

Mr. MCGREGOR: There is no change in that respect in section 32 of the Act of 1935.

Hon. Mr. BALLANTYNE: Which includes directors?

Mr. MCGREGOR: I will read the section:

Every one is guilty of an indictable offence and liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding two years, or to both fine and imprisonment, or if a corporation to a fine not exceeding one hundred thousand dollars, who is a party or privy to or knowingly assists in the formation or operation of a combine within the meaning of this Act.

Hon. Mr. BALLANTYNE: That takes the Board of Directors in if they know?

Mr. MCGREGOR: If they assist in the promotion or operation of a combine.

Right Hon. Mr. MEIGHEN: That is in the law to-day. This is what we are trying to get at. As it is now, it is your decision or your Minister's as to whether you start an investigation under oath, call for all sorts of reports and documents. Now then, what is the difficulty about making the decision part of it subject to the approval of a man in a judicial position? That is all I am speaking of, the decision part.

Hon. Mr. DANDURAND: Will you allow me to put this question, so we may know where it comes in. The registrar who is carrying on a preliminary inquiry reaches the point when he thinks there is cause for a formal inquiry. Then I suppose he makes a report to his Minister; is that it?

Mr. MCGREGOR: That is it.

Hon. Mr. DANDURAND: Then his Minister goes to the Governor in Council for authority to proceed?

Mr. MCGREGOR: No. Ordinarily we would need assistance if we go to the further stage. We have been charged on the one hand with having too modest a staff; on the other hand we have been charged with going too far. There are occasions when we do need a fairly substantial organization of four or five men to proceed with an inquiry, but we would not need them throughout the year.

Right Hon. Mr. MEIGHEN: I understand that. That is not the point at all. Just take an election campaign. Passions are aroused, the determination to win is perhaps never equalled in any other sphere. By some means an intimation will be given to a big organization, "Now you had better do something." The organization may be given such information that they have a pretty good hint of why "they had better do something." If they do not do something, after the election there is a department with an assistant to the department, which that organization knows can visit punishment on it without anybody else ever knowing anything about it.

Mr. MCGREGOR: The commissioner under this Act is not required to proceed with a complete inquiry.

Right Hon. Mr. MEIGHEN: You do not seem to get my point at all.

Hon. Mr. ROGERS: May I answer the question, Senator Meighen? I think I understand the point. It is, I take it, the Act might be used as an instrument of persecution.

Hon. Mr. DANDURAND: Or blackmail.

Hon. Mr. ROGERS: Political blackmail?

Right Hon. Mr. MEIGHEN: Yes.

Hon. Mr. ROGERS: Surely nothing of that nature can operate unless there is some basis of fear upon the person who is blackmailed. No penalty can be imposed if everything is all right.