

*Emergencies Act*

I think it is appropriate simply to recall to the House the process that was used with this Bill. It was first indicated to Canadians that the Government intended to act in this area in the White Paper on National Defence which was tabled over a year ago. I tabled the Bill in June of last year prior to Parliament rising for the summer recess with the assurance that the Bill would sit on the Order Paper without being called over the course of the summer and that we would solicit from Canadians, from groups and individuals and from Members of Parliament their views, their responses about the Bill, their concerns and their suggestions about what improvements could be made to ensure that the Bill struck that appropriate balance between the rights of Canadians, the need of the state to protect its very survival and to protect the lives and safety of individual Canadians. I think it is a process which has worked well.

I want to thank members of the legislative committee and Members on all sides of the House for the co-operation which they have shown. We have the Bill which has been substantially amended over the course of the time in which it has been in Parliament. The vast majority of these amendments, in my view, make it a better Bill and better strike the balance between the rights of Canadians, the needs of the Government to provide for the safety of Canadians and for the integrity and survival of the state itself. It has been a process which has demonstrated that Parliament can work if goodwill is shown on both sides of the House.

*[Translation]*

I would simply like to thank all Members for their spirit of co-operation. That positive, constructive spirit has produced excellent results for all Canadians. Because of those efforts, we will have a more effective law that will better protect the rights of all our fellow citizens.

*[English]*

It is an example of Parliament working as Parliament was intended to work and, again, I thank all Members of Parliament for their efforts and co-operation.

I would conclude simply by saying that it is a very proud day for me to see this legislation passed into law. I think it should be a proud day for every Member of Parliament that Parliament is acting now to keep faith with Canadians with the commitment that was made some 18 years ago in the October, 1970 crisis that we would scrap the old War Measures Act and bring in properly balanced and safeguarding legislation to ensure that Canadians in the future would have a piece of flexible legislation with a range of capacities enabling us to deal with emergencies starting on the one hand with natural disasters and going all the way through to war emergencies. We will now have that legislation. I think it is a credit to this Parliament. It is probably a matter which is of great satisfaction and great pleasure for all Canadians that Parliament has acted in such a timely way and that before we rise for our summer recess we will have this sort of legislation.

**Hon. Bob Kaplan (York Centre):** Madam Speaker, on behalf of the Official Opposition I am pleased to note the achievement of today in getting an important piece of legislation as far as it has and to commend the Minister and other Members for the way in which the debate has been handled.

I have to contrast this with the regrettable way in which in earlier Parliaments the issue of emergencies was treated when members of the then Opposition and now Government were certain that the Government had a plot in mind to introduce regulations under the War Measures Act from day to day and that there was a secret plan to subvert somehow or other the democratic process. To me as one who observed that process it was more than anything the impediment that existed in the past to try to update the War Measures Act and bring in more effective legislation. This is a Parliament which is less suspicious of the Government and less suspicious that there is a plan to declare an emergency jurisdiction in force in the country. We have turned our attention in a positive way to the real need for an updating of the War Measures Act and we have a satisfactory substitute before us.

I think the Minister should be commended for the attitude he took toward amendments. Many were introduced by people across the country who saw the Bill in its first version by Members of the House of Commons and finally, and significantly if I can touch on it for a moment, by the Senate.

The Senate is often criticized for its participation in the parliamentary process. It exists in our Constitution. It exists, in fact, down the hall from us, as the so-called other place, but when it tries to act and tries to make an input into legislation it is very often criticized and condemned for what it tries to do.

We have before us an example of a very effective contribution by the Senate dealing with the issue of conscription under the emergency measures legislation, a concern expressed by the Senators. The Minister recognized that, although the War Measures Act contained the power to bring in conscription by regulation, in the past, Governments, however troubled by the emergency at hand in World War I and World War II, chose not to bring in conscription by regulation but to proceed by a more democratic political process. The Senators have proposed an amendment, which I am glad to see the Government has adopted, which will assure that an emergency in the future will be dealt with in the same manner.

● (1220)

*[Translation]*

For me, it is an important moment as we pass a replacement for the War Measures Act, a legislation that can be used more moderately.

I would like to conclude with the idea that while it can be invoked more moderately, it does not have to be done that way. The legislation we are passing today still gives the government very broad powers, and there will always be a role for the lawmakers to play, that of watching to ensure that the four different categories of emergencies provided for under this