

*Hazardous Substances*

case the Board will be established to examine into the wisdom of the order, the properties of the product banned and so on.

The hon. member for Don Valley (Mr. Kaplan) made some remarks about clause 9 and the provision for the Board of Review. I cannot agree with his suggestion that the hearing should be held in seven days. I think that would create considerable difficulties, particularly for the manufacturer and distributor. I do, however, share his concern that the Board of Review be held forthwith upon application. I am advised by the law officers of the Crown that that is really what is provided by the bill; that is, that when it provides that a Board of Review shall be established there is a duty incumbent upon the minister or Governor in Council to act expeditiously if he should feel the applicant is entitled to apply for mandamus and have a board set up. But that is a matter which the committee can study in detail when it is looking at the bill.

The Board of Review will have the necessary powers under the Inquiries Act to inquire into the nature and characteristics of the product or substance which has been considered a hazardous product if a request for review is made. The bill as originally submitted in the other place did not make it mandatory—and this has been commented on at some length in this house—that the minister concerned, in this case myself, upon receipt of a request establish a Hazardous Products Board of Review. It was suggested, and I concurred with the members of the other place, that the bill should be amended to provide for the establishment of a Hazardous Products Board of Review as requested. The bill you have before you contains that amendment. I believe that provision for a mandatory Board of Review, and right to a hearing before a Board of Review by anyone who feels affected by the action of the minister or the government under this act, provides for full protection of the interests of anyone affected.

As has been mentioned, a further amendment was made in the other place to provide for a second review by parliament itself of actions taken under the proposed act to add products to part I or part II of the attached schedules. In the course of this debate, hon. members have commented both pro and con in respect of the action of the gentlemen in the other place. I will have more to say about this when the bill reaches the committee. I

[Mr. Basford.]

could not entirely agree with the hon. member for Peace River (Mr. Baldwin) who said that I must accept explicitly the amendment made by the gentlemen of the other place. I am not sure, in saying that, whether the hon. member for Peace River was hoping for a call to the other place or not but as one can see from the debate this afternoon and evening, there is a good deal of difference of opinion in this house in respect of the action of the other place.

I would hope the amendment made by the other place to this bill will receive very careful consideration by the members of the Health and Welfare Committee when they are considering the bill. I will have something to say more than I have here. I do feel the amendment adds a degree of rigidity to the bill. I think the members of the committee would be well advised to endeavour to work out some arrangement other than that proposed by the other place. Some other arrangements have been proposed by hon. members in the course of this debate. I would hope some of those alternatives would be examined by members of the committee.

Surely, in considering that amendment and in considering this legislation, as the hon. members for Esquimalt-Saanich (Mr. Anderson), Waterloo and Vancouver-Kingsway (Mrs. MacInnis) pointed out, the paramount consideration here first and foremost is to design an effective piece of consumer protection legislation. That is the kind of legislation I introduced, and that is the kind of legislation I would hope parliament would pass, adopt and have as the end result.

• (9:20 p.m.)

The necessity for governments to protect the consuming public from injury, sickness and death attributable to careless or faulty manufacturing or design or inadequate information in product merchandising has never been more apparent than at the present time. The large number of products available today makes it almost impossible for ordinary customers to be always aware of the risks that may arise from the purchase of seemingly innocent household products.

Recently, publicity concerning poisonous jequirity beans, solvent sniffing and dangerous toys, illustrates the urgent need for legislation of this kind. It is once again the duty of parliament to protect the interests of those who no longer have the power to protect themselves. This legislation will ensure