

perfected by the importers of British anthracite coal do not in his view conform to what is contemplated by the Combines Investigation Act. Therefore, there being, as I have indicated, questions of law involved that are difficult of determination, I have decided that I will refer the matter to the appropriate authorities in the province or provinces affected, to take whatever action they think desirable in the light of the registrar's report, the evidence, and the exhibits upon which it is founded; and further review of the matter by this chamber probably will not be necessary.

Mr. RALSTON: Mr. Speaker, may I ask the hon. minister if the registrar's report contains any statement with regard to the advisability in the public interest of making the report public? As I remember it—I have not the act before me, but I have sent for it—the act requires that publicity be given to the report unless the registrar expressly states that it is not in the public interest that the report be published.

Mr. GORDON: Mr. Speaker, the hon. member's recollection is not correct with respect to what the act contemplates. Section 27, which deals with reports of this character, says that the registrar at the conclusion of every investigation which he conducts shall make a report in writing which he shall sign and without delay transmit to the minister. Then, dealing with the report of a commissioner, who is an entirely different officer under the act, subsection 2 says:

Every commissioner who conducts an investigation shall at the conclusion thereof make a report in writing which he shall sign and transmit to the registrar, together with the evidence taken at the investigation, certified by the commissioner, and any documents and papers remaining in the custody of the commissioner; and the registrar shall without delay transmit the report to the minister.

Then with respect to publicity, section 28 says:

Any report of a commissioner, other than an interim report, shall within fifteen days after its receipt by the minister be made public, unless the commissioner is of the opinion that the public interest would be better served by withholding publication . . .

That deals entirely with a report by a commissioner, and not an inquiry by the registrar.

Mr. RALSTON: The registrar was not sitting as a commissioner?

Mr. GORDON: No.

Mr. WOODSWORTH: May I ask what the decision of the department has been in regard to an application for an inquiry in reference to the combine in the city of Winnipeg?

Mr. GORDON: I assume that the hon. member has reference to an alleged combine in connection with the coal industry in Winnipeg. The distribution of coal in Winnipeg has been under review by the officials of the department. An interim report has been received. I expect to have the matter investigated further.

Mr. RALSTON: In that connection may I ask a further question? While it is true that the imperative section of the act with regard to publicity refers to a commissioner, I understand there is nothing in the act which prohibits the minister from making public the report of the registrar; in fact there is no suggestion that it shall not be made public. Will the minister lay the report on the table of the house?

Mr. GORDON: The hon. member is quite right in saying that the act is silent with respect to making public a report of the registrar. As I have already indicated, having regard to the fact that I am transmitting the report of the registrar and the evidence and exhibits upon which it is founded to the provincial authorities affected, in order that they may take such action as they deem advisable, in my view it would not be desirable to make the report or the evidence public.

Mr. YOUNG: Why not?

Mr. GORDON: Because it might defeat any action which the attorney general of the province to whom the report is submitted might take.

Mr. YOUNG: In what way?

Mr. GORDON: If there should be a prosecution the evidence would be in the hands of anyone who might be subjected to that prosecution. That has not been the practice in the past, and I think the practice that has been followed is sound.

Mr. SPENCER: May I ask to what provinces the report will be submitted?

Mr. GORDON: The only provinces affected would be Quebec and Ontario, and Ontario would be affected much less than Quebec.