

Pesticide Residue Contamination

a denial of a basic principle of justice as we know it in this country.

So I urge the minister to reconsider this matter. I heard what he said in response to the hon. member for Saskatoon-Biggar (Mr. Gleave) the other day, and I have read again what he said in *Hansard*. The debate was very short. The point made by the minister was that these assessors would be judges. That was supposed to satisfy the hon. member for Saskatoon-Biggar. But I would make the point that they are judges wearing another hat. They are judges appointed by order in council to be assessors to review whether or not the minister who is responsible for their appointment has made the right decision as to the amount of compensation.

The minister's defence, to my mind, is not even plausible. I think that the clause in the bill that denies the right to a farmer to take his appeal to a court is not in keeping with the kind of legislation we should have. As a matter of fact, I think that the very title of the bill is misleading. It reads: "An act to provide compensation to farmers whose agricultural products are contaminated by pesticide residue, and to provide for appeals from compensation awards." On reading that it is quite natural to assume that an appeal would be made to the courts. But this is denied by subclause 3 of clause 13, and I think this is a mistake.

Since the minister has indicated that he is going to speak I hope he will deal further with this matter and give positive assurance that the regulations will not take as long to come as the regulations relating to the Canada Labour (Safety) Code. We have been assured that they will be published. But I hope that the minister will deal more effectively than he has with the denial of the right of a farmer to take an appeal to a court of the land.

Mr. Deputy Speaker: Is there unanimous consent to hear the minister at this stage?

Some hon. Members: Agreed.

Mr. Olson: Mr. Speaker, I will try to deal with some of the questions that have been raised in the debate. First, I think it should be drawn to the attention of the house as clearly as it is possible to do so that this bill is a new departure in legislation. It provides, in the first instance, the Minister of Agriculture with authority from this house to pay [Mr. Knowles (Winnipeg North Centre).]

compensation to a farmer who has suffered a loss through no fault of his own as a result of the use of pesticides. Never before has statutory authority to do this been provided to the Minister of Agriculture.

Second, the bill provides a procedure for making an appeal against any decision that the minister may make as to the amount of compensation. Therefore I think it is in the context of those two fundamental purposes of the bill that we should consider all of the clauses and regulations that flow from those two principles.

The hon. member for Kent-Essex (Mr. Danforth) hoped that the government would demonstrate a willingness to amend the bill on the basis of experience, keeping in mind conditions that may exist from time to time. I am sure the hon. member will agree with me that this government has demonstrated by the very fact that it has brought in this bill a willingness to give authority and then to establish procedures for bringing about a greater measure of justice in cases where people are caught in situations that have arisen through no fault of their own.

The hon. member also mentioned that the government is protected under the provisions of the act whereas the farmer and indeed the manufacturer are not. This bill, as I read it, Mr. Speaker, in no way deals with the manufacture of pesticides. That matter is provided for under another bill. As the hon. member for Kent-Essex (Mr. Danforth) knows, Bill C-155 deals with compensation. It deals with rules of procedure and legal authority under which compensation can be paid after a farmer has applied for compensation. I think it cannot be overemphasized that the farmer now has the right to make application for compensation, which is something he never had before. The bill goes further. He has the right to appeal the amount of compensation awarded. This, also, is a right he never had before.

● (4:40 p.m.)

The hon. member raised the question of detentions with respect to products or chemicals. Under the provisions of this act there will be no detentions. They may be ordered under the authority of another bill to come before the house, namely, Bill C-157.

Although under this law the farmer or plaintiff has no right of appeal; neither may