

Official Languages

[*English*]

I realize that there are stages, of course. I mean there might never be a public hearing, there might never be a hearing. Perhaps the Commissioner after he makes a few preliminary investigations decides that there is just no substance to this complaint.

[*Translation*]

That means that in committee, the member himself visualized that the Commissioner could very well, in the interest of the persons affected—again, not the accused, seeing we are not dealing here with accused persons but people affected by the investigations conducted by the Commissioner—as I was saying that there could be cases where, in their own interest, the Commissioner should not make his findings public.

Mr. Speaker, finally, I should like to say that those powers which are described as terribly special or inquisitorial, dictatorial—I no longer know which adjectives to use, our friends opposite having exhausted all the adjectives of their vocabulary, with the verbal inflation which characterizes them—that those powers described almost as infernal and diabolical are exactly, according to the legal advisers of the department, essentially the same as those conferred by the inquiries act and the public service staff relations act.

We are therefore not dealing here with any new, special, dangerous, oppressive powers. They already exist in other fields of activity and, as the member for York South said, certain things lend themselves to scandal very easily, when we are dealing with the law on official languages, while the same provisions exist in many of our statutes to which the house raises absolutely no objection.

I should therefore like to say, Mr. Speaker, in closing, that the spirit of the law, the powers conferred upon the Commissioner of Official Languages, the procedure provided for, smack in no way of the extraordinary or the scandalous. If there is any scandal, it could be in the sudden and so ill-advised indignation we witnessed here tonight.

As for me, I believe the proposed amendment is in no way justified and that the house must, at the time of the vote, reject it and restore the text of the bill to its present form.

Some hon. Members: Hear, hear.

Mr. David Lewis (York South): I should like to direct a question to the minister.

He did not say anything about the amendment I moved. Did he—

Mr. Pelletier: Mr. Speaker, on the contrary, I said at the outset that I would not speak to this amendment because I thought at that time that it would be against the rules. This amendment is not before the house at this stage, but when it will be submitted, I will speak to it.

Mr. Lewis: Was the minister here tonight, because it is my amendment that is under consideration now. The Chair said so.

Mr. Pelletier: Then, I made a mistake, Mr. Speaker, and I apologize.

• (9:10 p.m.)

[*English*]

Mr. McQuaid: Mr. Speaker, may I ask the minister a question. I have listened with a great deal of interest to his remarks, but could he tell the house why he has asked that the powers of this commissioner should exceed the powers ordinarily given to a commissioner under the Inquiries Act? Why is he asking that this man should have powers in excess of those powers?

Mr. Pelletier: The simple answer, Mr. Speaker, is that they are not. I take the advice of people more learned than myself, the law officers of the Crown, who say the powers are essentially the same.

Mr. MacEwan: The three wise men from Montreal.

[*Translation*]

Mr. Réal Caouette (Témiscamingue): Mr. Speaker, the amendment under consideration which tends to amend the Conservative amendment reads as follows:

[*English*]

It is not necessary for the Commissioner to hold any hearing, but he shall not make a report or recommendation adversely affecting any individual, department or other institution until that individual, department or other institution, as the case may be, has been given reasonable notice of the complaint against him or it.

[*Translation*]

Mr. Speaker, this implies once again that we are face to face with accused, with people called before the Commissioner as if he were a judge on the bench or an examining magistrate.

According to the description given in the act and the explanation of the Secretary of State (Mr. Pelletier), the Commissioner is not precisely a chief of police or an examining magistrate nor a judge on the bench.