

THE STANDING SENATE COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

EVIDENCE

Ottawa, Wednesday, March 18, 1970

The Standing Senate Committee on Legal and Constitutional Affairs, to which was referred Bill C-136, respecting the Expropriation of Land, met this day at 2 p.m. to give consideration to the bill.

Senator Lazarus Phillips (*Acting Chairman*) in the Chair.

The Acting Chairman: Honourable senators, the business before us is Bill C-136, an Act respecting the Expropriation of Land, which has been sent to this Committee for consideration.

Upon motion, it was *resolved* that a verbatim report be made of the proceedings and to recommend that 800 copies in English and 300 copies in French be printed.

The Acting Chairman: We have with us this afternoon Mr. C. R. Munro, Assistant Deputy Attorney General of the Department of Justice, who will explain the bill to us from the point of view of the Justice Department. He will answer any questions that honourable senators may wish to put before him.

Before calling upon Mr. Munro, I will like to make some observations which are maybe slightly unusual. We received an indication from Senators Hayden and Choquette of an intention to submit to this committee and its deliberations some amendments to this bill. There may be others present here today who may also want to submit amendments. Mr. Hopkins has prepared a first draft of such proposed amendments and with the consent and concurrence of Senator Hayden and Senator Choquette, this first draft was transmitted to the Department of Justice, because of the highly technical nature of the bill that we are considering. It was sent for the purpose of enabling the Justice Department to be made aware of the intention to submit the amendment. We are advised by Mr. Munro for the Justice Department and for his minister that if it is the sense of this committee to approve of the proposed amendments, the Justice Department would desire to be given the authority from this committee or would desire to draft the amendments in the form that would harmonize with the remainder of the bill,

with a view also to determining whether there would be further consequential amendments that would be necessary.

There is the further suggestion that if, as and when such amendments are so approved by us in principle and such redrafting is made the Minister of Justice may indicate a desire to appear before us in order to discuss the proposed amendments. Since the subject matter is somewhat unusual in terms of procedure I thought I should explain it to you. If this meets with your approval, we will call upon Mr. Munro to deal with the bill at large. We will go through all of the sections and then await the consideration of any amendments that may be presented, but such amendments, if, as and when approved by this committee in principle, are to be dealt with in the manner which I have indicated.

Senator Hayden: Might I suggest that there seems to be, in all the discussions we have had on the bill, a pretty unanimous view favouring the bill and most of the clauses. There were just a few objections. I was wondering whether it would be in order to deal with those,—because the rest of the bill could be disposed of very quickly, I think.

The Acting Chairman: I certainly react with considerable favour to that observation, if it meets with the approval of honourable senators.

Hon. Senators: Agreed.

The Acting Chairman: If in effect we could get to the hard core of the proposed amendments, the assumption could be that, if no other amendments are suggested, this committee approves of the remainder of the bill. Does that meet with your approval?

Senator Haig: What clauses is it intended should be amended?

The Acting Chairman: May I call upon Senator Hayden to be good enough to deal with the proposed amendments. We have not got too many copies available here. However, every senator now has an opportunity at least to see a copy. Would Senator Hayden be good enough to proceed?