

Designation of Ministers

Mr. Nielsen: Madam Speaker—

Madam Speaker: Order, please. I cannot hear two points of order at the same time.

Mr. Clark: You don't have one now.

Madam Speaker: The minister rose on a point of order, and I am listening to his point of order.

[*Translation*]

Mr. Pinard: Thank you, Madam Speaker. Having risen on this point of order, I believe it is necessary to provide some clarification and allay the ill-founded fears of the Leader of the Opposition, his House leader and his former House leader.

He implied that the new ministers of state were acting more or less illegally, and I immediately referred him to the Government Organization Act, 1970, and related matters. I invited him to look at the relevant provisions, to read them very carefully and to have them explained if necessary. I shall, if I may, add further clarification. I am referring to Chapter 14, Sections 13 to 24, of the *Revised Statutes of Canada*, 1970, 2nd Supplement. Two things are regulated under this act. First we have the creation of ministries of state, usually followed by formal appointment of ministers responsible for the new ministries. Such decisions require the approval of Parliament. In order to properly interpret an act, we must read all its provisions, and reading further, we find that Section 23 is concerned with the second type of action, namely, the appointment of ministers of state with the responsibility of assisting other ministers. Thus, we have here two distinct types of decisions: 1. the creation of new ministries of state, which requires the approval of Parliament; 2. the appointment of ministers of state with the responsibility of assisting other ministers, which does not require parliamentary approval.

As a result of the latest reorganization announced by the Right Hon. Prime Minister of Canada (Mr. Trudeau), two cases were raised by my colleagues opposite, concerning Mr. Lapointe and Mr. De Bané. Mr. Lapointe was appointed Minister of State under Section 23, with responsibility for assisting the Minister of Industry, Trade and Commerce in matters relating to tourism. There is also the case of Mr. Lumley, who was appointed Minister of State under Section 23 with responsibility for assisting the Minister of State for Industry, Trade and Commerce (Mr. Gray), and we had Mr. De Bané, who was appointed Minister of State under Section 23 of the same act, with responsibility for assisting the Secretary of State for External Affairs (Mr. MacGuigan). However, it has become regular practice, a practice that was in fact followed by the Leader of the Opposition when he was Prime Minister—

Madam Speaker: Order, please! I am very much tempted to interrupt the minister. He rose on a point of order to provide

clarification that was requested yesterday. That is fine. If there is a brief exchange and it takes place in a normal fashion on both sides of the House, I think I can allow it to continue. But if the minister intends to discuss the subject at length, I am sorry, but I feel a fairly short statement would settle the matter quite satisfactorily. If the minister intends to be brief, I shall allow him to go on. Otherwise, I shall have to ask him to find some other procedure for providing the information he wants to give to the House.

[*English*]

Hon. Erik Nielsen (Yukon): May I speak to that point, Madam Speaker?

Mr. Pinard: Madam Speaker—

Mr. Nielsen: Madam Speaker, I submit to the Chair that it has always been the practice that when extensive changes, or even minor changes, are made in the ministry the Prime Minister makes a statement on motions which then can be responded to by opposition parties. I suggest to the government House leader in all sincerity, and in a spirit of co-operation, that this kind of thing should have been done in this instance, and could still be done, on motions, and that would be the proper way.

[*Translation*]

Mr. Pinard: Madam Speaker, I was recognized on a point of order. I intend to be brief and to finish my statement in a few moments. I am merely answering a request for clarification of a matter that was raised yesterday. In concluding, I simply want to say that the procedures criticized by my colleagues opposite were in accordance with Section 23 of the act I just mentioned. The procedure consisting in creating new ministers of state will be subject to parliamentary approval, but meanwhile, the situation is as follows: Mr. Gray is Minister of Industry, Trade and Commerce and Minister of Regional Economic Expansion, as shown on the list appended to *Hansard*, and Mr. Lumley and Mr. De Bané are Ministers of State, each with specific duties designated as is customary and as the Leader of the Opposition did himself when he was Prime Minister.

Finally, Madam Speaker, until legislation is passed to ratify the creation of new ministries of state, the ministers are designated as they appear in *Hansard*, to which reference was made yesterday during the debate on this subject. I should like to say once and for all that there is nothing illegal about all this. The procedure is based on the legislation in question, *Revised Statutes of Canada*, 1970, Chapter 14, Sections 13 to 24, and in the case of ministers of state with responsibility for assisting other ministers, they were appointed under Section 23. The latter procedure does not require parliamentary approval, and I hope I have succeeded in taking away any lingering doubts among my colleagues opposite.