

Investment Canada Act

The Hon. President of the Privy Council argued that to reduce the level to 5 per cent expanded the jurisdiction of the Agency. In the opinion of the Chair the Agency, as defined in the Bill, already has the authority to review acquisition of control. Therefore, these motions are in order and will be proposed to the House together for debate and vote on Motion No. 78 will dispose of Motion No. 79.

18. The Hon. Member for Essex-Windsor argued quite eloquently in favour of Motion No. 80 and has convinced the Chair to allow this motion to be proposed to the House. Motion No. 80 will be debated and voted on separately.

19. Motion No. 82 gives to a committee of the House the power to approve regulations. This clearly was not contemplated in the Bill which gives such power to the Governor-in-Council. Therefore, this motion is out of order.

20. Motion No. 83, as indicated by the Chair on Tuesday last, goes beyond the scope of the clause it is attempting to amend and is therefore out of order. As Motion No. 84 is consequential on this motion, it also is out of order.

21. The Hon. Member for Essex-Windsor asked the Chair to consider further whether Motions Nos. 85 to 88 were consequential to Motions Nos. 83 to 84. Upon reflection, Motions Nos. 86, 87 and 88 are consequential on Motion No. 83 and cannot be put to the House. As Motion No. 85 deals with the disclosure of information in connection with legal proceedings, its subject matter allows the motion to stand by itself. It is my intention to put the motion to the House separately and have it voted on separately.

22. In relation to Motions Nos. 90 and 91, I regret that the Hon. Member for Winnipeg-Fort Garry has not convinced the Chair to change its first impression of these two motions. As I previously stated, Motion No. 91 infringes on the financial initiative of the Crown and is therefore out of order. As Motion No. 90 is consequential on this motion, it is also out of order.

23. Finally, for the reasons given by the Chair in its preliminary statement, Motion No. 94 is out of order and will not be proposed to the House.

This concludes the remarks I have to make in relation to the procedural acceptability of certain motions. For the benefit of Hon. Members, I will enumerate those motions ruled out of order. They are Motions Nos. 3, 5, 13, 14, 21, 22, 26, 28, 29, 33, 37, 39, 40, 42 to 49 inclusive, 51, 54 to 62 inclusive, 64 to 66 inclusive, 71, 73, 82 to 84 inclusive, 86 to 88 inclusive and 90 to 94 inclusive.

I must apologize to the House for the length of this ruling, but I am sure Hon. Members will understand that, with the number of motions proposed, the complexity of the legislation and the high calibre of the procedural arguments made, the Chair was obligated to weigh carefully and to answer fully the procedural concerns of Hon. Members.

Debate will now continue on the group of motions now before the House, with the exception of Motion No. 14 as ruled on previously by the Chair.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I never cease to be amazed at your capacity to make these magnificent rulings. It is the capacity to read them, I suppose, which amazes me more than the making of them. Maybe some day we will be in the position in which we will not have to do this.

First, on behalf of my colleague, I want to thank you, Mr. Speaker, for the kind words which you expressed during your ruling. I am not really talking about that, however, but with regard to the presentations of the arguments which I think everyone in the House felt were extremely well done by all Hon. Members who made representations during the submissions which were made to your preliminary ruling.

● (1120)

Let me talk for two or three moments about the reasons we are attempting to make these subsequent changes to the legislation. The experience we have had over the years with respect to the degree of power which the Minister has is an experience which has led most of us to come to the conclusion that many of the areas we would define on an ongoing basis as "problem areas" seem to be outside the scope of the Minister to resolve. I have on numerous occasions, as have other Hon. Members of the House, come across situations where companies operating in Canada, or seeking to operate in Canada, were prepared to make substantial commitment on paper guaranteeing such things as long-term employment, investment in areas of research and development, and assuring the Government through FIRA—and I now imagine through this legislation—that their intentions were of the highest order and that they were committed to Canada, as we would expect them to be.

Unfortunately—and I want to stress that word—the experience in many instances has not been in keeping with the commitment. All too frequently we have found that after permission was given to either purchase an existing operation or to establish a new operation in Canada, the performance level, when measured against the commitment made, fell substantially short of realizing the goals. So what we are asking is that the powers of the Minister be more clearly defined and that the Minister in fact have the necessary power to deal with some of the problems which, quite frankly, not only did exist in the last few years but continue to exist. We are dealing with basically the same people and with the same corporate entities, in most instances, and if they were not prepared to live up to their commitments voluntarily in the past, then one would have reason to doubt that their attitudes would have now changed significantly. And it would not be unreasonable to think that they would not be prepared to live up to their commitments in the future.

We would very much like to have the powers of the Minister more clearly understood when these circumstances arise. One example which I raised yesterday in Question Period is the take-over of Canadian Porcelain Limited by, I believe, Lapp Industries from New York State. That is an example of a situation which cries out for investigation. It is not unique. It is not the first time it has happened. But the fact that it has