

Immigration Act, 1976

(4.3) Any person excluded by an order under subsection (4.2) from the whole or any part of the review under subsection (2) or (2.1) may apply to the Chief Justice of the Federal Court or to a judge of that Court designated by the Chief Justice for the purposes of this subsection to have the order quashed and sections 36.1 and 36.2 of the Canada Evidence Act shall apply, with such modifications as the circumstances may require, to such applications.

(4.4) Unless quashed, an order under subsection (4.2) shall, with respect to the person to whom the order relates, apply to every review under subsection (2) or (2.1), or part thereof, at which the Minister is of the opinion that any evidence or information to be presented by or on behalf of the Minister at the review, or part thereof, should not be disclosed on the grounds that its disclosure would be injurious to national security or to the safety of persons.

(5) Where the adjudicator who conducts a review under subsection (2) or (2.1) does not continue a person's detention under subsection (4), the adjudicator shall make the appropriate order under subsection 104(3).

(6) An adjudicator who conducts a review under subsection (3) shall make the appropriate order under subsection 104(3)."

Mr. Murphy: Mr. Speaker, I rise on a point of order. We do not deny the Government's ability and right to introduce any legislation for debate that it wishes, however, I think it should be pointed out that there was a House Leaders meeting yesterday. The Government indicated the order of procedure for today which did not include Bill C-84. The Government has also changed the legislation to be considered for the rest of this week.

In the interests of working together to make sure that we deal with the legislation of the House in an orderly manner so that Members are in a position to be here and also serve on their committees, which they have to as Members of this Parliament, it is important that the Government not change the legislation of the day at the last possible moment in such a way that it hampers the ability of Members of Parliament to act. It also takes away the whole concept of House Leaders getting together to try to make sure that we as Members of Parliament know what is going on, and thus are able to work on legislation in a way which benefits not only ourselves but other Canadians who are interested.

Mr. Hawkes: Mr. Speaker, I hear my hon. friend, the Hon. Member for Churchill (Mr. Murphy). I think the record of this Government in trying to facilitate the work of all Members is comparable to any other in history. In fact, it is certainly better than most.

The House Leaders' meeting, as my friend suggested, occurred yesterday afternoon at about 3.30 p.m. There was a sense of anticipation of a different order for today. Members will recall that when the House Leaders' meeting was taking place Bill C-84 was before the House.

Members will also recall that the Speaker ruled last summer that the matter contained in Bill C-84 was pressing and urgent. The House was called back from summer vacation to deal with it. There was some hope in the government caucus that because we are now dealing with amendments proposed by the Senate which were laid upon the Table last year in the month of December that all Members would have had a

chance to review and think about the amendments. The government response has been presented to the House. It would, indeed, have facilitated this very urgent matter if we had concluded it yesterday. We then could have proceeded with the planned Bill.

As the House will know, many Members wanted to speak on the Bill. I do not know how many have the intention to speak today, but this is an urgent and pressing matter. It deals with the security of the nation, the issue of detention and a problem which is not disappearing but is growing. It has been the subject matter recently of many front page stories. Members, I know, have been studying this issue for a number of years. We all have opinions and some of our opinions are widely different.

I do not know what is being gained by the Opposition in filibustering such an urgent matter. I think it is time for the House to decide and time for the House to send the matter back to the Senate. Hopefully the Senate will agree with the will of the elected people of the country and take our suggestion in return. The Government Order for today, because of the urgency of the matter, is Bill C-84.

Mr. Berger: Mr. Speaker, I want to concur with the remarks made by the Hon. Member for Churchill (Mr. Murphy). I want to point out that the legislation which is listed in today's Projected Order of Business is Bill C-33. As I understand it, we were only advised in the last hour or so that the order of business had been changed. If it was the Government's intention to change the order yesterday at the close of business, debate closed on this Bill at 5 p.m., there was plenty of time to advise Members of the House. I understand that was not done. There would not have been time, however, to print a corrected version of the Projected Order of Business which Members receive in their offices first thing in the morning.

I would like to comment about the urgency of this matter. I understand that the Government Leader in the other place, after the tabling of the Senate report which followed some two months of study and the appearance of many witnesses before the Senate committee, congratulated Hon. Members for their expeditious treatment of the matter. There does not seem to have been on the part of the Government House Leader the same sense of urgency.

I would like to mention, in reply to the Member who spoke about filibustering this important subject, that the Government's response to the Senate report was only given to us yesterday afternoon by the Minister of Employment and Immigration (Mr. Bouchard). This is a complex subject which deals with many legal and constitutional matters. It is only appropriate that Members of this House be given an adequate opportunity to debate this Bill prior to sending it back to the other place.

• (1520)

Mr. Murphy: Mr. Speaker, I do not want to belabour the issue, but the Parliamentary Secretary, in his reply, tried to indicate that we were filibustering Bill C-84 and that the