

Supply—Finance

Mr. Diefenbaker: Under this item I want to bring to the attention of the minister again some of the forfeitures that have taken place. I know of several people in my own province who unwittingly committed breaches of the Foreign Exchange Control Act when crossing into the United States. I do not want to make personal references but I feel that any one of us might very well make a mistake, fail to carry out the provisions, and if we were searched might find ourselves in difficulties. I feel there will be general agreement with that suggestion. I do not want that to be considered as personal testimony, Mr. Chairman. I am speaking about others. I am sure you understand that.

Having said that, I feel that some consideration should be given to the return of small amounts of moneys that have been forfeited under the provisions of the act. I mentioned one or two examples last year and the minister, with that friendliness with which he pilots his estimates through the house, smiled benignly and said that the matter would receive consideration. He was sure it would be seriously considered. I return once more to the matter, and all I can say is that nothing has been done.

Mr. Abbott: Does that relate to particular cases?

Mr. Diefenbaker: To particular cases. I feel that people who have had small amounts of money taken away from them, where there was obviously no intentional wrongdoing, should certainly receive consideration. I mentioned one case last year and I shall mention another one now. A constituent of mine received a call to hurry to the United States to attend the funeral of his mother. He gathered together a few dollars in the small town where he lived, crossed the line into the United States, and was picked up with some \$20 or \$25 on him, which was confiscated. The news was received on Saturday afternoon after banking hours and some of his friends helped him out. By reason of the money being taken away from him he was denied the opportunity of attending the funeral.

I feel that such regulations are not just and fair. Travelling in various parts of this country as I do, I believe it is a fact that in large measure moneys have been returned to border residents. I am going to ask the minister to give the committee particulars as to the number of cases in which forfeiture has taken place in each of the provinces during the last year, and the number of cases in which there has been a return of the moneys taken. I know that the law has to be enforced, but I also know that it is difficult for some people to understand why the little man crossing the

boundary should find himself in this position when, having regard to the stringency of the regulations, some people possessed of great resources seem to be able to secure the necessary moneys to maintain themselves in parts of the United States for considerable periods of time.

I feel that the law should be enforced equally, and that in the case of an individual who did not deliberately attempt to break the law there should at least be some resiliency in administration. I am asking the minister to give the committee particulars. I can do no more than protest. There is nothing else I can do, but protest I will and protest I do against the action of the foreign exchange control board in cases that have been brought to my attention where confiscation and forfeiture have taken place and where the circumstances indicated no intentional breach of the law. I ask the minister to let the committee have the particulars, and at least an expression of hope that some regard will be had to returning small amounts of money where there was no obvious degree of guilt, and where what took place, while wrong and therefore an offence under the law, nevertheless was not worthy of the punishment imposed.

Mr. Abbott: Mr. Chairman, I shall have to get the statistics as to forfeitures by provinces asked for by my hon. friend, but I shall be glad to do that. It will take a little time.

Mr. Diefenbaker: Will you place them on *Hansard*?

Mr. Abbott: If it is possible to do so. I will get the information as soon as it can be obtained. All I can say now is that I have had a good deal of experience in looking into cases of forfeitures because I get requests not only from my hon. friend but from a good many other members of the house whose constituents have had moneys taken from them at the border. My experience has been that the board is extremely lenient in these matters and has given the benefit of the doubt to the citizen. I look into all these cases that are brought to my attention, and in most of them I find that the forfeitures have been as the result of deliberate misstatements by the tourists to the customs officers at the border as to the amount of money in their possession. When that happens in those circumstances, as the committee knows the money is taken by the customs officer and reported to the foreign exchange control board; and the person from whom it has been taken has the right to appeal against the forfeiture. I suppose if I have looked into one of these cases I have looked into a couple of hundred, and in the great

[Mr. Abbott.]