

*Government Organization Act, 1970*

Proposed clause 14 provides for the establishment of ministries of state by proclamation by the governor in council.

Clause 14 of the bill provides that ministries of state will be established by, and I quote:

—the Governor in Council . . . by proclamation—

Clause 15 in Part IV of the same bill states that the establishment of a ministry of state will be announced by proclamation.

A proclamation establishing a Ministry of State shall

- (a) state the name of the Ministry;
- (b) specify the matter or matters in relation to which the Minister, etc.—

That is to say that clause 15 is derived from the same concept as clause 14: namely, resorting to proclamation rather than passing legislation.

Mr. Chairman, clause 16 deals with amendments to the contents, definition or purpose of the ministry. Under clause 16, these amendments could be made by proclamation. In effect, this clause reads as follows and I quote:

The Governor in Council may, by proclamation, from time to time, change the name of a Ministry of State or vary any matter set out in the proclamation establishing the Ministry.

And this is not all, Mr. Chairman. The same principle is applied further. Clause 18 deals with the termination of a ministry of state. How will this termination be made? What method will be used to eliminate a ministry of state? Still by proclamation. Clause 18 is drawn up as follows:

The Governor in Council may, by proclamation, terminate the existence of a Ministry of State.

This means that in clauses 14, 15, 16 and 18, the government is clearly stating what it has in mind when asking us to adopt Part IV of the bill. Basically, the government would like Parliament to delegate part of its already fairly reduced powers to the executive power to enable it, as regard these specific questions, not to have to go through Parliament but to act on its own authority, by proclamation instead of legislation.

Mr. Chairman, the President of the Treasury Board (Mr. Drury) stated yesterday in the House that Parliament cannot control the activities of commissions such as the Royal Commission on the status of women since no minister is actually responsible for it. This was basically his point. He argued that a minister had to be responsible before the House for the Royal Commission on the status of women, for instance, or for the Prices and Incomes Commission or any other commission.

Mr. Chairman, I should like to make it very clear for the President of the Treasury Board. That is precisely what we want, that a minister be responsible for the Crown corporations and all organizations, agencies or departments created by this government.

So, to be logical, it would be necessary for the President of the Privy Council to tell us precisely what Crown corporations or agencies will come under the jurisdiction of this or that minister. It is important to know they take good care not to tell us in precisely what area those

[Mr. Fortin.]

bodies will be created. We are being asked for blanket authority to create ministries whose terms of reference in particular fields the government will specify as they please, as circumstances may require.

Mr. Chairman, one cannot discuss things unknown to him. The argument used by the President of the Treasury Council was very weak, I believe, and I had hoped he would give better reasons for clauses 14 to 18. There must be serious reasons not to use Parliament but to resort instead to proclamations. In order to justify the creation of ministries of state and the appointment of new ministers the President of the Treasury Board pointed to the fact among the 80 government agencies or departments, many are not really responsible to Parliament, except for the annual report they present at the close of the financial year.

He thus proved that numerous powers had already been handed over to those creatures of the government. Fundamentally, the argument put forward by the President of the Treasury Board showed to what extent that administration escaped the control of Parliament.

Therefore, Mr. Chairman, the President of the Privy Council proposed that the House grant him a broad permission to create ministries of state.

He took care not to tell us exactly in what fields these ministries would operate.

Mr. Chairman, this is a serious lapse, and I feel that the President of the Treasury Board could rise and very simply and quite frankly give us some details.

I do not stand here to hold up the passage of this bill but only in the hope of being enlightened on clauses 14 to 18 and on the reasons why the government does not intend to proceed by legislation but rather by proclamation and asks the House for delegated powers.

An eminent statesman once said: "Give us the tools and we will do the job." We are ready to give the tools to this government, but we want to know to what use it will put them.

We want Parliament to establish these ministries of state through legislation. I want these ministries of state to be established through legislation according to the normal practice of the House. If the government really intends to amend the definition, the name, the responsibilities, or the structures, as indicated in clause 16, I want it to proceed not by proclamation but by way of legislation. If the government wants to abolish a ministry of state or another, as it can do under clause 18, it should do it through normal and ordinary procedure, that is through legislation rather than proclamation.

Our hon. opposites have not given us the answer to these questions. Why, in the case of 29 other departments, has the government submitted to the will of Parliament, proceeded through the normal and ordinary procedure while now, by means of clauses 14 to 18 of part IV, it will no longer proceed through legislation but by proclamation, independently of needs or problems raised by Parliament, independently of the opinion of parliamentarians of any party? At this level, Mr. Chairman, we are all equal and we all have the same rights