

*Government Orders*

aspects of its implementation but we do not even know which minister will be responsible for it. This will be up to Cabinet to decide.

Even the professional corporations that should be the first to be concerned by this new legislation do not know whether their members will be affected by the bill. Again, it will be up to Cabinet to decide whether pharmacists, veterinarians, doctors and dentists will have to get a licence to sell and distribute designated drugs. If this were not legislation in the field of criminal law, we might be willing to leave it to Cabinet to make regulations. As in the case of several other pieces of legislation, we would only have to define parameters in framework legislation and give Cabinet extensive regulatory powers. In administrative matters, there is no great risk in proceeding that way. To the extent that Cabinet does not go beyond the powers with which it has been entrusted by Parliament, the regulations are generally valid.

It is quite another thing in criminal matters, for the citizen ought not to be forced to read every order in council to understand the content and the import of the bill. Yet with this legislation we are asked to give the cabinet the power to impose its will. Who can believe that we will accept, for instance, that Cabinet could use its regulatory powers to legislate on the conduct of members of the professions governed by the Quebec Professional Code? The activities of doctors, pharmacists, veterinarians and dentists in Quebec are exclusively regulated by legislation that controls the practice of their professions.

In addition to being submitted to their organization's monitoring, professionals in Quebec are governed by the Professional Code. When the government proposes that the cabinet be given the authority to determine the conditions of practice of certain professions, it is asking us to make a clean sweep of provincial jurisdiction in that matter, to disregard the exclusive privileges of professional corporations and to grant itself supreme authority over the main fields of activity of pharmacists.

• (1225)

We cannot tolerate that this government would take advantage of a piece of criminal legislation to give Cabinet regulatory powers that so blatantly intrude into provincial jurisdiction on professional practice.

Here are two examples.

When the bill, in the preamble to clause 54, entrusts to Cabinet the regulation of the medical use of drugs, it deals with medical practice and not drug control.

When the bill gives to Cabinet all powers over the sale, supply and administration of drugs, it deals with the provision of pharmaceutical, dental or veterinary services.

When the bill gives to Cabinet the power to deliver licences for the sale of controlled substances, it affects the provision of all pharmaceutical services.

When the bill hands over to Cabinet the authority over the sale and storage of those substances, over professional qualifications of people authorized to sell them, over records those persons should keep, over the dealings of a professional corporation with its members, it is really a code of ethics and a whole set of regulations that the government is trying to impose to pharmacists.

We could go on for hours about this bill, which ignores the fact that the Constitution of this country is based on a division of powers.

Two recent initiatives confirm our misgivings.

The bill has still not been passed and debate at second reading has yet to be completed and two ministers, with contempt for basic decency, announce enforcement regulations which show how much power Cabinet seeks.

I said that this bill was incomplete. I now add that it is only a general and confusing preamble to a series of regulations that Cabinet will be empowered to adopt at its whim and for any reason.

The Solicitor General announced, in a tendentious press release that the police would have a clear and definite legislative basis for engaging in clandestine activities.

What the minister does not say is that this clear and definite legislative basis for new police powers will be in the regulations and not in the law.

This technique could be called legislative trickery.

It is a blatant lack of respect for Parliament. As if we could not legislate intelligently in this House as the cabinet can behind closed doors.

And the Minister of Health announced through the media that growing cannabis could be allowed for commercial purposes.

This government is trying to acquire full powers. It is presenting a bill only for the sake of appearances.

It is not surprising that the Minister of Health, who is apparently sponsoring the bill, announces without batting an eyelash that she is already trying to amend the law without going through the House.

That shows what little consideration this government has for the elected members of this House.

We will vote against this piece of legislation which is badly written and thrown together and cannot hide the ambitions of the government to regulate professions that fall under exclusive provincial jurisdiction and gives Cabinet unacceptable and excessive regulatory authority.