

*Foreign Exchange Control*

knows, but will not tell, which of its two officials was responsible for the destruction of shoes.

Mr. ABBOTT: I want to take exception to that. I do not know what was in the *Montreal Star* last night, because I have not seen it; but I can say now that the Department of National Defence was not responsible for this alleged condition, and has not refused to name any of its officials. I am prepared to make a full statement on this shoe business, but there is nothing in it. I shall make the statement at the appropriate time. This is not the time.

The CHAIRMAN: Order. The committee is considering section 35, "Powers of the board to make regulations". I think the discussion should be related to the powers of the particular board concerned and not to boards generally.

Mr. DIEFENBAKER: With the greatest deference, I have no argument with that; but I have heard discussions going on around me in which I have not participated. A very wide range has been covered. This section dealing with powers of the board is very wide, and I thought that I would deal with all these matters at one time instead of rising regularly on this matter.

Mr. MUTCH: There is something to be said for that.

Mr. DIEFENBAKER: What does the parliamentary assistant say?

Mr. MUTCH: Thanks for the promotion.

Mr. DIEFENBAKER: May I return to the section in question? In the last few months parliament has regained some of its powers. It did so last fall, as the result of a great deal of opposition on the part of the official opposition, and public opinion which was created at the time that many of the boards were asking for powers under the National Emergency Transitional Powers Act.

Some hon. MEMBERS: Order.

Mr. DIEFENBAKER: Well, Mr. Chairman, some make their contribution by raucous interruption. I am trying to make an intelligent contribution to the question of the abdication of parliament.

An hon. MEMBER: It is not on the section.

Mr. DIEFENBAKER: I venture the opinion that my hon. friend has never even read the section, much less the act; yet he interrupts regularly. Under this section this board will regain, and it is apparently endeavouring

[Mr. Diefenbaker.]

to regain in what is asked for here, many of the powers that these controllers and board members lost last fall, and which they are anxious to recover. I think the time has come for parliament, as far as this and succeeding sections are concerned, to call a halt once and for all to this wartime trend of making boards and controllers all-powerful; for unless it is stopped, it becomes a permanent institution.

Mr. MUTCH: That is a good Liberal speech.

Mr. DIEFENBAKER: Well, I think it was the hon. member for Stanstead who said earlier to-day that Liberal speeches are no longer expected from the other side of the house.

Mr. MUTCH: There are still a few of us left.

Mr. DIEFENBAKER: I am glad to have my hon. friend's support in this regard, and he will have an opportunity of voting on behalf of good Liberal principles when I introduce the amendment I intend to move in a moment. In this section parliament is asked to abdicate its legislative power and hand it over to this board. Let me refer to the provisions. What are the powers parliament is asked to give under this section? As to subsections (a), (b) and (c) there can be no argument at all, because they cover regulations in matters of routine, and as such are necessary to the proper operation of any statute. Now we come to subsection (d) of section 35. This gives the board power to make regulations prescribing that persons who otherwise would be residents shall be deemed to be non-residents, or that persons who otherwise would be non-residents shall be deemed to be residents for any of the purposes of this act. What a power! We are going to define what a resident is and what a non-resident is; we have done so in the first portion of the act. Now a board is going to be able to determine by regulation that a person who is a resident under the act is a non-resident under a regulation. I think it was the hon. member for Vancouver-Burrard who said this is indeed the top; this is the apex of the grasp for power. This section gives the board power to determine when you are liable and when you are not, irrespective of the wording of the statute; but the board is not satisfied with that power. It is not enough to be able to make a resident into a non-resident or a non-resident into a resident by a simple regulation. They go on with subsection (e). I can find no other case in which parliament has ever been asked, in