

*Bell Canada*

**Hon. Gérard Pelletier (Minister of Communications):** Mr. Speaker, I do not intend in this debate to stand up for Bell Canada and its claims. Nor is it my intention to stand up for the decision made by CTC nor the commission itself, the very simple reason being that the decision was made exactly three and a half days ago and out of those three and a half days two were non-working days. I think that the opposition and my own colleagues would have every reason to find me extremely presumptuous and question the soundness of my remarks if I ventured to stand up for or condemn the decision when all hon. members of this House barely had time to peruse the document.

This is why I am somewhat surprised to see the opposition express its views in such a firm and categorical way when it is a document, as I say, that nobody has had time to examine in depth; if somebody did have time to do so in the period of time available to us the analytical faculties of that man would have to be proclaimed as those of a genius.

What I would like to deal with, Mr. Speaker, is the resolution addressed to the government urging it to act immediately by way of the exceptional powers which are found in the statutes and whose existence nobody in this House will deny, of course.

It is to this subject that I would like to devote most of my time tonight because this haste to tell the government: Cancel, suspend, rescind or modify this decision which you hardly had time to read, seems most suspect to say the least.

In this House and in this Parliament we have a tradition of which I would like to remind hon. members. The opposition has unduly often reminded us of this tradition over the few years I have been there. This tradition, which is the expression of Parliament's will, consists in requiring from the executive power that it respect the independence of constituted bodies, especially quasi-judicial bodies.

I say "especially" because the opposition has always been extremely touchy in the area of executive power interference even with bodies not of quasi-judicial nature. For instance, I am thinking about the charges or suspicions which have been expressed more than once when someone feared or pretended to fear that the government had tried to interfere with the decisions of the Canadian Broadcasting Corporation, for instance, of the Canadian Radio-Television Commission or even of the Art Council.

The opposition has always shown paradoxical positions. On the one hand, they ask questions and urge the government to act, as the hon. member for Lanark-Renfrew-Carleton (Mr. Dick) just did. They blame the government for its lack of action one and a half working days after the decision has been published and, on the other hand, with this splendid paradoxical position, if the government is so unfortunate as to voice one single critic against quasi-judicial bodies, similar clamours arise from the opposition but this time in a reverse direction. They then tell the executive: Hands off; those are bodies whose freedom is extremely dear to this Parliament, whose independence has been established by Parliament and the government should not tamper with it.

[Mr. Beaudoin.]

I am surprised to hear shouting from that corner—I do not know where it came from exactly—because when I think, for example, about the protests at the slightest suspicion or at the least indication of governmental intervention in the administration of the Canada Council or the CBC, it is certainly, and I congratulate them, our friends from the New Democratic Party who tried the hardest to prevent an action of this type.

[English]

**An hon. Member:** You are throwing in a lot of red herrings.

[Translation]

**Mr. Pelletier (Hochelaga):** I do not know what the hon. member wants with his red herrings, Mr. Speaker, but if he only came back from fishing, we might go on with the discussion.

Actually, at the CRTC, for example—and I want to make it very clear—even though the government is authorized to issue guidelines to that agency, within certain limits set out in the act, to my knowledge, in four years and a half to five years it has done so only four times and those guidelines were all likely to gain the support of all members.

The first guideline, it will be remembered, was designed to bring back to Canada certain radio and television stations, and cablevision companies.

The purpose of the second was to force cablevision companies to reserve a channel for educational television and another for community television.

The third as applied to educational television, gave the provinces authority, if they themselves were creating independent corporations for this purpose, to hold broadcasting licences.

• (2050)

I am convinced that this tradition, this respect for the independence of commissions having quasi-legal status, for independent agencies created by this Parliament, is one from which Parliament has no intention to depart.

I shall now come to the second part of my argument to show hon. members how irregular it would be to force the government, and for the government to accept this constraint, to suspend, alter or reverse, a day and a half after its release, a decision following almost a month of public hearings and a month of deliberation by the Commission itself. And apparently we are being asked tonight to take, in two or three days, a decision which is *per se*, and I emphasize this point, an exceptional one. Because of course, upon reading the Act which contains the section which the hon. member for York South (Mr. Lewis) read out a little while ago, it can be seen that this Act provides for very general acceptance, without amendment, of the Commission's decisions.

This power of the executive to suspend, amend or rescind decisions is obviously exceptional.

As I said this afternoon, when answering a question by the hon. member for York South, it would be quite unusual for the executive to use these powers unless such an intervention is justified by a very serious reason. I gave two examples which to me would be reasons—