

drafting of the bill now, and I hope we will be in a position to give notice and introduce the bill within the next weeks.

**Miss MacDonald:** Can you define what those ministers do?

**Right Hon. Joe Clark (Leader of the Opposition):** Madam Speaker, can the government House leader assure us that the government is certain that the present designations of the new ministers of state are in accord with the law?

**Mr. Pinard:** Madam Speaker, all I can assure the Leader of the Opposition (Mr. Clark) is that an announcement of changes in government organization was made. The right hon. member knows about those changes. We will be bringing in legislation to put that in order, and I think that should be sufficient to respond to his concerns.

**Mr. Clark:** No, Madam Speaker. This raises a very fundamental question about legality on the one hand, and the reporting relationship of ministers to the House of Commons on the other. The response of the government House leader leaves open the possibility that there may be ministers who bear particular designations in this House illegally and who are not in a position, legally, to report to the House of Commons upon those responsibilities which have been assigned to them by the Prime Minister (Mr. Trudeau). The minister knows, as I do, that there are certain designations which can be made by order in council alone. There are others which require the sanction of law.

My question was quite straightforward. Is the government House leader satisfied that all the ministers bearing designations now as a result of the change announced outside this House by the Prime Minister bear those designations in accordance with the law?

**Mr. Pinard:** Madam Speaker, if the law to which my colleague refers is the one I have in mind, obviously that has not been adopted by this Parliament yet; but I said at the beginning that I did not share his concerns. This does not mean I am not willing to look deeper into the concerns he has expressed. I am willing to do that later on today and to come back to him or his House leader and give him more precision on the subject.

● (1510)

So far as we are concerned, we are saying that those changes have been made and that they will be legalized when we introduce a bill, not next year but in the near future. If in the meantime my hon. colleague wonders to whom he should direct questions and whether ministers are allowed to bear their new titles, pending the laws adopted by Parliament and all those matters—

**Mr. Nielsen:** That is the whole point.

**Mr. Pinard:**—I am willing to look deeper into it and report to my hon. colleague, not next week but as soon as later today or tomorrow.

#### *Designation of Ministers*

**Mr. Clark:** Madam Speaker, I am sorry to extend this discussion, but obviously it is a matter of great importance. The minister has admitted that he is not sure of the legality of the appointments, but could he tell us whether these Ministers of State are drawing ministerial salaries?

**Mr. Pinard:** Madam Speaker, we will look at all those concerns at the same time. Also we will look at the manner in which the hon. member acted when he was Prime Minister and appointed different ministers to new departments, and I will be glad to discuss the matter with the Right Hon. Leader of the Opposition during the next day.

**Mr. Nielsen:** Madam Speaker, the point is that we have the Minister of State for the Canadian Wheat Board, the Minister of State for External Relations (Mr. De Bané), the Minister of State for Science and Technology and Minister of the Environment (Mr. Roberts), the Secretary of State for External Affairs (Mr. MacGuigan), the Minister of State for Finance (Mr. Bussières), the Minister of State for Small Businesses and Tourism (Mr. Lapointe), the Minister of State for International Trade (Mr. Lumley), the Minister of State for Mines (Mrs. Erola), and others, who are now performing functions assigned to them in these various fields with no legislative authority to do so. They are obviously spending taxpayers' money with no legislative authority from Parliament to do so.

Surely we should not be legalizing something *ex post facto*, something retroactive. Surely the legislative authority should have been sought from Parliament at the earliest possible moment before any of these funds were expended or before any of these responsibilities were authorized. Otherwise, what are we doing here? The place is meaningless. Surely the authority of Parliament should be sought now to authorize this matter; indeed it should have been sought as soon as the changes were made in order to ratify them.

**Hon. Walter Baker (Nepean-Carleton):** Madam Speaker, part of the announcements at the time of the reorganization involved the realignment of some senior public servants. Also there was an announcement with respect to new responsibilities for senior public servants. I share some reservations about the propriety of the practice. When the government House leader reports later today on that point, I wonder whether he would consider the question of legality, the scope of functions, and whether there is an ability to function freely within those responsibilities, given the state of limbo in which the ministry would appear to be at the moment.

**Mr. Ian Deans (Hamilton Mountain):** Madam Speaker, I do not intend to go into any detail with regard to the points raised by the Right Hon. Leader of the Opposition (Mr. Clark) and the House leader of the official opposition, but it speaks to a fundamental problem which confronts the House of Commons, a problem which goes beyond the appointment of ministers of the Crown and the legal authority within which they may or may not be operating. It speaks to a growing practice of the government going ahead with measures in