

followed in other jurisdictions, it is commonplace that the explanations be given when the departments of justice in other jurisdictions have indicated that the actions of governments were *intra vires* and when serious questions were raised as to delegate legislation.

We have also proposed that amendments be made to make things more simple for the fisheries department, which has a particularly difficult situation. In the past the committee criticized the whole concept of sub-delegation. We have said that when Parliament delegates power to the agents of Her Majesty, that that power cannot be sub-delegated to make laws which affect the rights and privileges of people. Yet in the case of fisheries regulations we recognize that such sub-delegation may be necessary. We have asked that special provision be made for the fisheries department because we recognize that it is a special case, one which deserves special attention.

Finally, we have asked, as the Economic Council of Canada also recommended, that the government put in place sunset procedures to ensure that from time to time Parliament reviews the activities of its delegates, so that when programs are put in place by regulation parliamentary committees from time to time can call up those regulations, ask for a report and a review as to whether or not they are achieving the purpose for which they are intended, and whether or not they are doing it the best way possible.

We recognize by and large that those reports would have to be done by the government, but we believe they should be made available to the Parliament of Canada. Parliament does not discharge its responsibilities to the people who sent us here properly if it does not from time to time review the programs it created to ensure that there is a need for them and that the mechanisms in place are still the best means of achieving those purposes.

I am pleased to say that when I was a minister in the Clark government we were working on precisely such legislation which would allow parliamentary committees to call up program evaluations or to insert clauses in legislation to ensure that they were either lapsing after a certain time or were brought back before Parliament for review to ensure that they were still valid, necessary and achieving the purpose for which they were intended.

There is nothing in these recommendations which should be viewed in a partisan light. The issue is not one of the rights of government versus the rights of the opposition. The issue we are discussing today relates to the rights of the people of Canada and to the responsibility of Parliament. They go to the heart and the substance of the whole purpose of Parliament.

If our role increasingly in the future is to be simply to pass broad enabling legislation which gives the government the power to do whatever it wants at its convenience, then we might as well send this Parliament home because we are not doing our jobs; we are not doing what we were asked to do. This is why it is essential to have a full debate on this issue today and that it be concluded with concurrence in the report. This is why it is essential that we not wait any longer. After one year, how much longer need we wait to have a substantive

Committee Reports

response? If parliamentary committees are to be taken seriously and are to function in the way intended by Parliament, how long must Parliament and the people of Canada wait before receiving a substantive response from the government as to its recommendation? How long must we wait when we bring to the attention of Parliament the fact that present procedures are subverting the purposes of Parliament itself? How long must we wait before action is taken to correct those activities and to ensure that Parliament can discharge its responsibilities properly?

Canadians of all ages have an interest in the debate which is taking place today. Perhaps the debate is more fundamental than any other debate which will take place in this Parliament. It goes to the issue of the role of Parliament itself, to the preservation of our democratic institutions and to the protection of the rights of Canadians. Other issues with which we deal, be it the Constitution, the economy, agriculture or pensions, are vital issues affecting Canadians which deserve serious consideration by Parliament. But this is an issue which revolves around the role of Parliament itself and the preservation of our democratic system of government. It is one which deserves Parliament's attention today. It is one which deserves serious attention by the government and fast action; not more studies, not more reports, not more committees. It deserves more action in terms of legislation being tabled in Parliament and in terms of agreement by hon. members on all sides of the House to the recommendations in this report.

● (1540)

We believe that our report is essential and should be acted upon. We commend the members of the select committee for the recommendations which they have made. We believe that the government would be well advised as well to act on its report and to act upon some of the recommendations included in the Economic Council's reports.

But we say that our report stands on its own, that it is complementary to the other reports. It merits consideration and concurrence today. It merits action from the government without further delay. Canadians expect no less of us. Surely this is the action which should be taken by our Parliament before we recess for the summer break.

I call upon the government to ensure that today, before the day's end, there is a full and complete debate on this report. I call upon the government to allow members from the New Democratic Party, from its own side and from my side of the House to be heard on this non-partisan issue. It is an issue which affects all Canadians. It is one in which the government has a responsibility to show that it is serious, that it respects the rights of Canadians and that it respects the role which Parliament must be playing.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette).