

exercises that through a commission of government, but it is under the legislative jurisdiction of the parliament at Westminster and I do not think the British government or the British parliament would act in a manner that it did not feel was proper in the interests of the inhabitants of Newfoundland, after consulting them in these two plebiscites.

Mr. HACKETT: I understand that the government might wish that a statute express the will of parliament on granting to Newfoundland access to the dominion. Does that mean that the minister considers that the provision in the British North America Act concerning the admission of Newfoundland into confederation is but a power to be exercised in the ordinary way, that is, by legislation enacted by parliament. I do not recall the exact words of the British North America Act, but it contains a provision which anticipates the possibility of Newfoundland becoming a province of Canada, and my query is: Does the minister consider that enactment merely as a power which parliament may exercise, or is it something more than that which would only require executive action to carry the admission into effect?

Mr. POULIOT: What difference does it make?

Mr. ST. LAURENT: It makes a difference as to the proper procedure to bring it about. The British North America Act contemplated that there might be union between Canada and Newfoundland on a joint address of the houses of parliament of Canada and the legislature of Newfoundland. That principle could be resorted to; but it would require, in order to be resorted to, the restoration of self-government in Newfoundland, and then joint addresses under the terms of section 146 of the British North America Act. On those joint addresses, union could be consummated by order of His Majesty in council without legislation in the parliament at Westminster or legislation in the parliament of Canada. But if that method is not resorted to, the matter is not expressly provided for and would have to be accomplished by new legislation that could, I suppose, be adopted only by the parliament at Westminster if there were joint addresses from the houses of the Canadian parliament asking that it be done. The parliament at Westminster amends the British North America Act and makes provision with respect to Canada, but only on the request of the houses of the Canadian parliament; and that could probably be the method adopted. The one provided for in the British North America Act would require, as a condition precedent, that self-government

be restored to Newfoundland, that a legislature be elected in Newfoundland and that there be an address from that legislature as well as from the Canadian parliament for an order in council.

Mr. HACKETT: I had a little difficulty in following the minister when he seemed to consider the disability of Newfoundland as creating a disability in Canada. I readily understand that the government might wish to pass a statute. I understand that, but I was not certain whether or not it would be necessary in order effectively to carry out the union to do more than pass addresses in Canada; it, of course, being necessary that Newfoundland, in view of the suspension of parliamentary life there, go to Westminster for the authorization which results—I do not say this in any disrespectful way—from its temporary tutelage.

Mr. ST. LAURENT: I think the hon. member is technically right that it would be sufficient to justify legislation by the parliament at Westminster placing Newfoundland within Canada to have addresses from the houses of parliament in Canada, and the agreement of Newfoundland to the legislation would be a matter that would be the responsibility of the parliament at Westminster.

Mr. DIEFENBAKER: One question arises from that. Has the minister given consideration to the Newfoundland Act of 1934? A perusal of that act would indicate that the United Kingdom pledged itself to restore self-government there at any time that Newfoundland became self-supporting. In view of the section of the British North America Act which the minister has just read, and having regard to the Newfoundland Act of 1934 that self-government is to be restored in Newfoundland, would it not be a condition precedent before confederation between the nine provinces of Canada and Newfoundland could be consummated?

Mr. ST. LAURENT: No, I do not think so. I think all we have to do is to look after our responsibility, and leave it to those who have constitutional responsibility for the fate of Newfoundland to ascertain whether they are fulfilling their obligations, whether the obligations arise out of the Newfoundland Act or otherwise. I think we can in perfect confidence leave it to the Newfoundland and British authorities to clear everything required on their side to enable a proper union to be consummated.

Mr. DIEFENBAKER: Has the minister received any representations from Newfoundland, or the people of Newfoundland or any group in that country, against any action on the part of Canada?