

scrutineer (vi) work in an election office (vii) display a lawn sign (viii) canvass (b) are there specific activities in which a public servant is prohibited from participating in?

**Hon. Gerry Weiner (Secretary of State of Canada and Minister of State (Multiculturalism and Citizenship)):** I have been given the following information by the Public Service Commission:

Under sections 32 to 34 of the Public Service Employment Act, the Public Service Commission is responsible for matters having to do with the political rights of public servants. Following on the judgement of the Federal Court in the Osborne/Millar appeals in 1988, the PSC issued a bulletin to all public servants indicating that the court had struck down paragraph 32(1) (a) of the Act [now numbered 33(1) (a) and (b)], and that on the other hand the Court recognized the existence of the constitutional convention of political neutrality on the part of the public service.

At the present time, the legal situation of each public servant is such that it is not possible to provide a blanket rule regarding permissible political activities for all. Each situation must be resolved in light of two principles: that the public's interest requires the actual as well as the perceived impartiality and neutrality of the public service; and that the duty of loyalty of each public servant to the government calls for restraint in political expression and political action on the part of that public servant.

It is not possible to state a rule of general application regarding the rights of all public servants because in applying these principles in a given case, a number of things must be taken into consideration such as the nature and level of the duties of the person, whether that person has contact with the public or not, whether he or she works in a small locality or a large one, and so on.

It should be added that the Conflict of Interest and Post-employment Code indicates that public servants must avoid becoming involved in any outside activity that might place demands on them which are inconsistent with their duties or call into question their ability to perform their duties objectively.

The Public Service Commission appealed the judgement in the Osborne/Millar case to the Supreme Court of Canada. The appeal was heard on October 11, 1990, and judgment is due sometime in 1991. Directly or indirectly, this judgment is expected to lead to the clarification of the rights and obligations of public servants, departments and the Public Service Commission in this regard.

### *Routine Proceedings*

[*Translation*]

#### QUESTION PASSED AS ORDER FOR RETURN

**Mr. Michel Champagne (Parliamentary Secretary to Minister of State (Forestry)):** Mr. Speaker, if question No. 366 could be made an order for return, that return would be tabled immediately.

**The Acting Speaker (Mr. DeBlois):** Is it the pleasure of the House that question No. 366 be deemed to have been made an order for return?

**Some hon. members:** Agreed.

[*Text*]

#### MARINE ATLANTIC

#### Question No. 366—Ms. Callbeck:

For each of Marine Atlantic's car ferries from Borden, P.E.I. to Cape Tormentine, N.B. (a) what is the present monthly capacity utilization (b) what was the capacity 5 years ago (c) what is the forecast for capacity (i) in 1 year (ii) in 5 years?

Return tabled.

[*Translation*]

**Mr. Champagne:** Finally, Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Acting Speaker (Mr. DeBlois):** Shall the remaining questions stand?

**Some hon. members:** Agreed.

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#### MOTIONS FOR PAPERS

**Mr. Michel Champagne (Parliamentary Secretary to Minister of State (Forestry)):** Mr. Speaker, would you be so kind as to call notice of motion P-30 for the production of papers, in the name of the hon. member for Kingston and the Islands?

That a Humble Address be presented to His Excellency praying that he will cause to be laid before the House copies of the report to be submitted by the Attorney General of Quebec to the Secretary of State of Canada, pursuant to Section 281 of the National Defence Act, which sets out the circumstances that occasioned the calling out of the Canadian Forces at Oka, Quebec.

**Mr. Champagne:** Mr. Speaker, this notice of motion for the production of papers is acceptable to the government, and the papers are being tabled immediately.

Motion agreed to.

**Mr. Champagne:** Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

**The Acting Speaker (Mr. DeBlois):** Shall all notices of motions stand?