

Oral Questions

Why did the government not follow its own regulatory policy and allow 60 days for public comment before bringing these regulations into effect? Why did the government fail to follow its own policy before it proclaimed these regulations to be in force?

Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons): Mr. Speaker, as the hon. member knows, these regulations came as a result of a request from an all-party committee, of which he was a member, asking the Department of Public Works to bring in regulations under the Public Works Nuisance Regulations.

In fact, that was done. It was no secret. For two weeks, these regulations were promulgated. They had been reported in the media. The hon. member, or any other member of this House, had an opportunity to object to them.

The only thing that was done by the government was to respond positively to a unanimous request from the hon. member and the member for Kamloops—Shuswap to introduce such regulations. I find it rather surprising that the hon. Leader of the Opposition should now say that those regulations which he asked for are somehow improper.

Hon. Herb Gray (Leader of the Opposition): Mr. Speaker, the record the House Leader placed in *Hansard* yesterday shows that the members of the Board of Commissioners of Internal Economy did not agree to the specific regulations. They were never shown the regulations before they came into effect.

This is demonstrated by the letter from the Speaker which states in part:

The Board discussed the possibility of designating specific areas on Parliament Hill where demonstrations could take place.

The Speaker's letter went on to say:

It is not the intention of the Board to limit access to Parliament Hill by the public—

I want to specifically ask the government House Leader why, before proclaiming these regulations in effect, not only did the government not follow its own regulatory policy of allowing 60 days for public comment, but instead consulted with the Secretary of State state ceremonial, the Royal Canadian Mounted Police, the Department of Justice and Public Works Canada, but not the House of Commons and the Senate.

Why, at least, did the government not consult through the usual and accepted channels with the House of Commons and the Senate before proclaiming these specific regulations in force? Why can he not give us a straight answer to these questions?

Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons): Mr. Speaker, all this preceded my membership on the Board of Internal Economy, but I am told by my colleague who is a member now and who was a member then that all of this was done through the Board of Internal Economy.

The regulations in question do not restrict anybody's access to Parliament Hill. If the hon. member reads the regulations and what was requested, namely, that "No person shall participate in a demonstration, march or other public gathering upon any public work, except in areas specifically designated for such purposes", he will know that what was in fact requested was much more restrictive than the ultimate regulations which state that you can demonstrate anywhere on Parliament Hill, except there must be a clear area of 50 metres at entrances so that people are free of being pestered and allowed to enter.

• (1420)

My colleague, the minister responsible for regulations, says he had no indication of concern from any member of this House. Even though they have known about these regulations, they chose not to comment on them. I wonder why now.

Hon. Herb Gray (Leader of the Opposition): Mr. Speaker, I do not know how the minister in charge of regulatory reform could expect to get comments from anybody if the government did not first publish the draft regulations in the *Canada Gazette* and give people a chance to comment.

[*Translation*]

It is clear, Mr. Speaker, that the government did not follow its own policy calling for prior notice to enable the public to comment on such regulations. Also the government consulted several government departments but not the House of Commons and Senate before putting those regulations into effect.

[*English*]

For that reason, and because of the concern in the House of Commons and across the country about the possible impact on the rights of members and of the public of these regulations, I ask the minister if today the government will withdraw these regulations and enter