

Bell Canada Act

This Bill deals with a company incorporated under the Canada Business Corporations Act in 1982 but it is a company which was first incorporated by private legislation in 1880. The present Bill makes provision for duties and obligations which the company must follow but it goes on to place restrictions on the company obviously not found elsewhere. Thus the Bill at once provides for exceptions to the general law and at the same time it imposes obligations on the company. The Bill also goes on to give the Canadian Radio-Television and Telecommunications Commission authority over the company, and the right to make certain orders towards it, as well as to demand certain information from it.

The first 10 clauses of this Bill, including the declaration that the works of the company are works for the general advantage of Canada, are, in effect, a reformulation of the provisions of the private Bills or statutes under which Bell was established and continued since 1880. These statutes are listed in Clause 14 of the Bill. While the question whether a Bill is properly characterized as private or public does not arise frequently, there are precedents that are of assistance to the Chair. After examining them the Chair feels that it must rely on the February 22, 1971 ruling of then Speaker Lamoureux.

In that case Bill C-219, an Act to establish the Canada Development Corporation, was before the House and Messrs. Baldwin and Lambert, then the Members for Peace River and Edmonton West, argued long and hard about the regularity of that Bill. Experienced as they were, their arguments did not convince the Chair. In that case, Speaker Lamoureux mentioned a third class or category of Bills, that is "hybrid Bills", a class of Bills that he ruled does not exist in Canadian practice.

Speaker Lamoureux was clear in 1971 that:

—in order that a bill be designated as private it should not and cannot include any feature of public policy because such characterization will transcend any private nature it may have.

He went on to find that where a Bill was not purely private but also affected the public interest, it must be treated as a public Bill.

It is clear to me that while this Bill affects private interests, it also clearly affects public policy concerning, as it does, a multiplicity of public interests.

The conclusive argument, in my view, is to be found in Clause 3 of the Bill, which states:

In the event of any inconsistency between the provisions of this Act and any other Act of Parliament or anything issued, made or established under that other Act, the provisions of this Act prevail.

In the opinion of the Chair such a provision could only be included in a public Bill since a private Act, being an exception to the general law, could not prevail over any other Act of Parliament. It is therefore the view of the Chair that Bill C-19 is properly before the House as a public Bill.

● (1150)

Is the House ready for the question?

Some Hon. Members: Question.

Mr. Speaker: The question is as follows. Mr. Masse, seconded by Mr. Hnatyshyn, moves that Bill C-19, an Act respecting the reorganization of Bell Canada, be read the second time and referred to the Standing Committee on Communications and Culture.

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

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Motion agreed to, Bill read the second time and referred to the Standing Committee on Communications and Culture.

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[Translation]

MEAT INSPECTION ACT

MEASURE TO ENACT

Hon. Flora MacDonald (for the Minister of Agriculture) moved that Bill C-33, an Act respecting the import and export of and interprovincial trade in meat products, the registration of establishments, the inspection of animals and meat products in registered establishments and the standards for those establishments and for animals slaughtered and meat products prepared in those establishments, be read the second time and referred to the Standing Committee on Agriculture.

Mr. Speaker: Is it the pleasure of the House to adopt this motion?

Mr. Pierre Blais (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, the Minister of Agriculture (Mr. Wise) has already had occasion to discuss the main points of Bill C-33 in this House. The Minister explained very aptly our reasons for amalgamating in a single Act the present legislation on federal meat inspection and the humane slaughter of animals. With the passage of the new legislation, it will be necessary to repeal the current Meat and Canned Foods Act which has become obsolete. Mr. Speaker, I shall, if I may, elaborate on several points that will, I am sure, help to clarify this debate.

The proposed legislation will make it possible to further modernize and enhance the credibility of our Canadian meat inspection system which already enjoys an excellent reputation, both on our domestic markets and outside Canada. When we consider that the new legislation will replace an Act that goes back to 1907, it is not exactly a luxury. At the time, Canada had only 27 federally inspected abattoirs, and to ensure quality control, there was a grand total of 39 veterinarians, all of whom were, at that time, trained in the United States. Today, we have over 500 abattoirs and meat processing plants licensed by Agriculture Canada, and a team consisting of more than 500 veterinarians and inspectors who monitor the