

**Senator Phillips:** —I will discontinue this line of questioning.

**Hon. Mr. Gillespie:** I will be pleased to provide the honourable senator with as much information as I can. I think that I will be able to satisfy him on those points. As I understand it, he wants information on the export of products such as gasoline, middle distillates, heavy fuel oils, from eastern—defined as Atlantic and Quebec—refineries during 1978 under permit from the National Energy Board?

**Senator Phillips:** Yes; and, if I may, the 1979 permits?

**Hon. Mr. Gillespie:** And 1979? I will also include those. I will try to provide the information in such a way that the honourable senator will be able to see what was the authorized permit amount and what was actually shipped against the particular permit, because in many cases there have been incomplete shipments against permits.

**Senator Phillips:** I appreciate the minister's co-operation. I do not want to leave the impression that I have left any restriction on my inquiry. I am asking for the whole gambit of information. Does the minister agree to that?

**Hon. Mr. Gillespie:** I acknowledge the honourable senator's caveat.

**Senator Roblin:** Madam Chairman, I should like to deal with another aspect of clause 11 concerning the procedures laid down for the instruction of Parliament and the Senate in dealing with the approval of the arrangement for the mandatory allocation of supplies.

In subclause 11(4) a built-in guillotine is provided whereby the House of Commons must complete its debate on the matter within three days. In subclause 11(8) we find that if, by chance, Parliament is not sitting at the time the mandatory allocation scheme comes in, it will be summoned within seven days; and after it has met, it has to dispose of the matter in 12 hours, which seems to be even more abrupt.

I notice that in subclause 11(9) the same rules *pari passu* seem to apply to the Senate in respect of how it deals with this matter.

I do not know whether this is going to be a feature of legislation in the future, but I notice that in the proposed referendum bill there is a built-in guillotine clause, and I see that in this bill there is a built-in guillotine clause.

I presume it will be urged that it is necessary because that is the way you have to deal with it when there is an emergency. However, that brushes aside at least two considerations. One is that it shows little apprehension that Parliament will be seized of any feeling of emergency, and perhaps little appreciation of the advantages of debate in these matters; and it certainly ignores the fact that if there is an emergency, we have a procedure already enshrined in the rules of both houses to bring the matter to a vote.

So I submit to the chamber that we do not really need these built-in guillotines in this bill. I would propose to amend this section to remove all of them. Therefore, I now propose:

That Bill C-42 be amended

(a) by striking out subclause 11(4) on page 7 and subclause 11(8) on page 8,

(b) by renumbering the remaining subclauses accordingly, and

(c) by amending, where necessary, all references in the Bill to the renumbered subclauses.

In order to save the time of the committee, and as it deals with precisely the same principle, perhaps, Madam Chairman, you would allow me to combine another resolution to the effect:

That Bill C-42 be amended

(a) by striking out lines 31 to 34 on page 8 and substituting the following:

“day as the first order of the day; or”, and

(b) by striking out lines 39 to 42 on page 8 and substituting the following:

“of business.”

I appreciate that reading off these particular matters makes it a little difficult to apprehend, but I merely wanted to assure honourable senators that the substance of the two amendments, which have been drafted for me by counsel, are to the effect that we remove (a) the three-day guillotine with respect to the House of Commons, if it should be in session when the bill is in front of it, and (b) removal of the 12-hour guillotine if it is called back to deal with the matter, should it not be sitting at the time it arises; and, thirdly, that the regulations affecting the passage of the bill in the Senate to the same effect also be dealt with. In effect, I am asking the committee to delete all references to the guillotine.

**Hon. Mr. Gillespie:** As the honourable Senator Roblin, I am sure, is fully aware, this matter engaged the attention of the House of Commons, and I placed on the record the government's reasons for these measures. I will not spend a lot of time on this matter, but I would like to make it very clear why we think these measures are essential. The main reason is that we are dealing with an emergency. We are dealing with a sense of urgency, and in an emergency situation.

The board will be involved with very arbitrary powers, as Senator Roblin has already pointed out. It is going to change contractual arrangements in a whole host of ways across the country. It may be discrete in some respects in certain specific regions rather than in others, and therefore there will be more apprehension in certain regions than in others. There will also be the whole question of the priorities that might be involved, and the arrangements that might have to be made with respect to those priorities under the mandatory allocation program. We feel, therefore, that the sense of urgency brings with it a need for security. To put it the other way round, it would be hard to see how an effective allocation program could be brought into effect in an emergency if there were uncertainty. We must, as far as possible, remove uncertainty so that those who have to make decisions quickly—and perhaps thousands, if not tens of thousands, of contractual relationships are going to be disturbed—can operate with a degree of certainty.