

Yukon and Territorial Lands Acts

Mr. Nielsen: On that point, Mr. Speaker, I am certainly not complaining because the recommendation is too wide. The point I raised was that I would have liked to see the amendment increasing the size of the Yukon Council, and I thought that was what the minister was going to do. Since the recommendation before the House is that both councils are to be increased in size, surely we can expect the amendment to the Yukon Act to increase the size of the Yukon Council.

Mr. Speaker: I would have to rule on the basis of the interpretation that has been placed on the words by the Minister of Justice (Mr. Turner). The hon. member for Yukon (Mr. Nielsen) will appreciate that not being familiar with all the details of the statutes that are completely familiar to him and to other members of the House, I have to make a decision which perhaps is not as completely informed as it might be. I am impressed by the argument of the Minister of Justice that this recommendation covers more than what is included in the bill, and as the minister has said it may be an overabundance of caution. But generally speaking, when a point of order is raised against a royal recommendation it is because it is too narrow and does not cover all the terms of the bill in question.

In this instance the hon. member objects to it because there are not in the bill some matters which perhaps should have been there in order to be covered by the royal recommendation. I would not think that this makes the recommendation invalid. I hope I am not making a mistake in this regard, but I will look into the matter further and try to study the point a little more closely. I assume that this bill is not going to be passed immediately but will eventually come back to the House, so there will still be time either to make a correction by getting an amended recommendation or by clarifying the point after I have looked into the situation more closely.

Mr. Nielsen: Mr. Speaker, I agree that one can never fail to be impressed by the arguments of the Minister of Justice, even though they may not always be right. The minister said in his opening remarks that the changes he is introducing in the Yukon Act and the Northwest Territories Act are leading to constitutional development because of an assumed increase in responsibility. The minister knows very well that that is not the case. The minister knows that the amendments that he is asking the House, or that he will

[Mr. Turner (Ottawa-Carleton).]

eventually be asking the House to approve are merely mechanical amendments. There is no increased responsibility being given to the legislative council of the Yukon or Northwest Territories.

If the minister had amended section 24 of the act to make provision for the members of the territorial council in both territories to have some legislative authority over the introduction of money bills in their own forums, I would have agreed with him that there would be an increased amount of responsibility. I would also agree that there would be an increased amount of responsibility if he had set up an executive within the council with the power to control the various departments of government.

Mr. Chrétien: I just said that.

Mr. Nielsen: The minister is misleading the House. He has done this in the past and he is doing it again. Every time he has accused the people of the Yukon of demanding provincial status, I have said to him that that is not true. I have said that that is not what they want, it is not what they asked for and it is not what the members of the council have passed on to him by way of several resolutions from the council. What they want is a program of changes leading eventually, over a period of years, to provincial autonomy.

Mr. Chrétien: This is what they have.

Mr. Nielsen: We do not have that provided for in the bill. In no way can it be taken to be a blueprint or a program leading to eventual autonomy. All we have in this bill is an amendment that allows the council to subsist for four years instead of three and which will include, among the powers granted under section 16 of the act, certain limited power over matters affecting the administration of justice. I submit this is no progress toward provincial status.

If the two ministers concerned, the Minister of Justice (Mr. Turner) and the Minister of Indian Affairs and Northern Development (Mr. Chrétien) feel that it is, I should like them to explain how they feel a great stride toward control over the administration of justice has been made, in view of the fact that they sent to Whitehorse to do the groundwork a civil servant who reports and is responsible to the federal authority. Surely, if any progress were to be made toward the achievement of responsible government in the territories, what the government should have done was to say to the commissioners in