

Hon. Mr. Crerar: This legislation does not deal with trade statistics or what we should do about our gold exports. It is a measure to give extraordinary powers to the Governor in Council, and in particular to the Minister of Trade and Commerce, because of the situation in which we find ourselves in this troubled world. Let me make myself clear at once. I am in full support of this bill. I think it is necessary that the government should have powers to do rather extraordinary things at this time; but we should not be blind to the fact that they are extraordinary powers.

I have the impression that the junior senator from Vancouver (Hon. Mr. McKeen) regarded the bill as simply one which would confer certain limited powers upon the government and the minister and would work no great harm.

I do not believe that at this stage the government could have invoked the War Measures Act. The purposes for which that Act can be used are, if my memory serves me aright, set out clearly in the statute. We are not yet at war—at least, there has been no declaration of war by the Parliament of Canada. The action being taken in Korea by the United Nations is police action, and I understand that the desire is to keep it upon that basis. We are not threatened with invasion and we have no insurrection in this country, so in my opinion it is doubtful whether the War Measures Act could be invoked.

Hon. Mr. McKeen: Can it not be said that war is apprehended?

Hon. Mr. Crerar: No, I should say we are not in a period of apprehended war.

Hon. Mr. Hayden: If you said war was apprehended you would have to say with whom, I should think.

Hon. Mr. Crerar: Let us look at this bill for a moment and see what we are doing; and let me repeat that we have to do it. It may be, though, that the measure goes too far, that it could have been framed in a more desirable way. Let us not be blind to the fact that this bill gives extraordinary powers to the government and to the minister.

The preamble, which sets out the basis for the legislation, is essentially part of the bill. Then section 2, the interpretation section, is very important. Paragraphs (b) and (c) of that section define "essential materials" and "essential service". When you read paragraph (b) in conjunction with section 3 you get an idea of how broad the definition of "essential materials" is, and I ask myself what commodities could be excluded from it. Clearly, iron and steel are essential for

defence, as are copper, zinc, lead and aluminum. Are not wool, leather and cotton also essential for defence, in that they are required for the making of uniforms for the forces? And what about lumber? My point is—perhaps some of my legal friends here will correct me if I am wrong—that there is scarcely a material entering into the needs and services of our civilian population which could not be brought under the definition of "essential materials" for defence.

Hon. Mr. King: Certainly.

Hon. Mr. Crerar: If I am right in that opinion, then section 4 of the bill gives the Governor in Council and the minister very wide powers of control over the production, allocations and prices of all commodities declared by the Governor in Council to be "essential materials", and over the keeping of records with respect to them. That, it seems to me, is not an overstatement of the case. If it is, I should like some of my legal colleagues to set me right.

A question has arisen as to how this legislation will be administered. My honourable friend from Vancouver (Hon. Mr. McKeen) seemed to argue that the Minister of Trade and Commerce, who will be responsible for administering the law, did a wonderful job in handling similar legislation before and can be trusted to do so again. In esteem and admiration for the Minister of Trade and Commerce I take no back seat to anyone. During the strenuous days of the last war we were cabinet colleagues, and no one knows better than I the services he rendered to the Canadian people in the great adventure in which Canada was then engaged. But that is not the point. Parliament does not pass legislation—or at least it should not—because a certain individual will administer it. If anything should happen to the Minister of Trade and Commerce—

Hon. Mr. McKeen: The government has lots of other good men.

Hon. Mr. Crerar: I think we must keep it clearly in our minds that so long as the law is in force the powers mentioned in this bill will be exercised by whatever person happens to be Minister of Trade and Commerce.

Hon. Mr. MacLennan: Do we believe that any government would capriciously declare to be essential a commodity which in fact was not essential?

Hon. Mr. Crerar: No, but I would remind my honourable friend that the decision as to what are essential materials and services will be made by the government and the minister, and from their decision there is no appeal except to parliament. I was simply referring