

Hazardous Substances

that kind of amendment so that the power is not completely arbitrary.

Mr. Robert P. Kaplan (Don Valley): I am pleased to rise to support the legislation now before the house. I have spent the day in this chamber listening to the debates. I am impressed by the broad support which the legislation has received from all parties. Of course, this bill has very broad support in the country; it has received the attention which it deserves and requires. It provides machinery which hopefully will be used to protect the interests of consumers in a very broad way. The interests of consumers are catered to by the bill satisfactorily, in my view. There has been discussion, as well, as to the interests of parliament. Will there be a right of review later? The Senate revision remains. There has been an interesting discussion about it. I intend to support in this respect the suggestion made, notwithstanding the views of the house leader of the opposition. I would prefer to see the legislation stand, without the necessity of the house going through the awkward business of reviewing a two-year accumulation of regulations.

I should like to turn to the area of the producer because there has been no discussion today of the interests of the producer, and with respect I should like to make one suggestion for an amendment which I hope may be introduced before the bill is finally enacted, that is, an amendment to section 9. As background, may I say that a very fair right of appeal is provided for any producer who is a victim of, if I may put it that way, an order preventing the goods he has purchased or imported from being sold. Provision for appeal is made and those who have imported goods and find they are the subject of an order in council which prevents them from being sold can, under clause 9, within 60 days, ask that a board of review be constituted to consider the order in council which was passed. Unfortunately, in the normal course of events the products to be considered would be products already in existence. More than likely they would be products someone had already paid for—either the producer or the importer. The producer or the importer would have a legal right to appeal but in fact they may not have a real appeal because of the fact that there is no requirement at all in clause 9 that the appeal be dealt with within any given period.

The board might be set up in the normal course. It might review the evidence in the

[Mr. Saltsman.]

normal course. However, the Board might take too long in arriving at a decision for an ordinary producer or a small producer to be able to take advantage of the right of appeal. He might find he was bankrupt with an inventory of goods which were considered hazardous and not have the opportunity, because of the fact that an appeal might not be heard in time, to save himself from what might be an injustice. In any event, I would point out that it would be most desirable to include a requirement in clause 9 that the board render a decision on the appeal within a time which would be meaningful to an ordinary producer or importer. In this connection, I suggest that a period of seven days might not be inappropriate.

Seven days is not a great deal of time within which to prepare a case, but one would hope that if an order in council had been passed against a particular product it would be supported by an investigation of the goods in question and that certain experts would be genuinely of the opinion that the goods were hazardous. So the case for the Crown, if I may put it may, would be immediately available.

If the importer or producer wished to have his case heard quickly he ought to be entitled to have it heard quickly by the representatives of the government. With that amendment, I intend to support the bill. I will support it anyway, but I do hope consideration will be given to the possibility of an injustice being suffered because an appeal is not heard in time save a producer from an unfortunate situation.

Mrs. Grace MacInnis (Vancouver-Kingsway): I have been in touch with consumers and housewives and other people across Canada and I am quite sure I have found out exactly what the minister has found: that this bill will be one of the most readily accepted pieces of legislation to have come out of Ottawa for a long time.

Some hon. Members: Hear, hear.

• (8:40 p.m.)

Mrs. MacInnis (Vancouver-Kingsway): But the original draft of this bill received more public approval than is going to be the case if this new clause 3, which the other place insisted on inserting, is passed. I say that in the interests of the consumers of this country.

Having said that, the bill is an improvement over the bill of last year. It is much