

Committee Reports

The Standing Committee on Regulations and Other Statutory Instruments has not accepted the response from the Minister. In relation to the responses which it received, on page 3 it said the following:

In consequence of the Minister of Transport's refusal to provide the explanations it requested, your Committee requests the Government to table a comprehensive response to this Report in accordance with Standing Order 70(16) of the House of Commons.

That is the response we want; that is the purpose of the debate this afternoon. All we want is an adequate response from the Government. On July 4, 1984, the committee brought the matter to the attention of the then Minister of Transport. At that time one of the joint chairmen was the Hon. Member of Parliament (Mr. Beatty) who is now the Solicitor General of Canada. As the Parliamentary Secretary has already mentioned, the Minister at that time was the Minister under the previous administration. Between July and the time of the election, there was no correspondence and no action taken. It became a problem passed on to the next Minister, the present Minister of Transport. When he was sworn in and assumed his duties, he replied to this request by saying: "Departmental legal advisers say that there is sufficient authority under the Canada Shipping Act". Then he went on to make an astounding assertion which really bothers me more than a little. He said: "If there is any dispute, then take it to court".

Whatever happened to the idea or principle that this is the highest court in the land? Have we abandoned that principle, idea and concept? Is that old fashioned? Has it gone out the window? The Statutory Instruments Committee took it to court; it took it to this court, the highest court in the land. The committee wants a response and it wants action.

Also in the letter to the committee the Minister promised that consideration would be given to amending the Canada Shipping Act appropriately. Without repeating what I said earlier—and the Hon. Member for Western Arctic knows it—when Bill C-75 came before us, there was no such amendment. There was nothing in it to change the Act to give those regulations validity.

Now I go to April 3, 1985. The committee wrote to the Minister stating that his response was not adequate. This was a joint committee of the two Houses of Parliament; they were all Members of Parliament and it had joint chairmen. In that letter the committee made the following very telling comment:

The Committee cannot accept as sufficient a mere statement that a conclusion supporting the validity of an instrument has been made.

In other words, the committee said that it was not good enough, that the Minister could not just send it a letter and say that it was valid and that was the end of it. These Members of Parliament deserve some special recognition, they are that diligent. The committee wanted a substantive response, and the Minister and his Department failed to provide it.

I conclude by saying that this is a parliamentary issue. This is a question of the rights of the legislature versus the power of the executive branch of Government. That is what the issue is all about, plain and simple. The entire purpose behind the McGrath committee report and all the work it did, which I

applaud with all the enthusiasm I can muster, was to redress a long-standing grievance of Members of Parliament that there was a shocking imbalance between the legislature and the executive, that is, the Cabinet and the bureaucracy.

Will Parliament be satisfied with a report like this? Will it get the satisfaction it deserves? We want a response and we want it now. So far we have failed to get it. That is why this is not in any way a partisan issue. It is a very key and central parliamentary issue. I hope it will be adequately addressed and met so that the Members of Parliament, who were elected by their constituents, will get the satisfaction they deserve.

Some Hon. Members: Hear, hear!

Mr. Boudria: Mr. Speaker, I should like to ask the Hon. Member for Cochrane-Superior (Mr. Penner) a question. I listened very attentively to his remarks. I think you would want me, Mr. Speaker, to congratulate him on his excellent exposé this afternoon on this very important issue. It is really a fundamental issue for all Members of Parliament sitting on every side of the House—the respect which individual cabinet Ministers must display not only to opposition Members of the House but indeed to the House itself and to all Members collectively.

Does the Hon. Member remember during the election campaign that the new Government made several promises? Mr. Speaker, you may recall that the Conservative Party made 338 such promises. I just happen to have a copy of the book of those promises. If you want one, Mr. Speaker, or anyone out there, you are welcome to write to me and I will gladly send you a free copy. Does the Hon. Member remember promises on Government processes, in particular the first four promises? First the Government promised:

Return Parliament to the forefront of legislative activity.

That was a solemn commitment made to the people of Canada. As the Hon. Member said so eloquently, that promise was not only made to the people of Canada, but to the Parliament of Canada, to opposition Members and to Government back-benchers. Does he recall their second promise? It read:

Improve the parliamentary committee system for a better and more independent review of legislation.

Their third promise was:

Amend parliamentary rules to make full use of the skills and potential of all Members of Parliament, regardless of party affiliation.

We can see how it is very important. The last one read:

Respect ministerial responsibility for the actions of Government and its Departments and agencies.

I am sure you have identified, Mr. Speaker, by now that all four promises relate directly to the issue at hand. Would my good friend and colleague comment upon those commitments?

Mr. Penner: Mr. Speaker, let me say briefly that we have the recipe for what was promised. As enunciated by my hon. colleague and friend, the recipe is now in the possession of parliamentarians. The McGrath committee report is a radical