

Pest Control

travesty of justice. It is true there is a purpose attached to the control of products used to keep down pests, and so on. I admit that. But the accomplishment of this purpose is no justification for trampling on the rights of individuals. I have pointed out that this bill goes much further than any narcotics control legislation in empowering an inspector to enter premises when he chooses, at whatever time he thinks is reasonable, without fear of obstruction by anyone. I remind hon. members that the inspector does not require a warrant. All he has, according to the minister, is means of identification. So what? Does this constitute *carte blanche* to enter any man's premises at any time the inspector considers proper?

Then, we come to this—talk about setting up one individual to act as judge, jury and prosecutor roled into one! The Governor in Council, in other words, the minister, is empowered by clause five of this bill to make all sorts of regulations. But the measure does not provide for the publication of these regulations. The minister said that as long as he is minister they will be published. But he doesn't know whether he will be minister a month from now. The parliamentary secretary may not know this—the minister did not know it—but there is power under the Regulations Act to suspend the publication of any regulation. This is the difficulty we are getting into following the assumption of absolute powers.

● (4:30 p.m.)

There was to be an appeal procedure. I must say that, having reread *Votes and Proceedings* for May 1, which contains the amendment proposed by the other place, I do not know what got into the members of the other place that they should take the so-called appeal procedures or review procedures of the Hazardous Products Act as an example to make changes, *mutatis mutandis*, to this bill.

I suggest this proposed board of review constitutes a complete travesty of justice. There is nothing in the Hazardous Products Act that obligates the minister in any way, with the exception of publishing the report of the board of review. Even though the minister and his officials had trampled on peoples' rights, the minister could, without accounting to anybody, simply carry on as he saw fit, ignoring the board of review. That was not acceptable to the minister, and I say thank goodness it was not. I think the review provisions in the Hazardous Products Act are an even greater travesty of the rights of

[Mr. Lambert (Edmonton West).]

individuals. That particular provision is completely and utterly unjust.

I see the Minister of National Health and Welfare (Mr. Munro) shaking his head. If he will read this bill with the attention that a lawyer, which he is, should give it, he will see the powers that are given to the Governor in Council. Let us just observe what the bill provides. In clause 5 (d) the Governor in Council may make regulations respecting the registration of control products and of establishments in which any prescribed control products are manufactured, and may prescribe the fees therefor. There is nothing new there. I agree with that provision; I think the Governor in Council should have the power to determine such matters, and should be given the procedures to do so.

The Governor in Council is responsible for the actions of the minister and his officials. The bill provides that the minister or his officials are responsible for regulations respecting the procedures to be followed for the review of cases that involve the refusal, suspension or cancellation of the registration of any product or establishment.

There is no reference to the actions of inspectors, you will note, Mr. Speaker. An individual is put completely at their mercy. He cannot even complain about the conduct of inspectors; the bill merely refers to the refusal, suspension or cancellation of the registration of a product or establishment. There is absolutely no relief given in regard, for instance, to the destruction of any product which might subsequently be determined by the board of review not to be a product the registration of which should have been cancelled or suspended. Under this bill an inspector could simply order destruction.

Let me refer the house to clause 9 (2), which provides:

Any control product seized and detained pursuant to subsection (1) shall not be detained after
(a) in the opinion of an inspector the provisions of this act and the regulations have been complied with,—

Although an inspector may release certain products, he can order their destruction.

—(b) the owner agrees to dispose of such control product in a manner satisfactory to the minister—

In other words, he agrees to destroy them.

No guarantee is given that the minister or his officials shall be bound by any review decision. What exactly does the review entail? I suggest the Minister of Agriculture (Mr. Olson) is asking this house to buy a pig in a poke, because absolutely no indication is