

[Translation]

Mr. Speaker, that was not written by some National Revenue official, but by a court judge in his decision. Of course, being concerned is quite normal, and we should be concerned about the way any enforcing organization is using its powers. We should keep in mind, however, that these powers are provided for in the legislation and that they are perfectly consistent with our fiscal system.

On the other hand, we should examine under what conditions these powers have been used. Hon. members are aware that the powers of search and seizure can be used either under the Minister's authority or a mandate issued by a court of law. In all, in 1984, some 16 million Canadian taxpayers have filed income tax returns. Out of these 16 million Canadian taxpayers, Mr. Speaker, how many would you say have been subjected to search procedures in 1984? Forty two. Not 42,000 or 420, but only 42 have been subjected to search procedures so far in 1984 out of our many million of taxpayers. There have been 143 ministerial seizures.

By quoting these figures and the judge's decision, Mr. Speaker, I wish to lay to rest the concerns some people may have regarding the use of such overwhelming powers. What I am saying is that the powers provided for in the legislation are now used with moderation and to the extent that special circumstances warrant them. I believe that this reflects a healthy administration of the legislation and a sound use of these powers.

● (1220)

Mr. Speaker, because of the very nature of the income tax system, it is an acknowledged fact that we need an audit mechanism to guarantee the fairness of the system and that we also need structures to enforce the Income Tax Act when people are not complying with it. This is not the only aspect of life in our society which is subject to enforcement procedures. We have in our streets people who are responsible for enforcing the law, and I do not think that people are frightened by the presence of policemen in a society. However, it is obvious that if we were to look at everything these policemen could do with the powers they have, we could be frightened. But the important thing is to recognize that, in most cases, their powers are used discerningly and in relation to the problems they must face. We have to view the power given to the Department of National Revenue in exactly the same perspective. Have these powers been used in relation to the circumstances the legislator said would justify them? Mr. Speaker, the Department of Justice is now reviewing all these provisions and is making sure that these powers are in agreement with the provisions of the Charter of Rights and Freedoms contained in our Constitution and is also checking on cases where they have been used in the past to make sure that they were used properly.

Supply

Mr. Speaker, I see that my time is running out; I would like to deal with another aspect of the issue, another specific case mentioned by the Hon. Member. It relates to the request for information made to the City of Kitchener by the Department of National Revenue. Mr. Speaker, I have already given my views when I answered questions in the House on the request itself, and I also have had the chance of discussing the matter with the Hon. Member and others. As concerns the lack of available information which seems to be common with a few groups, whether it is a municipal body or any other group, I believe that, except in this particular case, the examples I have given have convinced the Hon. Member, the House in general and all Canadians that it is quite legitimate for the Department, whenever there is a reasonable doubt about non-compliance with the law, to request this information in order to enforce the Income Tax Act and maintain the credibility, the integrity and the equity of the system.

The Hon. Member has directed three questions to the Privacy Commissioner about the specific case of the City of Kitchener. On this matter, the Commissioner did say that the request made by the Department of National Revenue was legitimate. The Commissioner made a legitimate and legal recommendation.

An Hon. Member: Legal?

Mr. Bussi eres: Read it! I hope you have taken the time to read it! Mr. Speaker, the Hon. Member should not try to juggle with words. He should read the paper and say exactly what it contains. He suggested something to the Department and made a criticism about a procedure used in connection with classified information. I am happy to indicate to the House that steps have already been taken, and that very soon I will appear before the Treasury Board with a submission along the lines recommended by the Commissioner. But most importantly, when answering the three questions, he recognized that the Department in no way contravened the Act which the Commissioner is duty bound to enforce.

Mr. Speaker, there are many things I would like to add—

The Acting Speaker (Mr. Laniel): I am sorry, but the Hon. Minister's time has expired. We should now proceed to a question period. Any questions?

[English]

Mr. Beatty: Mr. Speaker, at the end of his remarks the Minister dealt with the issue of the attempt by Revenue Canada to gain access to the computerized data base in the City of Kitchener. That was an attempt which was characterized—and the Minister perhaps overlooked it in his reading of the report—by the Privacy Commissioner as having exhibited carelessness and casualness in terms of the rights of the citizens.

The Minister will also be aware that the Privacy Commissioner made a differentiation between data matching and computer matching. He indicated that he did not believe this