

Canadian Centre on Substance Abuse Act

Mr. Nunziata: Madam Chairman, I have a question or two on the reporting procedure under Clause 31. It indicates that the chief executive officer shall, within three months after the financial year of the centre, submit to the board a report. It indicates that the report should be available to the public at the principal office of the centre and then it says that a month after that, the Minister of National Health and Welfare would be provided with the report. This seems to suggest that the public will get a copy of the report before Parliament, and then the Minister is required to report to Parliament. Why is the reporting procedure laid out in the way it is? Would the Minister not agree that it would be far more beneficial to have the board report directly to Parliament without all these intervening steps?

Mr. Epp (Provencher): Madam Chairman, I believe the Minister of National Health and Welfare is responsible, under the Financial Administration Act, for the moneys that flow under this legislation, if passed, and therefore I am responsible for its reporting and also answerable to Parliament through that reporting mechanism, and this is parallel to other reporting mechanisms.

The Assistant Deputy Chairman: Shall Clause 33 carry?

Some Hon. Members: Agreed.

Clause 33 agreed to.

Clause 34 agreed to.

The Assistant Deputy Chairman: I believe the committee should now go back to Clause 8.

On Clause 8—*Appointment to the Board*

Mr. Epp (Provencher): Madam Chairman, I have asked for a further check on whether Clause 8 in fact meets the requirements of Members opposite and the intentions of the Government. Standing Order 96 refers to powers of standing committees and reads:

Standing committees shall be severally empowered to examine and enquire into all such matters as may be referred to them by the House, to report from time to time, and except when the House otherwise orders, to send for persons, papers and records, to sit while the House is sitting . . .

(2) The standing committees, except those set out in sections (3) and (4) of the Standing Order shall, in addition to the powers granted to them pursuant to section (1) of this Standing Order and pursuant to Standing Order 82(15), be empowered to study and report on all matters relating to the mandate, management and operation of the department or departments of government which are assigned to them from time to time by the House. In general, the committees shall be severally empowered to review and report on:

(a) the statute law relating to the department assigned to them;—

I understand from that that while it is at arm's length, the committee and specifically Parliament through the committee can in fact review those appointments.

Ms. Copps: Madam Chairman, that is absolutely false. Of course, any committee is empowered to subpoena anybody under any circumstance, but the principle of review of appointments has been endorsed as it relates to Order in Council appointments. Clearly the appointments are not Order in Council appointments and they are not automatically referred.

Obviously the Minister must realize that making an order of the nature he is suggesting under the Standing Order he related would only occur in the case of a national emergency on an issue and would probably then not be passed. The point that was made is that while we appreciate the fact that the executive board is reviewable, we feel that all positions should be reviewable by a parliamentary committee and we are sorry that the Minister chose to derogate from the principle of parliamentary review of all appointments in relation to the nine directors. We feel that they should also be reviewed by Governor in Council and we feel that would be a very easy amendment for the Minister to choose to make.

Mr. Hawkes: Madam Chairman, as a former committee chairman, I think the important principle coming out of parliamentary reform is that significant appointments made by the Government, decisions made by the Cabinet, appear in *The Canada Gazette* and there is an automatic ministerial reference to the House of the named individuals and a further responsibility to provide résumés and things to assist the committee in its work. In a number of statutes, there are other kinds of groups that are appointed by the board itself. There is quite often a power to set up subcommittees of the board to appoint people to the board to do certain tasks. There are generally appointment powers for all kinds of Crown corporations and other organizations.

The members of the Parliamentary Reform Committee and the Members of this House, in the revision of the Standing Orders on the issue of permanent reference, gave committees not just the power but the responsibility to review all matters which fall on the administrative side as well as the policy side.

• (1600)

We are dealing here with an administrative matter. The appointment of board members by the board itself is an administrative matter in the hands of the board and not in the hands of the Government. I think it would be appropriate for the members of a standing committee, in this case the members of the Committee on National Health and Welfare, to consider whether or not they want to examine the board's behaviour, and that takes them to the issue of the nine members that it is possible to appoint under this statute.

Under the clauses of this Bill the Government is responsible for notification of the House and committee of all of the board decisions which the Government makes. That is consistent with the other statutes that we have had in recent times. However, it is up to the committee itself, under Standing Order 96, to look into administrative matters of the board which would include the board's power to appoint an additional nine people. I think it would be a mistake to change this clause.

Ms. Copps: Madam Chairman, obviously that is within the power of the committee. I am willing to lodge our protest and have this clause pass on division. We are talking here about the