authorities granted by the Act, supervisions which would be carried out both by the courts and by Parliament.

Finally, there are several changes which enhance the regime for providing redress to those individuals who, in the confusion and upheaval which inevitably would accompany a national emergency, might have suffered loss or injury as a result of measures taken by the Government in dealing with the emergency.

Without in any way intending to minimize the contributions made by any of the witnesses who appeared before the committee, I would like to single out three important Canadian organizations which gave very serious thought to this Bill and submitted briefs which were clearly the result of pooling the insight and experience of many individuals, people who are genuinely concerned about the impact that this important Bill would have on the future of Canada.

These three organizations are the Canadian Civil Liberties Association, the Canadian Bar Association, and the National Association of Japanese Canadians. A comparison of the recommendations in their briefs with the specific amendments incorporated into the Bill gives clear evidence of the contribution which these three organizations have made.

I would like to review in a little more detail some of the key amendments in each of the three categories to which I referred a moment ago. I referred earlier to the legacy of shame which we share because of the regrettable action taken against Japanese Canadians during World War II. Our legal advisors assured us that with the safeguards we had built into Bill C-77, coupled with the Canadian Charter of Rights and Freedoms and the complex legal structure which has been put in place to implement the Charter, we could be 99.9 per cent sure that no conceivable situation could arise in which Bill C-77 could be used to empower a future Government to do anything resembling what was done to the Japanese Canadians.

However, I am sure that all Members of this House will agree with me that 99.9 per cent is not good enough. We want to be 100 per cent sure on this point. Hence the Government proposed, and the committee adopted, an amendment which states clearly and unequivocally that Bill C-77 does not empower the Government to make orders or regulations providing for detention, imprisonment, or internment of Canadian citizens or landed immigrants on the basis of race, nationality or ethnic origin, colour, religion, sex, age, or mental or physical disability. When Bill C-77 is passed, Mr. Speaker, we will have removed the last vestige of the legal underpinnings to that regrettable episode of Canadian history.

As correctly pointed out by many of the witnesses who appeared before the committee and by others who have commented on this Bill, the question of definitions is crucial. These have been gone over very carefully and I am confident that the definitions now in the Bill state as accurately and as clearly as can be done the intended scope of the Act in each of its four parts.

The definition of "national emergency" as now formulated captures the four elements common to all the proposals put to the committee. It represents the distilled consensus of the collective wisdom of the highly qualified people whose advice we were fortunate to receive. The four elements incorporated in a new definition of national emergency are; first, the notion of urgency; second, the temporary character of the abnormal situation; third, the inadequacy of the normal legal framework; and finally, the presence of a serious threat, either to the security of the country as a whole, or to public safety in circumstances which exceed provincial capabilities.

• (1150)

To qualify as a national emergency, all four elements must be present. In addition, the situation must meet the more detailed characteristics of one of the four particular types of national emergency as defined in each of Parts I through IV, and only those powers relevant to that class of emergency will be available to the Government. All of the definitions of the four types of emergencies have been tightened up by amendments.

With regard to the particular powers, permit me to enumerate some of the more important changes that have been made to limit more precisely the scope of the powers: Travel restrictions in Part I are now confined to those necessary for the protection of the health and safety of individuals. Use of Part I to terminate a labour dispute is now specifically excluded. Part II powers over public assembly are now confined to assemblies that may be reasonably expected to lead to a breach of the peace. Part III, search and seizure powers, are now confined only to the narrow requirements related to enforcing laws dealing with the defence contracts in order to prevent abuses, such as profiteering. Censorship is now explicitly excluded in Part III powers. All powers of Part I through III are to be exercised in a way that will not unduly impair the ability of a province to deal with a provincial emergency; and the powers of all parts are to be exercised with a view to obtaining the maximum possible concerted action with the provinces.

Let me now turn to a second general category of amendments. Several important changes have been made to enhance the manner in which the Government's use of the Act will be overseen by the courts and by Parliament. Perhaps the most important of these is the change in wording in about 20 subsections to ensure that judgments made about the necessity for exceptional measures must now be based on "reasonable grounds" rather than the unqualified "opinion" of the Governor in Council. This change means that all important decisions by the Governor in Council relating to the invocation and use of the emergency power will be challengeable in the courts.

I cannot emphasize too strongly how important this new approach is to the assurance of full protection of fundamental rights and freedoms. The continued application of the Charter,