

Pest Control

by this house, although not by unanimous decision. We are now faced with an amendment proposed by the Senate. The house made a decision to reject that amendment.

● (4:20 p.m.)

I do not blame the minister who introduced this amendment but I do think the government should have been prepared to explain why this proposal should not have been accepted. I am sure most members will agree that the government would not have been remiss had it accepted this amendment. If that course had been taken most of us, I am sure, would have supported its decision. Regardless of the merit of the amendment proposed in the other place, however, most members would, I feel, be of the opinion that the position taken by the government with regard to the amendment should be supported. But if we say this, we should also demand that the government explain why rejection of the amendment is again being anticipated. In my view, the minister is remiss in handling amendments from the Senate if he fails to explain why he is rejecting a particular amendment and why he is asking the house to do so.

I am still of the opinion that the amendment should have been considered by the government. Most people in Canada are not interested in having an inspector from a government department, operating under the terms of some act or other, entering a private establishment and having the right to seize books, samples and so on, and send them to an agency of his choice in anticipation of a decision which may be used as evidence. Yet this is the situation we are asked to accept. Moreover, the very official who entered the premises to make the initial investigation has power to set the penalty, and the individual or company concerned do not even have the right of appeal against his decision. Anyone who believes officials should have the power to make decisions of this kind is ignoring the feelings of the average person in Canada who believes he should possess certain rights and be able to exercise them.

The decision which will no doubt be made is not a reflection on the Senate or on the amendment. It is really a reflection on the government, on the cabinet and, in particular, on the cabinet minister directly responsible, who has failed to tell the house why in this instance provision for an appeal cannot be allowed through normal channels or why the government should feel it is so important in this case to take away civil liberties which

should be the right of each and every Canadian person and corporation.

[*Translation*]

Mr. Florian Côté (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, I do not wish to recapitulate all the discussions we had in the Agricultural committee where qualified persons gave us details concerning this bill.

At that time, various amendments had been submitted. We rejected a certain number of them, but the one before us at present has not been submitted exactly as sent us by the Senate. The bill was adopted on second and third readings and later referred to the Senate.

The Senate thought it should come up with an amendment. On May 1st, this house had been informed by the Senate that it did not consider as a necessity to accept this amendment, but nevertheless made the following suggestion:

—as if the words, "Control Products Board of Review" were substituted for the words "Hazardous Products Board of Review"—

This same amendment reminds the house that paragraph (d) will read as follows:

"(d) respecting for registration of control products and of establishments in which any prescribed control products are manufactured and prescribing the fees therefor, and respecting the procedures to be followed for the review of cases involving the refusal, suspension or cancellation of the registration of any such product or establishment;"

So, Mr. Speaker, the Minister of Agriculture (Mr. Olson), after meeting the Senate committee, decided that the amendment, as drafted by the Senate, was quite acceptable. That is why I am immediately giving these details to keep hon. members from believing that the government or the Minister of Agriculture reject this amendment. On the contrary, we recognize that it is worthwhile, and we accept it.

[*English*]

Hon. Marcel Lambert (Edmonton West): This is one of a series of bills with respect to which folly has been compounded with folly in connection with legal rights. There has been a wholesale trampling upon such rights. As the minister said, in an aside: We are trying to accomplish something but you lawyers get involved and start pointing out the holes in our procedures.

I have spoken on a number of occasions on this aspect, beginning with Bill C-154. As far as I am concerned, this bill is a complete