

Halifax Operations Act

ing that legislation, with regard to the issuance of injunctions against the union to comply. The section was not contested by the courts. Indeed, the courts acted under it. The opinion I have received from Justice is that it is an appropriate section and according to precedent.

I will now turn to the hon. member's question with regard to the gratuitous element in the last three lines of clause 8. Perhaps in a sense it does seem somewhat gratuitous, but even if it is, it is not offensive. Again, I can only say this is the precise wording of the section in the previous legislation, on which the courts acted without adverse comment of any kind.

● (1440)

Mr. Stanfield: Do those final five lines restrict the right of appeal? This section does designate the Supreme Court of Nova Scotia in relation to the issue of injunctions. Do those lines mean, also, that the Supreme Court of Nova Scotia is the court to cite or punish for contempt? Is that restrictive as far as the right to appeal is concerned? Would that be a reason for slipping that in there? Or am I unnecessarily suspicious?

Mr. Munro (Hamilton East): I believe that subsection 6 sets out the procedures with regard to appeals—where they would lie. Perhaps the hon. gentleman would check to see whether it deals with his point. I think it might.

Clause agreed to.

Clause 9 agreed to.

On clause 10—*Coming into force*.

Mr. McCleave: Might I ask the minister, with regard to clause 10, whether the other place is standing by and, if so, whether it is expected that this legislation will be operative on Monday morning.

Mr. Munro (Hamilton East): The answer to the first part of the question is yes; the other place is standing by to act promptly after the bill leaves this chamber. I believe the legislation comes into effect 24 hours after royal assent, which means that it can come into force earlier than next Monday.

Mr. McCleave: It would come into effect, then, on Sunday morning; am I correct in that assumption?

Mr. Munro (Hamilton East): Yes.

Clause agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported.

Mr. Munro (Hamilton East) moved that Bill C-14, to provide for the resumption and continuation of longshoring and related operations at the port of Halifax, be concurred in.

Motion agreed to.

Mr. Munro (Hamilton East) moved that the bill be read the third time and do pass.

Motion agreed to and bill read the third time and passed.

[Mr. Munro (Hamilton East).]

FINANCIAL ADMINISTRATION ACT AND SATISFIED SECURITIES ACT**MEASURE TO REPEAL SECURITIES ACT AND AMEND ADMINISTRATION ACT**

Hon. Donald S. Macdonald (Minister of Finance) moved that Bill C-8, to amend the Financial Administration Act and to repeal the Satisfied Securities Act be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

He said: On a point of order, Mr. Speaker, my colleague the parliamentary secretary, the hon. member for York Centre (Mr. Kaplan), will be speaking on this legislation.

Mr. Bob Kaplan (Parliamentary Secretary to Minister of Finance): Mr. Speaker, the provisions of this bill would expedite the discharge of securities taken by Her Majesty in the form of liens, mortgages, hypothecs, privileges or other charges, once the debts for which such securities were taken have been satisfied.

The Satisfied Securities Act, the statute under which such discharges are now given, authorizes the governor in council to effect the discharge of a satisfied security through the passing of an appropriate order in council. This, however, is a cumbersome and time-consuming procedure. Recognizing that the elimination of the requirement to effect a discharge through reference to the governor in council would materially reduce the time required to obtain a discharge, this bill proposes that the authority to effect a discharge of security be given to the minister responsible for the administration of the security. Hon. members may be interested to know that the volume of such discharges has greatly increased because of the number of programs administered under the Department of Indian Affairs and Northern Development.

It is further proposed that the authority be included in the Financial Administration Act, with the Satisfied Securities Act being repealed. This would have the advantage of incorporating the authority to discharge securities in the major piece of legislation which deals directly with government financial administration while eliminating a small and insignificant statute.

The securities in question are those taken by Her Majesty, not those taken by Crown agents such as Central Mortgage and Housing Corporation or the Farm Credit Corporation. Those corporations are empowered to execute a simple corporate discharge of mortgage. The bulk of the securities which would be discharged under the proposed legislation have been taken by Her Majesty to secure loans made from the Indian economic development fund and the Indian off-reserve and Eskimo housing program, and are administered by the Department of Indian Affairs and Northern Development.

This is not the most momentous bill which parliament will be asked to consider this session, but it is an important matter of housekeeping and I look forward with great anticipation to dealing with this measure in the finance committee.