

*Access to Information*

amendments which I proposed on behalf of the New Democratic Party were accepted at that late stage in June. I should like to make brief reference to them and to point out that these amendments in these two critical areas were sought by many witnesses. In fact, the amendment in the area of the length of transition period was deemed to be absolutely essential, indeed critical, to passage of the bill by Access, among other witnesses. Those two amendments were in the area of the results of product and environmental safety testing. The original bill was very weak in this area. I proposed an amendment which was accepted by the committee that would make public the results of all product and environmental tests in Canada. This, perhaps more than any other section of the bill, has a very significant impact upon the general public. I was very pleased that the government and the committee moved to accept this amendment which was proposed.

As well, the transition period, the period within which the bill was to come into effect, was very significantly shortened as a result of an amendment upon which I insisted at committee. The bill as originally worded would have meant information would not have been disclosed in some instances, in fact in many instances, until January 1, 1988; that is assuming the bill was proclaimed within six months as the minister indicated. The amendment which I proposed on behalf of the New Democratic Party means that in most instances information will be available as of January 1, 1985; in other words, three years earlier than the bill would have originally made information available. I proposed both of these critical amendments on behalf of the NDP and they were accepted by the committee.

There were other improvements made to the bill in the course of its clause by clause consideration—the power to extend access beyond Canadian citizens and landed immigrants, for example to foreign journalists on a reciprocal basis, and the fact that fees which were originally proposed to be charged for search and review were eliminated. I proposed an amendment to the committee which was accepted that would restrict the absence of disclosure in respect of police investigations to those investigations which were lawful. I proposed another amendment which was accepted by the committee that would basically implement a public interest disclosure test in the key areas of public health, safety and protection of the environment. The three-year review provision was added during the course of committee deliberations. Of course, this provision was sought by all members of the committee and pursued, particularly vigorously, by members of the official opposition and by members of the New Democratic Party. The amendment with respect to the referral of annual reports to the committee was one which I was pleased to be able to propose and was accepted by the committee.

Indeed, the bill was improved in a number of respects, but I think it should be noted—and this is the final point I will make—that with respect to the actual progress of the bill through committee, the record should be examined carefully by those who are interested in legislation respecting freedom of information and respecting the protection of privacy.

I have been gently criticized by the hon. member for Nepean-Carleton and the minister for perhaps taking some

time in the committee, but I would point out that many of the amendments in key areas which I proposed on behalf of the New Democratic Party were in fact accepted by the committee. I challenge those members of the Conservative Party and of the government to come forward to the public and indicate a single amendment to which the official opposition is able to point as having been achieved as a result of their work on the committee. I say gently that not one amendment of substance was proposed by the official opposition and accepted by the committee. When we look at the work which was done by the committee to improve the bill, I think the record speaks for itself.

As this point I want to turn to some of the weaknesses of the bill as I see it and as reported by the committee. I suggest that this bill, both in the access part of it and in the privacy section, has been so watered down and is so weak and ineffective that it must be opposed on third reading. I do not believe that government should be allowed to travel from coast to coast and give Canadians the illusion that it has an effective freedom of information bill. I do not believe that the government should be allowed to travel from coast to coast and suggest that it has strengthened the protection of the privacy of Canadians when in fact it has done precisely the opposite.

We know that the United States legislation on freedom of information, particularly as amended and strengthened in the post-Watergate period of 1974, is far stronger than the Canadian legislation in a number of respects. Canadians still have to travel to the United States to obtain a lot of information about Canada—for example, the salaries of top businessmen and other information. We are still in the ludicrous position of Canadians having to travel to the United States to obtain information which the RCMP has given to the CIA. As we have seen in recent weeks, they have a very co-operative working relationship. We in Canada will still have to travel south of the border to obtain that kind of information.

My colleague, the hon. member for Winnipeg North (Mr. Orlikow), has given me a number of examples of the areas in this bill in which the doors are still slammed shut and that are still far weaker than the legislation in the United States. Unfortunately, I do not have the time to document them. Indeed, as my colleague for Winnipeg North has said, passage of this bill may prove to be another of those hoaxes for which the Liberal Party is so famous.

• (1620)

The access part of the bill contains many flaws. I would like to focus upon three of those flaws. There are three critical areas of this bill which, in my view, are fundamentally defective. They are the sweeping exemptions provisions, the provisions, for judicial review which, in many instances, are a sham and, of course, the last minute amendment which effectively constitutes the Mack Truck clause of this bill. It is the amendment which allows the government to proclaim that any document is a confidence of the Queen's Privy Council and precludes any information in the form of judicial review. I predict that those who expect the floodgates to open to allow a