

The Acting Chairman: Yes; we are into another clause of the bill. We were on clause 6 and Mr. Grosart's amendment relates to that. Are there any other senators who wish to comment on clause 6 and the amendment proposed by Senator Grosart?

Senator Argue: I can be and am sympathetic with the general line taken by Senator Grosart, but it seems to me that this committee should be very careful at this stage not to single out one farm organization, or one organization for one kind of treatment and one kind of law if all the other organizations being incorporated have this looser phrase within their act. My question may have been answered, but I did not hear it: To what extent is the type of wordage in the bill before the amendment common and to what extent is legislation with words like the amendment? In other words, what is the practice? Is it nearly all one way or nearly all some other way?

The Law Clerk: We are in the invidious position that we rarely deal with such bills. It is only for the last five years, since the amendments to the Canada Corporations Act. Prior to that we dealt with them in the regular course. This was the language commonly used.

Senator Grosart: With due respect I suggest that this is not by any means a usual phrase in private bills—it is certainly not universal.

The Law Clerk: Well, that is a question of fact, senator.

Senator Grosart: I say that, with respect.

Senator Argue: I am not looking to see whether there was one exception or not, but I want to know in general where the majority lies, or the vast majority lies.

The Law Clerk: I would say that many of them read this way.

Senator Belisle: This is the observation I gathered a while ago.

The Law Clerk: I do not take issue with Senator Grosart at all, because it could be changed.

Senator Argue: It may be that it should be changed.

The Law Clerk: It may be that it should be changed. That is not an area in which I feel I should intervene.

Senator Argue: This may be a very stupid question. I am a layman. Under this new system, providing a law for incorporation, what kind of words are used? Has your corporations branch seen this? They produce laws setting up corporations, but in another area. What words did they use?

The Law Clerk: I can tell you this, this is as far as I can go, that this bill in its full text was submitted to the corporations branch, and they suggested certain changes, and they did not suggest that one. But that does not prove very much.

Senator Grosart: It proves nothing.

Senator McDonald: On this point, it was mentioned earlier that Senator Martin has a motion now before the Senate dealing with statutory instruments. It seems to me, that despite the argument put forward by Senator Grosart that this may restrict ministerial power, probably the intent and purpose of the review of statutory instruments is for that purpose. It seems to me that the committee which studies the proposals will be lending its attention to private bills and their working with respect to delegated powers. I think we might act wisely by leaving it in this bill, until such time as this committee has had the opportunity to review delegated powers, whether they are ministerial powers or are in private legislation. Because if we are going to change the wording in this bill and make it more restrictive, then perhaps we should change the wording in all the acts.

Senator Grosart: That is what King John said at Runnymede—"We have always done it this way, why are you insisting on a change?"

Senator McDonald: I am not saying this is of necessity the right way, but when I see that there is a general review pending, I think it would be wise to wait until that general review has been done.

Senator Grosart: There is no general review pending on this at all.

The Acting Chairman: Are you ready for the question?

Senator Argue: I think this is really important. If the farmers union do not think it is important, then I am prepared to drop it right now.

The Acting Chairman: You make your point.