

*Teleglobe Canada***GOVERNMENT ORDERS**

[English]

**TELEGLOBE CANADA REORGANIZATION AND
DIVESTITURE ACT**

MEASURE TO ENACT

The House proceeded to the consideration of Bill C-38, an Act respecting the reorganization and divestiture of Teleglobe Canada, as reported (with amendments) from a legislative committee.

Mr. Brian Tobin (Humber—Port au Port—St. Barbe) moved:

That Bill C-38 be amended in Clause 35 by striking out lines 33 to 35 at page 19 and substituting the following therefor:

"35. This Act shall come into force on a day or days to be fixed by proclamation but not until an agreement incorporating an employee compensation program has been negotiated and accepted by the employer and the employees of the new corporation established pursuant to section 4 of this Act."

He said: Mr. Speaker, I am pleased to note that the Hon. Member who seconded the motion, the Hon. Member for Churchill (Mr. Murphy), and members of the New Democratic Party will support this eminently sensible amendment to Bill C-38.

The entire process by which the Legislative Committee on Bill C-38 had to undertake its work was flawed from the word go. For the first time in the history of the reform of Parliament we have seen in the work of a legislative committee an entirely new set of circumstances, circumstances which we have never encountered before. In studying a Bill in a legislative committee which gives legal authority to the privatization of a Crown corporation, Bill C-38, members of all Parties were disconcerted to discover that in contemplating amendments to it we were constantly and consistently told by officials of the Minister of State for Privatization (Mrs. McDougall) that while they recognized the primacy of Parliament, the right and authority and responsibility of Parliament to study a Bill and, if it chooses, to make amendments to it, if we were to uncross any "t's" or undot any "i's" or if we were to make any changes to Bill C-38, the effect of those changes which we are entitled to make could be to abrogate the agreement signed between the Government of Canada and Memotec, the new owner of Teleglobe. In effect, Members of Parliament were subjected to a scenario that, in effect, affected our privileges as Members of Parliament. We were being told by the Government of Canada: "Here. Study the Bill. Examine it and improve it, that is your role. However, if you make any changes to it you will have abrogated a legally-binding sales agreement between the Government of Canada and a private company. If you do that, my friends, the Government could be liable to a court action and the Government would be obligated to rebid the entire process again because you might have changed the terms of the sale after the fact". That was the scenario that was consistently and shamefully laid out in a wanton manner by the Minister and her officials. Members of Parliament were

told, in effect, in a normal way, as opposed to a back-handed way, that the entire legislative committee process is a sham. We were being told: "You are entitled to investigate, you are entitled to make recommendations, but if you do you will have undone, you will have abrogated, the agreement that was entered into between the Government and a private company. That is the ramification of your doing exactly what you have been charged to do by the people of Canada in your legislative committee".

Let me say from the outset that that type of problem is one that I will not permit myself to tolerate ever again. I am saying to the Minister and to the Government that if they ever come again before a parliamentary committee with a Bill to privatize a Crown corporation, they had better be prepared to ensure that the privatization of another Crown corporation is pre-studied, pre-examined by way of a White Paper or whatever is necessary before it ever hits the legislative committee stage. If the Government is going to tell Members of Parliament, in particular this Member of Parliament, that the legislative committee process is a necessary sham, then I will not participate. When I say that I will not participate, what I am saying to you, Mr. Speaker, is that the matter will never get out of a legislative committee in the future.

Thus, every single amendment that was put at the legislative committee stage on this privatization Bill, the first one we have had in Parliament, was defeated by members of the government majority, not because they were necessarily exercising their best judgment with respect to the Bill but because they had held over their heads the threat that accepting an amendment could in fact indirectly abrogate a private agreement reached between the Government and a private owner. In fact, Parliament was hijacked.

Let the Government be warned that that type of process will never, ever, be tolerated again in the legislative committee process. Mr. Speaker, you will never see again a Bill come out of the legislative committee process if that is to take place. We will keep it there until Rip van Winkle wakes up and goes home if it is ever tried again. Any self-respecting Member of Parliament from any one of the three Parties will not tolerate it. I know that Conservative Members of Parliament, at least on the principle that Parliament not be shanghaied if not on specific amendments, were as concerned as I am concerned today in putting forward these comments.

The amendment I move today is an amendment that would have the effect of ensuring that Bill C-38 not come into force until such time as the Government, specifically the Treasury Board and Memotec, and the employees and representatives, particularly the *ad hoc* committee on pensions, have reached an understanding with respect to the acquired pension rights of employees.

There are 1,107 employees of Teleglobe Canada who today, as this Bill completes the legislative committee stage and awaits introduction at third reading stage, as it gets ready to rocket itself out of Parliament to become law, have not as yet reached a satisfactory conclusion with either the Government