

**Mr. Riis:** Remember the softwood deal.

**Miss Carney:** Our problem is when we believe that they are unfairly applied. Canada wins more anti-dumping cases against the U.S. than the U.S. does. We want to preserve that right. What we have done is to agree that during the period we develop this new law—that has never been done anywhere—we will each use our own laws and we will have binding impartial review to ensure that the application of the trade laws in both countries is fair.

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

**Mr. Tobin:** Mr. Speaker, I hope the Minister will not mistake the applause of her colleagues for the approval of the people of Canada. I can't say she was worth waiting for because she has just now formally admitted in the House of Commons that Canada, quoting her own criteria and the Prime Minister's, did not get a binding dispute resolution mechanism.

**Some Hon. Members:** No.

**Mr. Tobin:** In fact Canada continues to be subject to U.S. trade law.

#### SCREENING OF BUSINESS INVESTMENTS

**Mr. Brian Tobin (Humber—Port au Port—St. Barbe):** Mr. Speaker, I ask another direct question. The U.S. trade representative said in his briefing document this morning with respect to investment:

—Canada commits to make permanent its recent policy of not screening new business investments and it agrees to reduce screening of direct acquisitions”—

Does the Prime Minister intend to make permanent his Government's investment policy when in so doing he will deny the right of future administrations and future Parliaments to exercise, in a sovereign manner, any Government's right to make investment policy? How does he intend to do that?

**Hon. Pat Carney (Minister for International Trade):** Mr. Speaker, the reasoning behind this is not to discourage new investment. This country likes new investment. Trade needs new investment. One of the things that we have agreed to do is to phase up the thresholds for monitoring direct investment over time. Those levels will increase.

**An Hon. Member:** After three years there will be no review.

**Miss Carney:** It is our hope that billions of dollars of new investment will come into Canada. The fear of the Americans, that driving fear of the Americans, is that a future Government will reimpose those terrible investment controls that led to the outflow of investment money in this country.

**Mr. Axworthy:** Right.

**Miss Carney:** Should any future Parliament wish to get away from this, it can break the treaty.

#### Constitution Amendment, 1987

**Mr. Axworthy:** Tell us how you can bind us.

**Mr. Speaker:** I regret to advise the House that we are now well over the time for Question Period. I hope that the Hon. Member who is rising will be able to rise tomorrow, and I will be very pleased to recognize her during Question Period.

## GOVERNMENT ORDERS

[English]

### THE CONSTITUTION ACT, 1867

#### CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

#### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and  
(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures