

• (3:00 p.m.)

Mr. Drury: Mr. Chairman, I should like to move then, in lieu of that particular amendment, the following:

That Bill C-207 be amended

- (a) by striking out clause 17 on page 6;
- (b) by renumbering clause 18 as clause 17; and
- (c) by adding thereto immediately after clause 17, as so renumbered, the following clause:

18. (1) An order in council authorizing the issuance of a proclamation under section 14 or 16 shall not be made until the proposed text of the order in council has been laid before the House of Commons by a member of the Queen's Privy Council for Canada and the making of the order in council has been approved by a resolution of the House of Commons.

(2) Where the proposed text of an order in council has been laid before the House of Commons pursuant to subsection (1), a motion in the House of Commons proposed by a member of the Queen's Privy Council for Canada in accordance with the rules of the House, praying that the making of the order in council be approved, shall be debated in the House for not more than seven hours, after which time the question shall be decided in accordance with the rules of the House.

The Chairman: Shall the amendment carry?

Some hon. Members: Carried.

Mr. Baldwin: Mr. Chairman, I wonder if I could have a copy of the amendment?

Mr. Drury: I apologize for the absence of copies, Mr. Chairman. They should have been here and I am sure they will be along in a moment. The proposed wording I hope does give effect to the order the House adopted last week.

Mr. Baldwin: Yes, Mr. Chairman, having listened to it I think it does give effect to an understanding reached through the usual channels with regard to the terms of various amendments which were to be made. For the sake of facilitating debate, because I am sure there will be a little discussion on these matters on clause 14, and since the amendment deals with the deletion of clause 17 and the substitution of another clause, I hope that we might be allowed to deal with Part IV in total. We were following this course at the time of adjournment, and I am just asking for a continuation of that practice.

We opposed this bill for a number of reasons, Mr. Chairman. My hon. friend from the Atlantic provinces opposed the part of it which dealt with the deletion of the word "fisheries" but I will not go into that now. We opposed those parts of the bill which gave the right to create a large number of newly minted and paid officials of the government who would be drawn from this House, because we felt this would create difficulties which I will go into later when discussing another part of the bill.

We also, and this is most important, opposed the right of the government to create ministries of state at their own free will, to change those ministries, to abolish them and create new ministries in their place. It was our view, and one which resulted in this party providing substantial opposition to the proposal, that this did away with what must be one of the most important aspects of the continuance of democratic government, that of parliamentary supremacy. To a large extent this amendment

Government Organization Act, 1970

does away with this repugnant feature of the bill. While it is not perfect, I think we can accept it on the basis on which it is offered. We never get everything we want, but we felt that the discussions which took place were on a very fair level and an opportunity was given to all parties to express their viewpoint.

These negotiations carried on from April 7, the last day on which this bill was before the House and, in spite of what the Prime Minister had to say on some other occasions in this House, they were genuine, continuing discussions and negotiations in an attempt to work out a compromise. It was felt that the opposition should not be compelled to give up something which in our opinion was exceedingly important, that is, the right of Parliament to be supreme on issues of this kind but there was also the need of any government from time to time to rearrange its various portfolios and ministries as it should feel them best adapted to the needs of the day.

This illustrates the course which the opposition can take; it can oppose reasonably and vote against certain measures. As a matter of fact, before this bill is through it is our intention, in the limited time left, to oppose and vote against certain aspects of the bill. It is inherent in the opposition, and in fact it is part of its duty, to oppose measures which are repugnant, especially measures which strike at the heart of parliamentary democracy, namely the right of Parliament to be supreme. It should oppose measures of that kind to an extent and, if necessary, for a period which would permit the people of the country to be aroused and alarmed at what any government could attempt to do.

There is no doubt that the very first speech made from this side of the House by the hon. member for Halifax-East Hants and the first speech that I made in this House on this matter, made it absolutely clear that with respect to this aspect of the bill there would be the most formidable and the most pertinacious opposition. I refer to that part of the bill which gave to the government the right to make those changes, to create new ministries and new departments without recourse to Parliament. When the government proceeded, therefore, they knew what they were facing. I am glad that we have reached this sort of arrangement. It is essential for those who criticize and claim that Parliament is failing, that it is not doing its job, to realize that, as a result of honest discussion, an accommodation was reached whereby the opposition parties were able to find a way to secure acceptance of the principle of parliamentary supremacy. The government, in due course, will be able to secure passage of those parts of the bill which it considers necessary for proper functioning and administrative efficiency. The order made provides for this.

We had some very difficult discussions and some compromises all the way around. I give full credit to my hon. colleagues the President of the Privy Council, the hon. member for Winnipeg North Centre and the hon. member for Lotbinière, as well as those who have been associated with reaching this compromise. It might have been difficult with another person as government House leader, but in this case it worked out quite effectively.