

*Oil and Petroleum*

**The Assistant Deputy Chairman:** Order, please. This is far from a point of order.

**Mr. Stanfield:** I would like to express very earnestly one or two concerns to the minister, even if my expression of these views lacks the fervour and the authority the hon. member for St. Boniface would like to see. I say without reservation that I recognize there could be a movement in oil prices within our country which would cause such a dislocation in our economy and such problems for the Canadian people that, with the authority of this parliament, the government would certainly be justified in intervening to prevent that from happening. I want to make it very clear at the outset that in no circumstances would the federal parliament be unjustified in moving into this situation, but I want to say that I have a great deal of difficulty with the minister's argument that constitutionally this parliament can authorize the government to fix the price of petroleum in this country whether there is any urgency or not, and can base such legislative action simply on the trade and commerce clause in the BNA Act.

I find it very difficult to accept, constitutionally, that in the absence of any urgency or emergency the federal parliament has this power to fix the price of something indefinitely, simply because it moves in the commerce of the provinces. That, it seems to me, is a very far reaching constitutional argument to make.

Second, quite apart from the constitutional argument, I feel very uncomfortable being asked to vote in favour of legislation whereby this parliament gives to the Government of Canada the right and the power indefinitely in the future to fix the price of petroleum products, to fix the price of crude oil and the price of natural gas, with no time limit, no anything. We are being asked to give this power to the government indefinitely in the future. I think this is a very unwise request to make. I do not have such confidence in—well, I will not get into that. I will not say it in a light that would seem to be argumentative, reflecting in any way on my judgment or on the judgment of the government.

I just say that I am deeply bothered at being asked to vote in favour of the Government of Canada being given this power indefinitely, a power which would continue, having no relation to any sense of urgency, indefinitely in the future. I think that is a very questionable power for the Government of Canada to ask for, quite apart from the constitutional arguments which have been made. I think that those who have objected to this legislation on constitutional grounds are correct but, even if they were wrong, I do not think the Government of Canada should seek this power on an indefinite basis, and I do not think I should be asked to vote this power in the government on an indefinite basis in the future. There are many reasons for this.

● (2130)

I do not think one has to be cynical or skeptical to recognize that the power of the government to fix the price of petroleum indefinitely into the future could very quickly and readily become what is generally called a political football. There could be enormous political pressures develop in connection with the judgment that the government would exercise from time to time as to what

this price should be. It is always going to affect a lot of people. There will be no possibilities of any market influences in this connection.

One can argue, I know, that there is no market influences at work now, that at the moment everything is rigged by the OPEC countries. This may continue indefinitely, or it may not. But once the Government of Canada has this power, and this statute stays on the statute books with these provisions in it giving the government the power to fix the price of petroleum and natural gas in Canada, then the Government of Canada, whatever its political complexion may be through the years, will have in its hot little hands something that will continue to bring enormous political pressure upon it to do not necessarily what is in the interest of the country but what may seem from time to time to be politically expedient.

Normally powers like this are not exercised directly by government. Public utilities, telephone companies—

**Mr. Guay (St. Boniface):** Heavy water plants.

**Mr. Stanfield:** Well, the hon. member can be funny if he likes, but this is a serious matter.

**Mr. Guay (St. Boniface):** It is a very serious matter.

**Mr. Stanfield:** The price of heavy water is fixed by contract. As I was saying, normally pricing is regulated by some independent commission, such as a public utilities board, the Canadian Transport Commission, or something of that sort. In this case the government is taking directly into its own hands the power to fix prices, and it is going to be subjected directly to all the pressures that this involves.

I am not suggesting that, if it is necessary for the Government of Canada in the year 1975 to fix the price of crude petroleum, in this country, this should be delegated to a board. In the circumstances, if there is such urgency it is a responsibility that should be accepted directly by the government. But I think this House should think for quite a long time before placing in the hands of the government—this government and governments that may succeed it—the responsibility and power to fix the price of petroleum products in this country, at least at the crude oil and natural gas stage.

That is all I want to say, Madam Chairman. There is the constitutional difficulty that I see. And quite apart from the constitutional difficulty there is the wisdom of this House voting this responsibility and power to the government on an indefinite basis.

Having said that, I repeat that I and, I am sure, my colleagues are quite prepared to recognize that the need may exist for the Government of Canada to act on behalf of the people of Canada. It may exist in the year 1975; it may arise from time to time in years to come. But this power should be hedged around in a manner that indicates it is used only in cases of urgency. It is not a power that the government should have or should be given on a routine basis.

Even if the minister refuses to agree with and rejects the constitutional arguments which I think are valid, if he will recognize the danger involved in the government and its successors having, without limitation or restriction,

[Mr. Guay (St. Boniface).]