of the Dominions, and there had not been on their part any undertaking that such laws would be passed, nor any

Right Hon. Mr. MEIGHEN.

understanding as to their form, sufficient to enable us to depend upon the protection essential in the application of our law. Consequently it was recommended, on the advice of counsel for the Committee, that we should not cut ourselves adrift from the protection of the British Acts until we were quite certain that we could depend upon legislation by the other Dominions, lest we should find ourselves in a cul-de-sac, without the protection of any efficacious law.

The present Bill is very much along the line of the previous one, but instead of presuming to cast duties upon parties beyond the pale of the legislation of Canada, as the other one unfortunately did, it is made permissive in that regard; and then there is a suspensory clause which keeps us under the existing British Acts until it is possible for this new Act to become effective as a result of steps on the part of other Dominions to impose duties which we cannot impose. The intention is that the new Act, if passed by Parliament, shall be called into effect when we feel that enough has been done to give real legislative sanction to the operation of maritime law, as applied to our own shipping, in sufficient parts of the world.

It will be some little time before the Bill is printed, as it is of extraordinary length and contains considerable interlineations. I have introduced it to-day so that the printing may be begun and the Bill read the second time as soon as possible and then referred to the Committee.

Right Hon. Mr. GRAHAM: May I inquire whether there is any connection between the re-introduction of this Bill and the postponement of the proclamation bringing the Inland Waters Act into operation?

Right Hon. Mr. MEIGHEN: Not that I know of. I do not think there is the slightest connection. If the right honourable gentleman asks me why the Inland Waters Act has not been brought into operation, I shall have to request a delay before making a reply.

Hon. Mr. CASGRAIN: Perhaps I might answer the right honourable gentleman. Some gentleman from the West slipped in at the end an amendment providing that it should come into force only by proclamation.

Right Hon. Mr. MEIGHEN: Oh, I do not think so. I think that that provision was in there from the beginning, and also in the previous Act.

The Bill was read the first time.