

Government Orders

If this law is passed as is, if the Senate in its wisdom decides not to amend this legislation, then it will be somewhat difficult for someone to obtain the complete details of any sale of federally owned land, for example. That is a major omission in this bill. There is no central depository to provide readily accessible information on the federal government's property transactions.

I would like to refer to clause 4. It reads as follows:

Subject to any other Act, no sale, lease or other disposition of federal real property shall be made and no licence shall be given in respect of federal real property except in accordance with this Act or on the authority or direction of the Governor in Council.

In other words, all federal government property has to be disposed under the provisions of Bill C-3 unless there is another piece of legislation. I referred earlier to several examples: the Indian Act, the Territorial Lands Act, the Canada Petroleum Resources Act, et cetera. If those bills do not deal with the disposition of land then this bill will.

The bill defines real property in clause 2. It says:

"real property" means land whether within or outside Canada,—

Therefore a property owned outside Canada, for example our embassies abroad or other official residences abroad, comes within the mandate of this particular bill.

—including mines and minerals, and buildings, structures, improvements and other fixtures on, above or below the surface of the land, and includes an interest therein.

We are not only talking about the sale of land but also about leases. We are also talking about property, defined in a liberal sense. It includes any structures, improvements or other fixtures on, above or below the surface of the land.

We then turn to clause 16 to find out what this all means. Clause 16 is entitled *Powers of Governor in Council*. We know that the Governor in Council is the cabinet. The Prime Minister and ministers of the Crown together are known as the cabinet.

Clause 16 provides the power that will be given to the cabinet, the Prime Minister and the ministers of the Crown in dealing with the disposition of federally owned land.

Subclause 16 (1) refers to the cabinet and reads as follows:

Notwithstanding any regulations made under subsection (2), the Governor in Council may, on the recommendation of the Treasury Board—

And the minister responsible for the Treasury Board. It continues:

—in accordance with such terms and subject to such conditions and restrictions as the Governor in Council considers advisable,

The bill goes on to list about a dozen or more different powers that the cabinet would have. The main power or the main jurisdiction is in paragraph (a). The cabinet may:

—authorize the sale, lease or other disposition of any federal real property for which sale, lease or disposition there is no provision in or under any other Act;

What does that mean?

Mr. Lee: A back room deal.

Mr. Nunziata: My friend from Scarborough talks about a back room deal. That is exactly what this bill would allow. Let me give an example.

• (1340)

If the government in its wisdom—and there is some question as to the amount of wisdom this government has these days because of its philosophy to sell, sell, sell government assets, in effect to sell out the country—decided to sell Pearson International Airport in Toronto to the private sector, to developers, could it?

We have to determine first whether Bill C-3 would apply to such a sale. If we look at what acts of Parliament are excluded from this particular legislation, the National Parks Act does not govern Pearson International Airport, the Indian Act does not govern Pearson International Airport, the Territorial Lands Act does not, the Canada Petroleum Resources Act does not, and the Fishing and Recreational Harbours Act does not. Presumably then Bill C-3 would apply if passed into law.

Bill C-3, clause 16, says that the cabinet may authorize the sale, lease or other disposition of any federal real property for which sale, lease or disposition there is no provision in or under any other act. Therefore the cabinet would have the go-ahead, the green light, to consummate a back room deal with whomever it pleased. There would be no debate in the Parliament of Canada over the disposition or sale of Pearson International Airport or any other airport in Canada or any other real