

*Unemployment Insurance*

Mr. BENNETT: I think the hon. gentleman by the statement he made just now has answered his difficulty. He said that the man might find, after having paid for months, that his employer had converted the funds to his own use. That could not happen beyond a few weeks because the function of collecting with the lowest unit of time, namely a week, is covered by the bill, and when the assessments are made they must be paid within a reasonable time after that or else the commission is at once after the delinquent for the purpose of finding out why the assessments have not been paid. That is the answer.

Mr. NEILL: But the Prime Minister must admit that this legislation will deal with industries in remote places. The employer has, I understand, to send the payments in weekly.

Mr. BENNETT: That is the unit.

Mr. NEILL: Suppose it is discovered at Ottawa that Bill Jones has not sent in his payments for a certain period; the civil service here does not move very rapidly. It would be a week or two before they would get round to notifying him. The mail service where he lives is only three times a month. In that case months might pass before he was stirred up and by that time it might be found that the man had left the country. I admit this might not go on for years, but it might go on for months.

Mr. BENNETT: I thought the hon. member said months.

Mr. GARLAND (Bow River): There is this point which the Prime Minister might consider when he is answering the hon. member for Comox-Alberni: why should the employee be obligated to take the civil action? These moneys are due to the commission, to the trust fund, and in my opinion it is the commission that should take the civil action. The employee should not be under any liability in connection with the case at all.

Mr. BENNETT: There is much force in what both the hon. member for Bow River and the hon. member for Comox-Alberni have said in that regard, but the reason is obvious. It may be we can overcome the difficulty. The reason is that the person who has suffered by default on the part of the employer is entitled to bring the action because he has actually lost the benefit. If the commission does this, of course it does it not as the loser of the benefit, but as the organization supposed to collect the benefit. I may say to the hon. member for

[Mr. Neill.]

Comox-Alberni that the reason why provision is made in this legislation for stamps is to deal with those cases so far remote that it is difficult to keep closely in touch with them quickly. I do not think under the regulations as framed under the bill there will be the slightest difficulty, because they will provide that there shall be some evidence forthcoming to the employee that the employer has made the payment for the week, in remote communities by stamps purchased from the post office. There is always a post office even in the remote sections. That is the safeguard. But I am quite willing that the subclause should stand and I shall look further into the question whether the commission might not bring the action, although it is purely a technical matter in connection with the right of a person to bring the action other than the person who has suffered the loss and is entitled to the benefit. That is purely a matter of law.

Mr. NEILL: To follow up what the hon. member for Bow River has said: would a comparable case not be if I had paid my taxes and the government official who had collected them had absconded with them? I would not be told to go and sue that official.

Mr. BENNETT: There is a great difference between paying taxes to a government official and a contribution to a fund. The question is purely a technical one. If there is any way to overcome the technical difficulty, it will be done.

Subsection 1 stands.

Subsections 2 to 5 inclusive agreed to.

On section 34—Inspection.

Subsections 1 and 2 agreed to.

On subsection 3—Penalty for delay or obstruction of inspection.

Mr. BENNETT: I hear an hon. member say, "severe." This is rather severe. The provisions are drastic, but the committee will recall that in connection with inspection, the international labour organization has expressed the strongest possible opinion, and if we are to make effective the legislation we must clothe the officials with extraordinarily great powers to do so. This follows the provisions of the last modification of the English act so far as may be necessary for that purpose, but there has been little or no change in the English act since 1920.