that Parliament discharges that oversight responsibility. By and large our committee confines itself to questions related to procedure and process, but we believe it is also appropriate that other standing committees charged with looking at the policy being followed under delegated legislation should have the right to call up those regulations at any time and have a study on the merits of the policy embodied in those regulations.

We recommended that for the first time there be standardized procedures in this Parliament for motions of disallowance and of affirmation. We have suggested that motions of affirmation should take place under specific circumstances where we feel they would be particularly justified. There are four in particular. First, where the enabling powers may substantially affect the provisions of the enabling or any other statutes; second, where they impose or increase taxation, fees or charges; third, where they lay down a policy not clearly identifiable in the enabling act or make a new departure in the policy; fourth, where they involve considerations of special importance.

We propose that in other instances not included under those four principles five members of Parliament should be enabled to move motions of disallowance, and there should be a right to ensure there is a debate in Parliament and that a decision is made. Parliament should have the right properly to scrutinize these regulations and nullify them if it feels it is important do so.

We have also proposed in this report, Mr. Speaker, another important departure from present procedures. In some instances the government follows procedures related to notice and comment to ensure that interested Canadians have a chance to be heard before a new regulation is put into effect. Sometimes it has an effect on government policy, sometimes it does not. By and large this is a matter of discretion on the part of the government. We want to see it regularized as a standard procedure to ensure that Canadians do not find themselves in a situation where rules are changed in the dark of night, where their rights are taken away from them, where their ability to hold jobs is taken away from them, where their ability to act without running into penalty is taken away from them without any opportunity for input.

● (1530)

This is why we have asked that wherever possible the government give notice of its intent to issue new regulations and that when draft regulations are available they be properly scrutinized by Parliament and by the public. They should be made available in draft form before they are put into law. Wherever possible, social economic impact analyses of new proposed regulations should be provided and made public so that Parliament and the people of Canada can weigh these public policy considerations to try to decide whether the regulations are justifiable in the first place and what the goals and purposes will be.

We have asked that the government issue quarterly a regulatory budget in which it would give notice of the intended regulation-making which will be taking place in the following quarter. We have also asked when regulations are public that there be an explanatory memorandum. If Canadians simply pick up a regulation and try to understand its purpose, its form or how it is in fact changing the law in Canada, it is often impossible for someone to do it unless they have had extensive legal training. If the law of Canada is made incomprehensible for members of Parliament and for members of the Canadian public, how can we ensure that proper justice is being done? It is essential to provide every possible avenue to ensure that Canadian participate in the making of legislation and that they fully understand it.

We have proposed as well that a new regulatory council be set up, composed of representatives of regulatory agencies, of government departments, of public interest groups and of industry, to look from time to time at the whole issue of regulations and to make recommendations, which would not be binding upon the government. It would make valid and useful recommendations to the government when it is engaged in regulation-making.

We brought to the attention of the House in our report a very important issue on which Madam Speaker, since the tabling of our report, has supported the committee and has moved. I am referring to the following concern:

> That the making of extensive subordinate laws under votes in Appropriation Acts should stop and that all existing subordinate laws made unde votes be subject to review as to merits by the appropriate Standing Committees.

The House will remember that a few weeks ago Madam Speaker moved to strike down attempts by the government to give itself a great deal of authority through Appropriation Acts when that authority should have more properly been granted through legislation being brought before Parliament. When we realize that the passenger service structure for Canada and the whole of VIA Rail was put in place not by legislation being brought before Parliament and being debated here so that we could talk about the future of the passenger service in Canada, but put in place through a dollar vote which gave the governor in council carte blanche to make regulations as it saw fit, we can see how inherently flawed such a system of asking for this authority through Appropriation Acts would be.

We have asked that where the departments of government make a decision with regard to delegated legislation on the basis of opinions of the Department of Justice, that our committee and the public should be entitled to see those opinions. What conceivable basis could there be for witholding from Parliament an opinion of the Department of Justice as to whether or not what the government was doing was legal or illegal, whether or not it had the authority to do it? Yet time after time when the committee questioned whether Parliament ever gave the government the authority to act in the way, we were told that the minister was given an opinion by the Department of Justice and that Parliament and the committee would be deprived of the right to see that opinion.

We are not asking for something which is unheard of in other jurisdictions. In fact, if one studies the procedures