

*Supply*

Privy Council was asked whether he would bring forward the resolution, because in our minds we had fully complied with the Prime Minister's conditions. I want to read the statement by the President of the Privy Council into the record once again. You will find it in yesterday's *Hansard* at page 24961 as follows:

• (1220)

Madam Speaker, the answer to the question is no. I do not like to repeat myself. The same question was put to me last week; I have given a full answer. The answer to the Hon. Member's question is no, we have not changed our mind.

What is today before us is a confidence motion. It will have one of two effects. The Government may vote for property rights and finally fulfil its word. It will be interesting to see what the New Democratic Party will do, whether its Members will be in favour of the entrenchment of property rights per se. It will be interesting. We will wait for their word. The other possibility is that Government Members might say that this is a confidence motion and what we are asking them to do is to defeat themselves. Let me tell you, Mr. Speaker, there are a lot of Canadians who would enjoy that scenario.

**An Hon. Member:** Yes, 52 per cent of them.

**Mr. Epp:** But I want to make a proposal to the Liberal Government. Being a person that would like at best to make life as easy for the Government as possible, especially in view of the difficulties it is now facing in the country, the proposal I make is very simple. The vote is to take place on this resolution on Monday, right after Orders of the Day are called at 3 p.m. or 3.15 p.m.

The proposal is this. On Monday at 11 a.m. a Member of the Government might rise in his or her place and say, "We support our own resolution, the Government's resolution, and we will designate this day for the passage of this property rights clause." By Monday night we will finally have ended, at least in this House, this question of how the House divides on property rights. I make that offer to the Government.

**Some Hon. Members:** Hear, hear!

**Mr. Nielsen:** Try and weasel out of that one.

**Mr. Epp:** There are some aspects of the resolution which cause me concern. I think they should be put on the record. One is the question of fundamental justice versus natural justice. The best definition that I have been able to find on natural justice is by Reid and David. It is from a book entitled "Administrative Law and Practice." In Chapter 6 under the heading "Natural Justice", we find this definition:

Natural justice is a simple concept that may be defined completely in simple terms: natural justice is fair play, nothing more.

What we are asking for Canadians is fair play, Mr. Speaker, nothing more. What we are asking of the Government is exactly that, fair play. I say to Government Members, "Put action to your words."

The other charge that can be made is that we are foisting something on the Provinces. This Party obviously made quite a

case of that during the constitutional debate that that was not our right. The argument can be made that property, proprietary, rights are under provincial jurisdiction and, therefore, why are we accepting this motion?

Since the passage of the Constitution, things have changed somewhat. Not only are proprietary rights, for instance, in land. I do not think we have to spell that out. There are others. For instance, there are copyright laws which take us to the other jurisdiction and the division of powers. But after passage of the Constitution there is now a way to amend the Constitution. It is found in Section 38 of the Constitution. I will not quote it, but an amendment can be made by way of a proclamation and a resolution of the Senate and the House of Commons. That is the process we are starting today; that the House of Commons will pass the resolution, and we are hopeful Members of the other place will do the same, as will seven Provinces with 50 per cent of the population, whenever they have passed a similar resolution in their legislative assemblies, which will result in the amendment being enshrined in our Constitution.

We are pleased that Provinces latterly have come to the position we took in the Committee and that they themselves, including the Province of British Columbia, in a unanimous resolution, I understand—there is also one being proposed in the Manitoba Legislature by the PC Opposition—have agreed that we now enshrine property rights in the Constitution.

All we are asking today from the Government is fair play. All we are asking of the Government is to put action to its words. All we are asking of the Government is to restore the historical value that people have always placed on property. Lastly, we have even given the Government an opportunity to escape the evaluation of the people of Canada through an election by accepting the proposal I have made.

**Some Hon. Members:** Hear, hear!

**The Acting Speaker (Mr. Blaker):** Questions, comments.

**Mr. Nielsen:** Do you accept the offer?

**Miss MacDonald:** Is the Minister of Justice (Mr. MacGuigan) not accepting our offer?

**The Acting Speaker (Mr. Blaker):** Debate. The Hon. Member for Richmond-South Delta (Mr. Siddon).

**Mr. Thomas Siddon (Richmond-South Delta):** Mr. Speaker, the Hon. Member for Provencher (Mr. Epp) has put the resolution before the House this afternoon, but I would like to broaden to some extent the reasons why we in the Progressive Conservative Party now feel it is timely and essential that the offer made in the House by the Prime Minister (Mr. Trudeau) be accepted and supported by Members of all three Parties in the House.

I would like to refer to exchanges that took place in the House earlier this month. I shall quote from the undertaking which the Prime Minister made to Members present during