

really call by asking only for consultation and reporting. Because it does not commit the private sector, Government Departments and all employers to that kind of program, there are these weaknesses in this Bill which have concerned us so much since it was tabled in the House.

The second clause to which we are addressing ourselves is a clause which provides for the possibility that employment equity programs might be invalidated by other statutory provisions. Here there is an even clearer case for support of the amendment put by the Hon. Member for Notre-Dame-de-Grâce—Lachine East. If there is one thing that a Government can do to render a Bill weak and quite possibly useless for the purposes it is intended to achieve, it is the inclusion of that sort of a clause. Surely it is an open invitation to the lawyers of the country to hunt through the statute books to come up with provisions they can use in legal challenges to affirmative action or to employment equity proposals. For that reason it is important to follow the line which the Hon. Member put forward in this; to strike it out and replace it with the following: "except those in conformity with the Canadian Human Rights Act". It is particularly important because a clever lawyer can seek to argue that employment equity proposals and plans themselves involve us in discrimination.

● (1210)

Because the Canadian Human Rights Act deals explicitly with that, and ensures that such action plans do not involve discrimination, it becomes important to include this amendment in the Bill so there is not an expedition or hunt through the statute books to come up with ways of invalidating plans, and to ensure that genuine employment plans, supported by the principles of the Canadian Human Rights Act, will in fact be implemented. In both cases we have amendments of real value. I trust Government Members are listening and thinking carefully, and will in fact be prepared to give their support to both these amendments.

The Acting Speaker (Mr. Charest): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Charest): The question is on Motion No. 12A standing in the name of the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand):

Motion No. 12A

April 7, 1986—That Bill C-62, be amended in Clause 4 by striking out line 30 at page 2 and substituting the following therefor:

"ing agent, or with such persons as have been designated by the designated groups to act as their representatives, implement employment equity by".

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Charest): All those in favour of the motion will please say yea.

Employment Equity

Some Hon. Members: Yea.

The Acting Speaker (Mr. Charest): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Charest): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Charest): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[Translation]

Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Charest): The question is on Motion No. 14A. Mr. Allmand, seconded by Mr. Gauthier, moves:

That Bill C-62, be amended in Clause 4 by striking out line 33 at page 2 and substituting the following therefor:

"except those in conformity with the *Canadian Human Rights Act*, that results".

[English]

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Charest): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Charest): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Charest): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Charest): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred. We will now proceed with Motion No. 16A.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East) moved:

Motion No. 16A

That Bill C-62, be amended in Clause 4 by striking out line 46 at page 2 and substituting the following therefor: