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**Hon. Duff Roblin (Deputy Leader of the Opposition):** Would my honourable friend mind repeating that last sentence?

**Senator Olson:** Cabinet then has 60 days within to review and either accept or reject the proposal. Honourable senators, the last sentence is as follows, and I will go over it carefully: This is a dynamic process which allows for far greater flexibility and future change than would an amendment to an act with full parliamentary debate.

**Senator Roblin:** Surely my honourable friend did not expect me to accept that answer as being adequate in the circumstances?

**Senator Olson:** It is just a statement of fact, that is all.

**Senator Roblin:** It may be a statement of fact, but it is a fact that we have to deplore.

To make a statement that it is more democratic or effective to proceed in the way in which the government is proceeding rather than to seek to amend the statute is not addressing the point that I was making. It is quite within the power of the government to permit—permit, if you please—a parliamentary discussion of this matter, so that those people who want to say something can give their views and Canada Post can give its point of view. To leave the impression, however, as he does with me, that that sort of thing is not democratic, really surprises me. I think it is the way to go.

I know that my honourable friend has made his statement. I am not going to change his mind. I have to admit that he is within the four corners of the statute; that is perfectly correct. However, I think that, as a matter of public policy, it would have been much wiser to have some parliamentary discussion of a matter which is going to be very important in the light of the economy of the country.

It is a generally agreed proposition that monopolies have to justify their positions before some reasonably competent tribunal. It seems to me that Parliament constitutes such a body.

**Senator Olson:** Honourable senators, I think I should comment that Senator Roblin, after he receives the reply, then wants to debate the substance of it—at least that part of the substance which concerns the process that is involved. I think my honourable friend should go back and consider carefully what I have just said. I have not yet provided him with a copy of the reply, but he will have one. He will then see that this process involves the publication of a proposed regulation, public comment and discussion and consultation, amendment by the corporation and submission of the amended version to the Governor in Council. I think this process goes a long way farther—that is why it is unique—than does the making, or, indeed, the amending, of regulations of a new act.

It seems to me that Senator Roblin, with his usual generosity, should accept that this is a tremendous improvement over simply going without that 60 days' notice within which to receive any comments.

**Senator Roblin:** Honourable senators, I appreciate that this is not the place to debate the subject, but I want to make one final observation. I really do not agree that it is a contribution to the advancement of our public affairs to make sure that these matters are dealt with by arbitrary bodies without any process of public discussion, such as would be ordinary in the course of any other monopoly justifying its position. There certainly has not been any public discussion. We do not even have the full documentation which was available to the government. To simply say that the executive, in its wisdom, will decide what is right is not an advantageous way to do things when the matter could well be debated by Parliament.

**Senator Olson:** Senator Roblin is really challenging a practice that has been carried on by every government, both federal and provincial, since Confederation. Governors in Council, or Lieutenant Governors in Council, make regulations by order in council. The process to which we are referring today is even more wide open, in that the Governor in Council does not proceed until there has been a debate for about 60 days. It seems to me that Senator Roblin is being unfair in saying that this represents some restriction when it really is an expansion of the public debate that took place.

**Senator Roblin:** My honourable friend obviously did not mean what he said, because he said that there has been a debate for 60 days. Where is that debate, pray? The debate consists of correspondence between a number of people and the Governor in Council. I am asking for a real debate; that is what I want.

**Senator Olson:** There has been a great debate in public about it.

**Hon. John M. Godfrey:** Honourable senators, I should like to ask the Leader of the Government whether he is aware that, in following this procedure, he is adopting the procedure which was recommended in the report of the Joint Committee on Regulations and other Statutory Instruments with respect to reform of the government regulatory process as to notice and comment procedures. I must say that I am delighted that the government is doing so in this instance. It should be made compulsory, as recommended in our report.

**Senator Olson:** In reply to Senator Godfrey, I must say that I was not aware that we were precisely following those instructions. However, I, too, am delighted that he has drawn that to our attention.

**Senator Roblin:** Honourable senators, I have a great respect for Senator Godfrey and his committee. If he has been able to introduce some improvement in our procedures, who am I to object? I simply say that, as a result of my observations in Australia, in that country the Senate has the power to rule on the validity or the policy content of orders in council. It is my hope that, some day, Senator Godfrey's committee may be empowered to do the same.