

Summer Recess

find the senior assistant deputy minister of the Department of Energy, Mines and Resources, the senior assistant deputy minister for the Department of Finance; assistant deputy minister, Department of Industry, Trade and Commerce; senior adviser, legal, Department of Energy, Mines and Resources, adviser, uranium and nuclear energy, Department of Energy, Mines and Resources and a professor of energy studies, University of Toronto. These are senior officials, not only from the Department of Energy, Mines and Resources, but other departments which are fully involved in the operations of that particular Crown corporation.

Because this company is a shell, there is no staff. The operations of the company are being carried on by officials and members of the Department of Energy, Mines and Resources. They are fully aware of what is happening with respect to this company's operations.

Under the terms of its incorporation, what this company does is subject to order in council. I simply point out to members of the House when the government attempts to suggest there is no government involvement that every time a Crown corporation, such as Uranium Canada Limited, takes any step, the government has to pass an order in council on the recommendation of the minister. There is a responsibility here directly to the cabinet which has the authority under our parliamentary system to pass orders in council.

Eldorado Nuclear Limited is another Crown corporation which reports to the Minister of Energy, Mines and Resources. He takes responsibility for answering for that corporation. He follows it. I know from my own experience that I was briefed on what each company was doing, and I am sure that practice was the same during the period 1970 to 1978.

There are two unindicted co-conspirators who are named in the charge as well. These are Mr. Gordon MacNabb, whom I have already mentioned, and Mr. O.J.C. Runnalls, who was a uranium adviser. My colleagues and I want to speak about that later on.

The government's response thus far has been the most curious evasive action I have seen on the part of the government during the time I have been here. It gets curiousest and curiousest, as Alice said. There has been a refusal to acknowledge whether the unindicted co-conspirators, Messrs. Runnalls and MacNabb, have operated with government authority. This was the simple question I asked the minister of which I gave him notice. He has been put on notice with respect to all of these questions. But the Minister of Justice refuses to tell us whether or not these two gentlemen were operating within the authority of the government or whether they were operating outside that authority. That is not a difficult question to answer.

When I questioned him about whether the government will provide legal advice to these two public servants who have been operating in a senior capacity in the Department of Energy, Mines and Resources and who are enjoined and named as unindicted co-conspirators in this particular operation, I was refused answers. The government has refused to release any information as to the basis on which it laid charges

and how it was decided who should be charged and whether or not any individual persons should be charged. In this instance, I think of the harbour dredging case where officers of the company were charged.

An hon. Member: They are in jail.

Mr. Hnatyshyn: Why were no individuals charged in this case? What does the government have to conceal? Why can we not get some information from the government as to the basis on which charges were laid? The government has refused to explain why it did not take steps to protect the consumers of Canada. The government is waffling and back-tracking on questions about when it knew this price fixing impacted domestically. All it has told us is that in 1975 the government became aware of it. There is a refusal to explain what happened and what action the government took or did not take. What about the question of when the notice of the impact on domestic prices took place? There is a refusal to repeal the gag regulations. They are still in effect.

It cannot be argued that somehow gag regulations are required because for all intents and purposes the legal proceedings outside of Canada are finished. The only protection that can be afforded by this order in council is with respect to keeping documents away from any domestic prosecutions or lawsuits that might be commenced in Canada. That seems to me to be the only reason the government wants to keep these gag regulations in force. Why does the government not repeal the order in council at this time?

I want to come now to the fundamental question of what this issue is all about. On a number of occasions I have raised questions on the basis that we are witnessing an attempt on the part of the government to avoid what I call parliamentary and ministerial responsibility. Just for the edification of the Minister of Consumer and Corporate Affairs in particular, I refer to MacGregor Dawson's book "The Government of Canada", fifth edition, revised by Norman Ward. We read there:

The minister at the head of every department is responsible for everything that is done within that department; and inasmuch as he will expect praise or assume blame for all the acts of his subordinates, he must have the final word in any important decision that is taken. Only if the minister can clearly demonstrate his initial ignorance of the offending act and convince the House of the prompt and thorough manner in which he has attempted to remedy the abuse can he hope to be absolved from at least opposition censure. R. L. Borden, when leader of the opposition, aptly described the ideal situation as follows:

A Minister of the Crown is responsible, under the system in Great Britain, for the minutest details of the administration in his department; he is politically responsible, but he does not know anything at all about them. When anything goes wrong in his department, he is responsible therefor to Parliament; and if he comes to Parliament and points out that he entrusted the duty to an official in the ordinary course and in good faith, that he had been selected for his capacity, and ability and integrity, and the moment that man has gone wrong the Minister had investigated the matter to the full and punished that man either by degradation or dismissal, he has done his duty to the public. That is the way matters are dealt with in Great Britain, and it is in that way, it seems to me, that our affairs ought to be carried on in this country.

● (1650)

There is a very appropriate lesson for all of us with respect to ministerial responsibility which I want to relate to what