

East (Mr. McGrath) is clear. I do not know whether new ground can be covered by other members who want to support it. Perhaps I would be more greatly aided to find out what the opposition is to the argument, than more support for it. In any case, I am in the hands of members of the House in terms of further discussion.

Mr. Lincoln M. Alexander (Hamilton West): Mr. Speaker, I will be very short in my remarks. What my friend has indicated is that if the parliamentary process is to work—and it should work—then we must have open, honest, and full disclosure. Your Honour's question goes to the very root of the matter, whether the promulgation or the proclamation under date of October 26, and as registered in the *Canada Gazette* on November 8, in fact is the gist of the bill.

It is quite obvious. The hon. member for St. John's East (Mr. McGrath) indicated that the gist of the proclamation as promulgated, or the order in council, refers to those persons who are employed less than 20 hours. They would be excepted. The second portion of the schedule to which I have just referred deals with those persons whose earnings would be less than 30 per cent of the maximum weekly insurable earnings. Those are the two figures which Mr. Speaker must keep in mind. The remainder of the sentences are explanatory and perhaps extraneous.

If one looks at clause 2 of the bill, one will see that those two key or phrases are within the bill. In other words, the principle brought forth by the order in council as promulgated is within the bill. I will not take long, because the hon. member for St. John's East explained clause 2. I direct Your Honour's attention to clause 2. That clause refers to less than 20 hours, and further on, it refers to less than 30 per cent of the maximum weekly insurable earnings.

As my friend has indicated, the minister stated that he was sorry. More important, the deputy minister indicated that he was sorry, and as a matter of fact he went further.

Mr. Caccia: Oh, oh!

Mr. Alexander: The hon. member for Davenport (Mr. Caccia) will have an opportunity to participate in this debate. I know Mr. Speaker will be kind enough to recognize him in due course.

The error has been admitted. The problem is in which direction they are indicating that they are sorry. The specific item within the bill which we are talking about sets forth no deadline. It calls for introduction by way of proclamation after the bill is passed. The order in council has gone beyond the scope of the bill, because it indicates the particular provision, to which we are directing our attention, will come into force on January 1, 1979. In the first instance, that is beyond the scope of the bill.

We are faced with a very peculiar situation. If the House is dealing with a particular piece of legislation, then I submit respectfully that there should not be any edict, regulation or proclamation promulgated prior to the passing of this bill. If

Privilege—Mr. McGrath

that occurs, our role becomes a sham, meaningless, and useless.

Mr. Baker (Grenville-Carleton): And parliament is held in contempt.

Mr. Alexander: As the hon. member for Grenville-Carleton (Mr. Baker) just said, parliament is held in contempt. The hon. member for St. John's East said that the government is in contempt in terms of recognizing the roles of members of parliament when it comes to the parliamentary process of dealing with legislation. It cannot have it both ways.

May I call it one o'clock, Mr. Speaker?

Mr. Speaker: It being one o'clock I do now leave the chair until two o'clock this afternoon.

At one o'clock the House took recess.

• (1402)

AFTER RECESS

The House resumed at 2 p.m.

Mr. Alexander: Mr. Speaker, you will recall that at the lunch break I was trying to convince Your Honour of the necessity of dealing with this matter because of the principles involved. I was most encouraged by the Deputy Prime Minister and President of Privy Council (Mr. MacEachen), who was asked by the hon. member for Provencher (Mr. Epp) to withdraw the order in council, when he said, after some deliberation and a supplementary question, that it would be improper for him to anticipate the conclusion of the bill. I want Your Honour, with respect, to remember that phrase, "anticipate the conclusion of the bill."

What is equally important is the fact, and this has been emphasized by the hon. member for St. John's East, that there should be no intervention by the promulgation of an order in council dealing with the same subject parliament is dealing with by way of committee consideration. With all due respect, and if I am wrong I am sure the minister will correct me in due course, that is what has happened. I mentioned this to you, and I will not repeat it other than to say we were talking about the less than 20 hours in a week and the not less than 30 per cent of the maximum weekly insurable earnings, which are the two main points. These matters have been dealt with by the order in council at a time when we were considering them, as we should in terms of the legislative process.

You will hear argument from the other side, particularly from the Minister of Employment and Immigration (Mr. Cullen), that the government has the legal authority to do this. That raises a very serious question, because if the legal authority exists, the government has done by order in council—and once again I would direct your attention to the explanatory notes—what it is attempting to do under the authorities sought by these two provisions.

For the benefit of hon. members I will read this again. It is extremely important. The explanatory note in reference to