

told time and again that the exigencies of the situation require that the act must be, to use the minister's own words, flexible or, to use my description, vague, because of conflicting jurisdictions, because we do not know what the local board or some other board might think.

But here is a common everyday clause that we find in every act we pass, a provision for publishing something, and we cannot even determine our line of conduct there. We must leave the publication to be determined according to regulations. Cannot we assert ourselves this once and say how this report is to be published, whether in the Gazette or not? There is only one standard way of publishing these things, and that is in the Gazette. Then why not say it shall be published in the Gazette? This matter of leaving everything to regulations is getting cumulative; it is getting on our nerves. Nothing is to be done except by regulations. We began with regulations and we are ending up with regulations. Cannot we assert ourselves in one magnificent gesture and decide that the report is to be published in the Canada Gazette?

Mr. DUPRE: With the permission of the committee I would like to withdraw the amendment I have suggested.

Amendment withdrawn.

Mr. DUPRE: I now move, Mr. Chairman, to strike out clause 20 and to substitute therefor the following:

20. (1) Any report of a committee shall within thirty days after its receipt by the minister be made public, unless the committee is of the opinion that the public interest would be better served by withholding publication and so states in the report itself, in which case the minister may exercise his discretion as to the publicity to be given to the report in whole or in part.

(2) The minister may publish and supply copies of any report in such manner and upon such terms as to him seems most desirable.

Amendment agreed to.

Section as amended agreed to.

Mr. DUPRE: I beg to move that the following be added as a new section 21:

(1) Whenever in the opinion of the committee an offence has been committed against this part, the minister shall remit to the attorney general of any province within which such alleged offence shall have been committed, for such action as such attorney general may be pleased to institute, the evidence taken on any investigation by a committee and the report of the committee.

(2) If within three months after remission aforesaid, or within such shorter period as the governor in council shall decide, no such action shall have been taken by or at the instance of

[Mr. Neill.]

the attorney general of the province as to the governor in council the case seems in the public interest to require, the attorney general of Canada may permit an information to be laid against such person or persons as in the opinion of the attorney general shall have been guilty of an offence against this part.

Mr. MACKENZIE (Vancouver): There would not be any reference in any of the provincial acts to the present section 21 because as I understand that section it deals entirely with questions of trade and commerce, which are under the exclusive jurisdiction of the federal authorities. I do not see how the provincial governments could prescribe penalties for offences described in the present section 21.

Mr. GUTHRIE: They would provide penalties only for offences committed under their own acts. I do not know whether the penalties are similar.

Mr. MACKENZIE (Vancouver): It would not refer to this section.

Mr. GUTHRIE: The last clauses read were taken from the combines act.

Mr. NEILL: Are we not going to end up with a sort of imitation of the combines act and are we not infringing on the jurisdiction of that act?

Mr. GUTHRIE: It is not an easy thing to state that every clause of this bill is within the jurisdiction of this parliament. Some very nice questions may arise but we have used all the ingenuity and knowledge of the law officers of the department to produce a measure which we believe is within the jurisdiction of this parliament. The clauses just read are taken from the combines act. Under these clauses it will be the duty of the minister to transfer the report to the attorney general of the province concerned. The administration of law, both civil and criminal, is under the jurisdiction of the provinces and not of the federal government. If the attorney general of a particular province takes no action for a period of three months, power is given to the attorney general of Canada to lay an information on the order of the governor in council.

Mr. NEILL: Are we not just duplicating these other acts?

Mr. GUTHRIE: There is a duplication to some extent but these clauses have stood the test and they were thought to be valuable in connection with this bill.