

Combines Investigation Act

Mr. Speaker: Is the hon. member going to continue?

Mr. Knowles: Yes, I should like to come back at three o'clock with more answers to the question the Minister of Justice has put to me. There are so many facets to this matter, however, and so many potential points of order to anyone who is interested, it keeps one rather busy collecting all the relevant material and it makes it difficult to find enough space on one's desk for all the things to which one might wish to refer.

At one o'clock the house took recess.

The house resumed at three o'clock.

Mr. Knowles: Mr. Speaker, just before one o'clock the Minister of Justice asked me to substantiate my reference to admissions that had been made by ministers of the crown. My statement was that it had been admitted that the Combines Investigation Act had been deliberately violated. I quoted one such admission just before one o'clock. I now have three or four more. At page 1500 of *Hansard* of November 7, the Minister of Trade and Commerce (Mr. Howe) said:

Therefore I called the attention of the Minister of Justice to the situation and urged him not to table the report without further investigation.

I submit that was a deliberate decision. Later the same minister said, as reported at page 1503 of *Hansard*:

Many hon. members will say that the Minister of Justice (Mr. Garson) was not warranted in delaying publication of the report. I do not share that view. After having doubt cast upon the validity of certain conclusions contained in the report by some of his colleagues, of whom I was one, the report was held from publication with the full authority of the whole cabinet for further checking and consultation.

I submit that that too is evidence of a deliberate decision on the part of the cabinet, freely admitted by a minister. I turn now to page 1524 of *Hansard*, still November 7, 1949, where I asked the Minister of Justice this question:

Mr. Knowles: Will the minister tell the house on what authority the government relied when it made the decision to violate the provisions of section 27 (5) of the act?

Mr. Garson: Well, Mr. Speaker, it relied upon the fact that any democratic government is answerable to the people of the country for its acts.

There is no denial of the fact that it made the decision to violate the provisions of the act, but rather an attempt to justify the deliberate decision that had been made.

On page 1526 of *Hansard* of the same day the Prime Minister (Mr. St. Laurent), in concluding his remarks, said:

And I now feel it is only fair to the Minister of Justice that I should inform the house that he

[Mr. Knowles.]

had discussed these matters with me, and I had concurred in the line of conduct he was adopting. I should bear, therefore, a portion of the responsibility, if there is responsibility, for attempting to carry out the implied or expressed undertaking given to Canadian industry that if they did their best to help us win the war, they were not going to be pilloried afterwards under the Combines Investigation Act.

Mr. St. Laurent: Will the hon. member permit a question?

Mr. Knowles: Yes.

Mr. St. Laurent: Is the hon. member assuming that all this happened before the fifteen days provided by the statute had elapsed, or that it is something that happened afterwards, and after the delay had elapsed?

Mr. Knowles: That is a fair question. But I submit, Mr. Speaker, that it makes no difference whether it was a decision, before the fifteen days had elapsed, to ignore the provisions of the act, or whether it was a deliberate decision taken after these fifteen days had elapsed, to continue violating the requirement to make public the report that Mr. McGregor had submitted to the minister.

Now, Mr. Speaker, I must move my amendment. May I be quite frank to the house and say that if I carry on after moving the amendment I shall be speaking to it. Thus if any hon. member feels it is not in order, I admit that that will be the place to raise the point of order. May I say that during the noon recess I made a slight change in the wording which I read out this morning, for reasons that will be obvious.

I move, seconded by the hon. member for Vancouver East (Mr. MacInnis):

That Bill No. 144 be not now read a second time, but that it be resolved that in the opinion of this house the circumstances connected with the introduction and prosecution of this measure, namely, the action of the government in seeking amendments to the Combines Investigation Act, for the stated purpose of strengthening the enforcement thereof, at the very time when it has just been discovered that the Minister of Justice, with the approval of the government, has deliberately violated section 27, subsection 5 of the said act, is an affront to parliament, and that further consideration of this bill should be deferred until this house, by this amendment, has censured the government for violating the said act by failing to make public the report of the commissioner under the said act with respect to the flour milling industry within fifteen days, as required by law.

As I said, Mr. Speaker, I think my amendment is in order, and I should like to go on; but if there is any doubt, this is the time to clear it.

Mr. Speaker: The hon. member has moved his amendment.

Mr. Knowles: I have.

Mr. Speaker: If you had not I was going to be forced to inform you that your time had expired.