

*Canada-U.S. Free Trade Agreement*

You will recall that on May 7, 1982, after some discussion between the three Parties, the Government finally realized it had transgressed the proprieties and customs of the House and, with consent, withdrew Bill C-93 and split it into two Bills.

Lastly, I come to what was perhaps the most infamous parliamentary dispute involving an omnibus Bill; that was, of course, the deadlock in this place over Bill C-94 in March, 1982, which was intended to implement the National Energy Program. You will recall that Bill C-94 sought to enact or amend some 15 statutes. On March 1, 1982, the Hon. Member for Calgary Centre (Mr. Andre) rose on a point of order to object to the Bill as having been introduced in imperfect form. During the course of his argument the Hon. Member from Calgary Centre suggested the following, as reported at page 15485 of *Hansard*:

This Bill violates a number of those fundamental precepts of Parliamentary law. It is impossible to have a reasonable transaction of public business in an orderly manner when one has this kind of omnibus Bill to consider. It would be a travesty and a precedent of scary proportions to allow this type of Bill to go forward with so many disparate and different items collected together for no other reason than to obfuscate and confuse.

I would concur in full with that observation now as it applies to Bill C-130. In fact, Mr. Speaker, so concerned was the Hon. Member and his colleagues about the threat to parliamentary democracy posed by the omnibus nature of Bill C-94 that they closed down the House of Commons for over two weeks in protest. For many of us, that was a very sad day in parliamentary history in Canada. To make the point, the Hon. Member for Calgary Centre and a number of his colleagues who stormed the Speaker's chair on that black day demanded that Parliament be closed down until the Government came to its senses. As you will remember, Mr. Speaker, the Government of the day did eventually see the wisdom of breaking the Bill into several different items. I hope this Government will exercise the same common sense and respect the rights of Members of Parliament by splitting Bill C-130.

However, recent comments made by my friend, the Minister for International Trade (Mr. Crosbie), leave me doubtful about the prospects for such an initiative by the Government. Indeed, the Minister has taken some delight in telling all who will listen just how the Government intends to ram this Bill through Parliament and, if necessary, impose some form of closure or some form that would limit debate.

Citation 1 of Beauchesne's Fifth Edition reads, in part:

The principles that lie at the basis of English parliamentary law, have always been kept steadily in view by the Canadian Parliament; these are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every member to express his opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.

I submit that Bill C-130 is in violation of these long-standing precepts of parliamentary law. One of the obvious surprises when you begin to study Bill C-130 is the title at the

very beginning. I just referred to Bill C-94, an Act to implement the National Energy Program. The title of that Bill included the names of all different statutes that would have to be amended if that legislation were to be enacted. In other words, the title of the Bill is to send a very clear signal quickly and clearly to all people in Canada on the general scope of the legislation.

In Beauchesne's Fifth Edition, Citation 704, it reads in part:

*Long Title*—The long title sets out in general terms the purposes of the Bill. It should cover everything in the Bill.

By definition, the short title would not do that. The title of Bill C-130 is simply "an Act to implement the free trade agreement between Canada and the United States of America". That, I submit, fails to indicate clearly the full and complete scope of the legislation.

I think, if I may take one moment in closing, the title should clearly indicate and outline the entire scope of the legislation. It ought to mention those particular Acts that will have to be amended if the legislation is to succeed. They would include: the Special Import Measures Act; the Canada Agricultural Products Standards Act; the Department of Agriculture Act; the Bank Act; the Broadcasting Act; the Canadian Wheat Board Act; the Copyright Act; the Customs Act; the Customs Tariff Act; the Excise Tax Act; the Export and Import Permits Act; the Canada Grain Act; the Importation of Intoxicating Liquors Act; the Income Tax Act; the Canadian and British Insurance Companies Act; Investment Canada Act; Investment Companies Act; the Loan Companies Act; Meat Import Act; Meat Inspection Act; the National Energy Board Act; the Seeds Act; the Standards Council of Canada Act; the Statistics Act; the Textile and Clothing Board Act; the Trust Companies Act; and, finally, the Western Grain Transportation Act.

If the Bill were to be submitted in proper and acceptable form, its title ought to have included a reference to all those 27 Statutes that were to be amended by this legislation.

You, Sir, are the ultimate guarantor of the rights of minorities in this Chamber, and it is within your purview to force the Government to withdraw this Bill and bring it back as separate pieces of legislation. The precedent of 1964 which I mentioned in my opening comments clearly establishes your right to do just that.

You must act to preserve the ancient and undoubted rights of Members of Parliament, Mr. Speaker. You must act to ensure a respect for the customs and traditions of this place, and you must act to ensure that parliamentary democracy, as we know it, cannot be pushed aside for the sake of political expediency.

You, Sir, are the first occupant of that chair who owes his position to the direct will of all Members of the House and not simply the Government. This gives you a special responsibility and authority which is perhaps unparalleled in our history. You are truly the Speaker of the whole House. I ask you now