

decisions to refuse access to information. In short, it sets forth the basic rules for obtaining access to government information, where none existed before.

Second, it significantly extends the protection that is now accorded to personal information under Part IV of the Canadian Human Rights Act. It establishes a comprehensive code of fair information practices governing the collection, the use, the disclosure and the retention of information concerning individuals. As well, it reinforces the right of Canadians to obtain information held by the government about themselves. It complements this right with a scheme of independent and external review.

Finally, it reforms the rules governing the privileges now vested in the Crown as regards evidence before the courts. Absolute privilege is retained only for cabinet confidences. All other matters which deserve to be protected on the grounds of a public interest are now reviewable by the courts and the courts will decide whether they ought to be produced or not.

As a result of this legislation, Canadians will be better informed of their government's decisions and actions. They will be better equipped to inquire into the reasons for a given course of government action. This bill—imperfect as some may find it—will make for better government in Canada.

The idea of enacting a statutory scheme of public access to government information has been with us for a long time. It is fair to say that it received its main impetus from members of this House of Commons. In the mid-sixties a member of the New Democratic Party, Barry Mather, sponsored a private member's bill on the subject. Later, Mr. Jed Baldwin of the Conservatives became a crusador for freedom of information, and although he is no longer a member of this House I know that he is still actively involved in promoting such legislation.

In 1977, at the initiative of the Hon. Ron Basford, then minister of Justice, Parliament adopted Part IV of the Canadian Human Rights Act, the present framework for the protection of personal information. At the same time, my colleague, the present Minister of the Environment (Mr. Roberts), authored a green paper on legislating public access to government documents. That document became the focus for the deliberations of the Standing Joint Committee on Regulations and other Statutory Instruments. The imprint of the committee's recommendations was to be found in both the Conservatives' Bill C-15 and in this government's Bill C-432. I am referring to the uniquely Canadian approach of having a two-tier review of government decisions on access requests. In 1979, the hon. member for Nepean-Carleton (Mr. Baker) sponsored the Conservative government's freedom of information bill. Then this government introduced in July, 1980, its own composite bill on access to information, privacy and public interest immunity.

*[Translation]*

In July 1980, not quite two years ago, I had the privilege of tabling Bill C-43 in the House. Since then, the Standing Committee on Justice and Legal Affairs has spent many hours considering this legislation. A host of associations came to

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express their views on various aspects of the bill. These associations came from every sector of our society and included: ecologists, consumer associations, several media groups, the Canadian Manufacturers' Association, the Canadian Association of Chiefs of Police, historians, archivists, the Civil Liberties Union, a number of education groups and so forth. Although they were not all in agreement on every single clause, and although they wanted certain changes, they did agree that the legislation should be passed by Parliament as soon as possible. In response to their representations, the government has proposed a number of amendments to its bill.

*[English]*

I would like to note in passing that if the standing committee had been allowed to deal with the bill with the usual dispatch, the access to information bill would be in force today; it would be reality today. We would not be debating it; we would actually be seeing it enforced across the country. That delay can be due to only one party in opposition, and that is the New Democratic Party.

*[Translation]*

Mr. Speaker, I should like to take advantage of this opportunity to express my appreciation of the work done by the committee members who examined this legislation. The committee met 35 times, it heard some 27 experts and interest groups and received 57 written submissions. I should like to mention by name the committee members who worked so hard to bring this bill to its final stage. First of all, the chairman, the member for Lotbinière (Mr. Dubois), and I also wish to stress the role played by my parliamentary secretary, the member for Thunder Bay-Nipigon (Mr. Masters) and the contribution made by the members for Notre-Dame-de-Grâce-Lachine East (Mr. Allmand), Sarnia-Lambton (Mr. Cullen), Lévis (Mr. Gourde), Montréal-Mercier (Mrs. Hervieux-Payette), Sault Ste. Marie (Mr. Irwin), Cape Breton-The Sydneys (Mr. MacLellan), Jonquières (Mr. Marceau), Willowdale (Mr. Peterson), Kenora-Rainy River (Mr. Reid), Etobicoke-Lakeshore (Mr. Robinson) and Bourassa (Mr. Rossi). I know the member for Gloucester (Mr. Breau) was with us in spirit, since he sits on a number of House committees that are concerned with many other subjects.

I also wish to express my appreciation for the active participation of the hon. member for Nepean-Carleton (Mr. Baker) and the member for St. Catharines (Mr. Reid), who brought a very positive attitude to the committee's proceedings. The first component of Bill C-43 constitutes what will be known as the Access to Information Act. As I said earlier, this legislation gives Canadians and permanent residents the right to have access to information held by more than 130 government institutions. This access will be regulated by flexible procedures that will facilitate the communication of government information. A written application is to be sent to the government institution concerned, specifying the document requested. To help citizens exercise their rights in this matter, the bill