

Canada Development Corporation

be the assumption the President of the Privy Council is making; that is, that no private rights are being lost because everyone can invest in the Canada Development Corporation. This is a pretty difficult argument to sustain when we look at the disparity which exists in this country, and the figures which indicate that 20 per cent or 25 per cent of the population is below the poverty line. We must ask the question whether all people will be able to share equally in the new opportunity that is being created. All persons in Canada whether rich or poor at the moment participate in and benefit from the Crown corporations which exist because they are all shareholders in those Crown Corporations.

If those Crown corporations were transferred to what looks like a private corporation to which a person would have to pay \$5 in order to be an investor, then the poor of Canada would be deprived of the opportunity to make an investment. They would constitute a special group whose rights were being taken away. The rights which they now possess by being able to participate in Crown corporations would be taken away from them if those Crown corporations were transferred to a private corporation. This is the only argument I want to make.

• (4:40 p.m.)

The example the minister gave about the Bank of Canada is hardly applicable in this particular case. I am trying to recall whether, previous to the introduction of the bill which provided for the establishment of the Bank of Canada there were different Crown corporations whose assets were transferred to a private corporation. Now, it strikes me that this was not the case. The bank was a completely new creation, and therefore the comparison between what we are talking about today and some of the things the minister dragged out is really not applicable.

Mr. Speaker: If there are no further contributions to this most interesting and important debate, perhaps the House would allow the Chair to express some views about the matter.

The hon. member for Peace River (Mr. Baldwin) indicated some time ago that he proposed to object to the bill from a procedural standpoint before second reading and in this way the House, the Speaker and all hon. members were put on notice that this very interesting point would be raised today. The hon. member for Edmonton West (Mr. Lambert) indicated, in an informal way, that he proposed to object to the form in which the bill was being submitted to the House for consideration. I make reference to this background to indicate that I have tried to do my homework, as hon. members would expect the Speaker to do, and to give serious thought to the difficulty, to study precedents, to look at our rules as closely as possible, and perhaps be more informed on this as well as on the arguments submitted by hon. members in the course of the debate.

There is no doubt whatsoever that this has been a most informative debate from a procedural standpoint, but the objections advanced by hon. members who have taken part in the debate—and I will refer to no one in particular because the contributions were all constructive, I

[Mr. Saltzman.]

think—are not ones to which the Chair at this time should give effect.

If hon. members will bear with me for just a few moments I will go over what I consider to be essential about the definitions of private bills and public bills and also so-called hybrid bills. As hon. members know, a public bill is one intended for the general or public benefit. It relates to matters of public policy and is introduced directly by members of the House. On the other hand, a private bill is one involving not general or public benefit but the particular and private rights or interests of a person or body of persons and where what is being sought cannot be obtained by means of a general law. Bourinot defines a private bill in this way as recorded at page 558:

Private bills are distinguished from public bills in that they directly relate to the affairs of private persons or of corporate bodies, and not to matters of general public policy or to the community at large.

My understanding of the private bill procedure is that it was established to protect the public against the uncontrolled granting of special powers to private interests. I believe that there is no quarrel about this interpretation.

What has been described as a third category of bills, that is hybrid bills, does not, in fact, exist in our Canadian parliamentary practice. Citations 376, 377 and 460 of Beauchesne's Fourth Edition refer to hybrid bills. It is suggested that these citations relate to British practice only. This is pointed out by the fact that the citations come from May's "Parliamentary Practice", and the British practice, as hon. members themselves have pointed out, relating to hybrid bills is spelled out in the standing orders of the British house, contrary to the citations in our own House where no provision whatsoever is made for the consideration of what in the British parliament is called a hybrid bill. In other words, we have, according to our Standing Orders and our long established practice, just two kinds of bills—private bills and public bills. In Britain, in accordance with their standing orders and practice, there are three kinds of bills.

What is being proposed by hon. members is that when we stumble upon a kind of bill which, by coincidence, might correspond with that which the British call a hybrid bill, we should apply the British practice to our House. In support of this imaginative suggestion, hon. members referred to Standing Order 1 of our House of Commons which suggests that when there is no existing practice in the Canadian parliamentary history to cover a certain situation, we should apply procedures followed by the British house.

I suggest this may well be so when there is no practice, but in Canada there is a practice which is that there are only two kinds of bills, private bills and public bills. Hon. members may want to call the bills different names. I have heard different names applied to different bills. They may want to call a bill a hybrid bill. But the fact that it may correspond to what is a hybrid bill in another house, particularly in the British house, does not mean it should be treated in that way in our own Parliament. I repeat that in the Canadian practice bills are divided into