

Order Paper Questions

Private Bills and Standing Orders, tabled in the House on Friday, May 13th, 1983, be concurred in.

Motion agreed to.

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[English]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. David Smith (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 4,404, 4,415, 4,774 and 4,850.

[Text]

EMERGENCY PLANNING ORDER**Question No. 4,404—Mr. Mitges:**

1. Did the Cabinet give directives to all Departments to implement any or all parts of the Emergency Planning Order, passed as Order in Council P.C. 1981-1305, and, if so, to what extent has (a) the Department of (i) the Solicitor General (ii) Agriculture (iii) National Defence (iv) Employment and Immigration (v) Communications (vi) Energy, Mines and Resources (vii) Industry, Trade and Commerce (viii) Transport (b) the Prime Minister's Office implemented the provisions of the Order?

2. Does the Government plan to introduce legislation to enact the Order and, if so, on what date?

3. Did the Government receive any legal opinion from Department of Justice lawyers or from lawyers outside the Government that implementing the Order without first having passed appropriate enacting legislation through Parliament may be "extra legal" or illegal?

4. Has the Government sought legal advice as to whether or not the Order conflicts with the newly proclaimed Charter of Rights and Freedoms and, if so, what was such advice?

Hon. Yvon Pinard (President of the Privy Council): I am informed by Emergency Planning Canada and by the Departments named below, respectively, as follows:

1. Order in Council P.C. 1981-1305 directs Ministers to prepare emergency plans to respond to those peacetime or wartime emergencies that are within or directly related to their areas of responsibility. The Order is an administrative tool only which assigns responsibility for the preparation of plans. It does not authorize the implementation of action pursuant to those plans.

(a) (i) The Ministry of the Solicitor General has reviewed all its existing contingency plans, formed an intramilitary steering committee and a working group, whose tasks are, in consultation with other concerned departments and agencies, to modify, update or develop where necessary contingency plans for all possible types of emergencies within or directly related to the Ministry's area of responsibility.

(ii) In the Department of Agriculture, the limited currently available staff participates in international and national planning related to the new responsibilities.

(iii) In the Department of National Defence, a draft has been completed for review by senior management of updated resource allocation guidelines to permit expeditious and proper allocation of funds during periods of emergency or increasing international tension.

The Department has assisted a number of other federal Government departments in preparing their respective planning documents which could, in an emergency, lead to the establishment of National Emergency Agencies.

In addition, DND continues to: participate in exercises testing, inter alia, the adequacy of its defence plans in the event of an emergency; maintain emergency Government accommodation and facilities for which it is responsible; support the civilian Radiological Defence (RADEF) System; and operate and maintain the Canadian Forces Warning and Reporting System, including support for that portion of the CFWRS (i.e., sirens) which warns the public in the event of an attack until such time as the Department of Communications develops an alternative public warning system.

(iv) In the Department of Employment and Immigration Canada (EIC), updated Emergency Planning guidelines have been prepared and were distributed throughout EIC during November, 1982. They provide advice and guidance on planning for emergencies at the local, community level.

(v) The Department of Communications has a number of emergency response programs in existence related to their area of responsibility. They were largely developed as a reaction to P.C. 1965-1041 but fit the requirements of P.C. 1981-1305. They range in completion levels from 10 per cent to 80 per cent.

Documentation expanding on Part I of the Emergency Planning Order specifying the role, functions and structure of the National Emergency Agency for Telecommunications has been completed to final draft form. The release of this document in the near future will initiate expanded department emergency planning and co-ordinating activities.

Some policies, procedures and regulations applicable under the National Emergency Agency for Telecommunications are completed in draft form and others are under development.

The Department has completed studies and made recommendations for a National Warning System which has been approved by the Interdepartmental Committee on Emergency Planning.

The preparation of plans for telecommunications censorship await development of over-all censorship policies.

(vi) The Department of Energy, Mines and Resources has prepared and approved a three-year program to develop plans for the establishment and operation of a National Emergency Agency for Energy. This agency would be activated only in the event of a declared emergency. In addition, this planning includes making necessary arrangements so that the NEAE will be able to operate effectively within 30-days notice. The program is progressing on schedule.

(vii) In the Department of Industry, Trade and Commerce/Regional Economic Expansion, one Emergency Planning officer has been hired to meet the Minister's national and international planning responsibilities to the extent possible.