

BANK OF CANADA—EXPENDITURES FOR INTERIOR
LANDSCAPING

Question No. 1,228—**Mr. Howie:**

Since January 1, 1977, what amount was paid by the Bank of Canada for interior landscaping and, in each case, to whom was it paid?

Mr. Ed Lumley (Parliamentary Secretary to Minister of Finance): Of the amount referred to in the answer to question 752 (answered December 14, 1977) a little more than four-fifths was paid to Fine's Flowers Ltd., Ottawa, and the remainder to Van der Meulen and Associates Ltd., Toronto.

MONCTON, N.B.—OPENING OF PUBLIC INTEREST ADVOCACY
CENTRE OFFICE

Question No. 1,289—**Mr. Jones:**

1. Are there any plans on behalf of the Public Interest Advocacy Centre, to open an office in the constituency of Moncton?
2. If so, when will this occur?
3. If not, where are these other offices to be situated and how many employees will be employed and what amount of space will be occupied?

Mr. Alan Martin (Parliamentary Secretary to Minister of Consumer and Corporate Affairs): 1. At present, officials of the Public Interest Advocacy Centre have no plans to open an office in the constituency of Moncton.

2. Not applicable.

3. The officials of the Public Interest Advocacy Centre have indicated that the establishment of provincial and regional offices is dependent upon the receipt of funding from private sources and provincial governments. The size of the offices and the number of employees are similarly affected.

[Translation]

Mr. Speaker: The questions listed by the hon. parliamentary secretary have been answered. Shall the other questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

AMENDMENT TO GIVE CERTAIN RIGHTS TO POLICE

The House resumed, from Friday, March 17, consideration of the motion of Mr. Blais that Bill C-26, to amend the Criminal Code, the Crown Liability Act and the Post Office Act, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, on Friday I addressed myself to the House on the subject of Bill C-26, and when the debate was interrupted I had just about concluded my remarks. Today I wish to say one or two things in summary.

Criminal Code

The bill before us is twofold in its thrust. I stated on Friday that we in this party would not object to the opening of mail as envisaged in the first part, provided it is done upon the authorization of a judge in accordance with the terms and conditions of the Privacy Act. I do not think reasonable people would object to the opening of mail under these circumstances when the intention is to restrict trafficking in hard drugs. Indeed, I believe this would be a step in the right direction. Nevertheless, I do oppose very strenuously the granting of authority to the Solicitor General (Mr. Blais), under the second aspect of the bill, enabling him to issue warrants without authorization from a judge, with regard to matters coming under the Official Secrets Act and involving questions of national security. I would refer to the section of that act, section 3 which sets out that:

Every person is guilty of an offence under this Act who, for any purpose prejudicial to the safety or interests of the State,

(a) approaches, inspects, passes over, or is in the neighbourhood of, or enters any prohibited place;

(b) makes any sketch, plan, model or note—

And so on. Then it goes on to say in subsection (2):

On a prosecution under this section, it is not necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interest of the State—

In other words, this is really a matter of executive discretion rather than being a judicial matter.

Section 4(1) states that every person is guilty of an offence under the act who, having in his possession or control any secret official code word or password or any sketch, plan, model, document, and so on, communicates that information to any unauthorized person, uses the information for the benefit of a foreign power or in a manner prejudicial to the safety or interest of the state, or retains it in his possession or control when he has no right to retain it, or fails to take reasonable care of such information, or so conducts himself so as to endanger its safety. Again, the words used here are subject to wide interpretation by the courts. Take, for example, the phrase "retains a sketch". Some person, perhaps a member of parliament, might find himself involuntarily in possession of one of those 58 copies of a document which are floating around, a document which is said to be highly classified. The act might well be read as though such a person could be convicted.

The executive discretion here is twofold. Consent to lay a charge lies with the Attorney General of Canada (Mr. Basford), as we saw the other day. In the second place, it is the Solicitor General who has the authority to issue a warrant to open mail on what he considers to be reasonable grounds. Mr. Speaker, I believe that even when questions of national security are involved, authority to open mail should lay with the judiciary. I say this, having absolute confidence in the judiciary of this nation. Application should be made to the judges in camera, an ex parte application, as we call it. Judges take an oath to the Queen, thank God; they do not take an oath to the government. They are quite capable of keeping these matters confidential. Should a judge grant an order in respect to an