

Order Paper Questions

ORDER IN COUNCIL

Question No. 2,840—**Mr. Jones:**

1. What exactly is the purpose of the Order in Council?
2. Of the 3,327 Orders in Council in 1976, how many were brought before the House of Commons for discussion?
3. What is the general nature of the majority of Orders in Council?
4. Are Orders in Council brought before the House of Commons for discussion as general practice and, if not, for what reason?
5. Is there any government procedure which could replace the Order in Council and provide for a more democratic government?

Mr. Ralph E. Goodale (Parliamentary Secretary to President of the Privy Council): 1. An Order in Council is a legal instrument evidencing action by the Governor General acting by and with the advice of, or by and with the advice and consent of, or in conjunction with the Queen's Privy Council for Canada. Most Orders in Council are passed pursuant to specific authority set out in particular Acts of Parliament. A few are also made under the royal prerogative. In 1976, 3265 Orders in Council were passed pursuant to statute and 61 were passed pursuant to the royal prerogative.

2. Of the 3326 Orders in Council passed in 1976, 653 were statutory instruments within the meaning of the Statutory Instruments Act and as such stood referred to the Standing Joint Committee on Regulations and Other Statutory Instruments pursuant to section 26 of the Statutory Instruments Act.

3. Description of Orders in Council for the year 1976

	Number	Percentage
Appointments (includes re-appointments, resignations and fixing salaries)	750	22.55
Regulations and other Statutory Instruments	653	19.63
Lands and other property (includes exchanges, acquisitions, transfers to or from a Province, sales of lands under the Surplus Crown Assets Act and under the Veterans' Land Act)	481	14.46
Contracts and other agreements	289	8.70
Pardons and Revocations (under Criminal Records Act)	234	7.03
Foreign Investment Review Act	232	6.97
Payments, loans, contributions, grants and gifts	161	4.84
Remission Orders	82	2.46
Satisfied Securities	75	2.25
Judges Act, other than appointments (annuities to widows, approving residence, retirements, etc.)	55	1.65
Railways	41	1.23
Ex gratia payments	35	1.05
Other	238	7.18
Total	3,326	100.00

[Mr. Cullen.]

4. A list of Orders in Council is tabled monthly in the House of Commons. As stated in answer to part 2, those Orders in Council that constitute statutory instruments within the meaning of the Statutory Instruments Act stand referred to the Standing Joint Committee on Regulations and Other Statutory Instruments pursuant to that Act.

5. See *Beauchesne's Parliamentary Rules and Forms*, Fourth Edition, Citation 171 (a), (b), (f), (g), (h) and (i).

MR. A. T. DAVISON OF PARKS CANADA

Question No. 2,841—**Mr. Cossitt:**

1. Did Mr. A. T. Davison of Parks Canada outline in a telex dated March 9, 1977 and sent to Mr. Mike McInnis, Chairman of the Advisory Board to the government on St. Lawrence Islands National Parks, information on grants-in-lieu of taxes to municipalities as a result of Parks Canada being involved with land contained therein and, if so (a) how are such grants-in-lieu of taxes determined (b) does the Treasury Board accept provincial assessment procedures (c) as an example, what would the grant be for 200 acres assessed at \$3,000 with the local tax rate at 100 mills and the municipal tax payable being \$300 per annum (d) is land considered "developed" at the start or at the completion of development (e) how is the necessary degree of development determined, who makes the decision and can it be reviewed?

2. Did Mr. Davison's telex state "it is possible in addition that the Act will be revised in the next couple of years to provide for more liberal tax grant arrangements for National Park lands. We are continuing to work with the Department of Finance on that possibility" and (a) if so, have any steps been taken as yet in this direction (b) if not, when will such steps be taken?

Mr. Ralph E. Goodale (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Indian Affairs and Northern Development and Finance as follows: 1. Yes. (a) In accordance with the Municipal Grants Act as administered by the Department of Finance. (b) Property owned by the Crown in right of Canada is not taxable property, but the municipal or provincial assessor may place an assessed value for such property on the assessment roll. This valuation will be accepted by the Minister of Finance for purposes of determining the amount of a grant in lieu of real property taxes on property which is eligible for a grant provided that its amount is deemed to be fair and equitable in relation to the valuation of similar taxable property within the same assessment jurisdiction. In practice, values of federal property are most likely to be in line with those for taxable property where the municipal or provincial assessment authority has used the same "procedures", i.e., the same steps and the same methods, in placing values on federal property that it has used for taxable property. (c) If \$3,000 is deemed to be a fair and equitable value for 200 acres of federal land which is subject to grant in lieu of real property taxes, the grant would be \$300 per annum when computed at a local tax rate of 100 mills. Grants are based upon the full mill rate in nearly all instances. However, a lower rate would be used if the government is making separate payments for a particular local service. Thus, in a few instances, the federal government makes special arrangements to pay for the cost of schooling of children of federal employees living on federal property. In such instances, the amount of the grant would be determined