

Defence Production Act

Mr. Garson: I received word about two minutes ago that the draftsman will be here almost momentarily. With that in mind we could let it stand, then go on to clean up the other two which were stood over, in the hope that we may dispose of the bill before six o'clock.

The Deputy Chairman: Is it the wish of the hon. member for Vancouver-Quadra that the amendment stand, as well?

Mr. Green: It may stand too, yes.

The Deputy Chairman: Then, I shall not put it.

Amendment stands.

Section stands.

On section 37—*Paramount powers under this act.*

Mr. Macdonnell (Greenwood): May we have a word of explanation as to the significance of this section, and the terms of other acts which will be overridden by it?

Mr. Howe: Section 37 refers to competitive tenders. The Public Works Act and the Public Printing and Stationery Act contain certain regulations covering public tenders that are not carried into this measure. The bill states that, in matters covered by the Defence Production Act, that act shall override the provisions of the Public Works Act and the Public Printing and Stationery Act.

Mr. Macdonnell (Greenwood): What is the minister's attitude toward tenders, in the light of these powers?

Mr. Howe: There are some differences to be considered. For instance, I think in the Public Works Act the limit for tenders requiring orders in council is \$5,000, whereas in this measure it is \$50,000. There are differences of that kind. All this measure states is that where the procedure is set out in this act and, as so set out, is in conflict with either the Public Works Act or the Public Printing and Stationery Act, this act shall govern.

Mr. Knowles: Although the minister has said that the intention of the section is that it shall apply only to the provisions of those other statutes relating to tenders, nevertheless the wording indicates that the powers conferred by this measure may be exercised notwithstanding anything contained in these other acts.

Mr. Howe: That is right. It covers everything, but it is aimed particularly at the matter of tenders.

Mr. Knowles: Despite the fact that I am prepared to give necessary powers to the

government, and that I am calling upon them to use those powers for certain purposes, it seems to me this wording might have been a little more precise. For instance, the Public Printing and Stationery Act contains a section which relates to the wages paid to employees working for the printing bureau. I am wondering if it is possible, under the powers conferred by this section, for the minister to have printing done somewhere else at wages less than would be paid by the printing bureau. If not, why should not the wording of the section be such as to confine it to what the minister has in mind?

Mr. Howe: I might say that this has been narrowed down from the provisions of the Department of Reconstruction and Supply Act. The provision there was:

The powers conferred upon the minister by this act or by the governor in council may be exercised by him notwithstanding and without restriction or limitation by the provisions of any other act or orders in council enacted before this subsection came into force.

Which does the hon. member prefer?

Mr. Knowles: I certainly prefer this one but with one exception; the other one did suggest that the overriding of other statutes was to be done by the governor in council.

Mr. Howe: No.

Mr. Knowles: The one the minister just read, yes. If I am wrong, read it again and show me where I am wrong.

Mr. Howe: It says:

The powers conferred upon the minister by this act or by the governor in council—

Either of them:

—may be exercised by him.

And so on.

Mr. Knowles: Well, we may both be right and both be wrong. But it does seem to me that, bearing in mind what the minister said the other night about the reluctance of ministers to interfere with matters coming under the supervision of other ministers, it might be a good idea if this sort of thing did require consideration by cabinet. Here we are asked to give the minister power to do things which normally come under the supervision of the Minister of Public Works, but without having to fulfil the requirements of the Public Works Act. Similarly we are giving him power to do something in connection with printing, and that comes under the Secretary of State. And he may do it without referring the matter to the Secretary of State, and without obeying the conditions laid down in the Public Printing and Stationery Act. I think the provisions are a little on the wide side, and I object.