

submarine cables for the transmission of communications that begin or end in Canada, and subject always to this overriding purpose recognition will be given in the drafting of the regulations to the principle that the terms and conditions of licenses will not restrict or interfere with the transmission of communications that begin and end outside of Canada."

The report was adopted.

THIRD READING

The Hon. the Acting Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Mr. Hugessen: Honourable senators, I move the third reading now.

Hon. John T. Haig: Honourable senators, first of all I want to congratulate the Chairman of the Committee on Transport and Communications (Hon. Mr. Hugessen) on his handling of the committee this morning.

Hon. Senators: Hear, hear.

Hon. Mr. Haig: I was very well pleased. I also liked the way in which the leader of the house (Hon. Mr. Macdonald) freely called witnesses before the committee, so that we had a full and frank discussion of the whole matter.

However, these things do not persuade me that the bill should be passed. I say quite candidly and honestly that I do not think this bill should be passed in its present form. That was my opinion when the bill was voted on in committee, and I voted against it. True, it was a minority vote. But I wanted to register my view that the licence should not be granted by the Governor in Council at all. I think the rules and regulations by which a licence should be granted should be set out by statute in cases of this kind.

Secondly, I submit that an appeal from a refusal to grant a licence should be to a commission. It was suggested that this should be the Board of Transport Commissioners, but any other equally impartial board would be satisfactory. It is true that these boards are appointed by and are responsible to the Government, and that the Government can remove them if it wishes to, under certain conditions. But there is a difference between a board granting a licence and the Government itself granting a licence, and I must say that I feel—although I may be wrong—that there was some desire that the minister himself should have the doing of it. He said he did not think the responsibility was sufficient to necessitate a reference to the whole cabinet. That is a wrong attitude. It is quite plain from representations we received that there are companies operating in the cable business which are afraid of this legislation; they think it is an attempt to exercise control

beyond the provisions of the act under which they were incorporated some years ago.

For these reasons I object to the bill. I do not like to see legislation like this going through. I believe in free enterprise, and I believe that the ordinary individual who starts a company should have the right to conduct his own business and not be controlled by the Government. If the Government wants to go into the business let it go in on a basis of equality and have no favouritism. There is no use denying the effect of Government influence here. Some day a different Government may be in power but regardless of who is in power, we should not have to depend on the individuals comprising the Government.

I oppose this bill quite openly. I am not angry at the Government for the way it has handled things. I have made that quite clear. It is quite an open case. I have no objection to the way the bill has been handled in this house, which is very satisfactory to me, but I am not convinced of the fairness of the legislation and therefore I am opposed to it.

Hon. Mr. Hackett: Honourable senators, I will not attempt to repeat what I have already said. I am opposed to the legislation, not because it has not been discussed, not because we are bound by majority rule—there is no question about that—but because there is an underlying philosophy which makes it clear that good government separates the legislative function from the administrative function. When a creature of the Government finds itself in a rivalry with private enterprise, and makes the rules and then determines how they shall be applied, I submit that there is a breach of the elementary philosophy of good government.

Hon. Mr. Hugessen: Honourable senators,—

The Hon. the Acting Speaker: I would remind the house that if the honourable senator speaks now he will close the debate.

Hon. Mr. Hugessen: Perhaps I should say a word, in view of what has been said by the two honourable senators who have preceded me.

First, I want to thank the Leader of the Opposition (Hon. Mr. Haig) for his kind remarks about my conduct of the proceedings of the committee, as chairman. This morning and early this afternoon we had a full, free and frank discussion during a period of nearly four hours; and during the latter part of our meeting the Minister of Transport made a very clear statement with respect to this bill.

This is one of the cases which are bound to arise, and which occur quite frequently under