

Navigable Waters Protection Act

see that attitude and that prejudice brought into Canada. I would even go so far as to say that listening to the Leader of the Opposition not so long ago I detected in some of the remarks he made about his suggestion of extending this sort of thing by one means or another an indication that there is a segment of opinion in this country in whose hands this legislation could prove very dangerous. That is the reason that some of us are concerned when legislation of this kind, which gives sweeping powers to the governor in council over the lives and the opportunities for employment of working people, is brought in.

It can be admitted there has been very little criticism in this debate of the actual manner in which the terms of the previous order in council have been carried out in so far as its administration is concerned. But nevertheless I still feel that on the one hand an important case can be made for the point that the amount of protection to be achieved does not warrant the infringement upon some of our basic concepts of freedom that it involves.

Suppose one were to admit that that is not altogether true in the present circumstances. I still feel that we have been right in saying that if we are going to have this sort of thing, it can be set forth in the more ordinary manner by legislation than as is being done at the present time.

I raised the question as to whether some minor amendments to some of the provisions of the Canada Shipping Act, which is on our statute books at the present time, could not be used quite effectively to serve the purpose which the government apparently has in mind here. None of the government speakers has made any mention of that point. I read some of the sections which certainly are related to this general subject, which indicated that under that act there was provision for checking on the character and so forth of seamen. It seems to me that if it is necessary to have this sort of protection it could have been incorporated in more ordinary forms of legislation than is proposed here by the government.

Mr. Leboe: There has been a lot of debate on this problem, and I was wondering whether it was not possible for the government to meet the objections of the opposition and still accomplish what the government has in mind. It could be done. I should like to hear from the minister whether it is possible or not.

Mr. Garson: I do not know how much farther we can go to meet them than by saying, as I have said two or three times

[Mr. Barnett.]

already, that we have no plans for the use of this legislation other than to maintain the present order in council which is on record, and has been on record since 1951 for any hon. member to see. It spells out all of these things which need doing, and which is just as definite as any statute could be.

It is true, as some of the hon. members of the opposition have said, that we would have power to amend that order in council in some respect if amendments were necessary; but I think I am right in saying—my colleague, the Minister of Labour, will correct me if I am wrong—that the order in council has been in its present state since it was first passed. Is that not right?

Mr. Gregg: There was a consolidation; there was a minor amendment after it was first passed.

Mr. Garson: My colleague tells me that after the original order in council was passed there was a minor amendment, and it has remained in its present form since. It has proved to be very satisfactory and effective. We are saying to parliament that this is what we are going to enact in this legislation when it is granted.

Mr. Knowles: And nothing more?

Mr. Garson: Yes, and nothing more, because it has proved to be adequate. I suppose if our powers of prophecy are not as great as we think they are and we do need to have something more, we would be under obligation to acquaint parliament of this fact, but I must say at the present time we see no reason to do other than to continue in effect the order in council which has been serving us during the past number of years, and of course, under this present legislation, we will have power to do that only for a limited period.

Mr. Knowles: May I ask one other question? What is the status of this order in council at the present moment?

Mr. Garson: It has lapsed. We require this legislation to restore it.

Mr. Knowles: Then that order in council dated May 31 does not exist at the present time?

Mr. Garson: That is correct.

Mr. Knowles: R.I.P.

Mr. Pallett: Mr. Chairman, I would like to ask one further question of the Minister of Labour with reference to the seamen's cards issued under the previous order in council. Are there any communists holding these cards?