

Oral Questions

The decisions that have come down on this subject confirm the position that I have taken in the House that the appointments are valid. I have stated that in the House and nothing that has been decided by the courts have stated otherwise. Clearly, the existing House of Commons is validly constituted.

The judgment from New Brunswick indicates that the Government of Canada should now find a way to add an additional seat to the House of Commons to represent New Brunswick. On this point, the judgment is in conflict with the decision of the Court of Ontario. It is on this point that I want to appeal the judgment. The difference demonstrates the difficulty in interpreting these provisions.

I believe that the issues are in front of the courts. No court has suggested that the government is not legally well founded in doing what it is doing with respect to the senator appointments and I am quite content that the legal process have its way in determining what else the government should do.

Mr. Ian Waddell (Port Moody—Coquitlam): I have a supplementary question, Mr. Speaker. The judge says that if Parliament fails to promptly devise a method of creating and filling 11 seats, the court could be asked to do so.

Does the minister not realize that she is putting all the laws of this Parliament in jeopardy if we do not have a legally constituted Parliament?

Some hon. members: Oh, oh.

Mr. Waddell: The minister was wrong before. She could be wrong again.

Some hon. members: Hear, hear.

Some hon. members: Oh, oh.

[Translation]

Mr. Waddell: My supplementary question is directed to the same minister. The government is suggesting that adding a member of Parliament for New Brunswick is nothing but a detail. This is no detail. It is a major constitutional amendment!

Here is my question. How does the government intend to implement the decision rendered by the Appeal Court of New Brunswick? Will the government delay implementing the GST?

Hon. Kim Campbell (Minister of Justice and Attorney General of Canada): Mr. Speaker, this is a fundamental question. It deals with the legitimacy of the decisions made by this House and by the Senate. There is no doubt about that.

• (1440)

[English]

There is no doubt whatever about the legitimacy of bills passed in the House or legislation passed in the Senate. Neither of these decisions makes any reference to that, the legitimate way in which these houses are constituted, given the fact that those eight senators were appointed.

The question is, and I have said it in the House before that it is an interesting one based on the very difficult and arcane language of the Constitution, what flows from the valid use of that power. There is a difference now between two courts, the court of Ontario and the court of New Brunswick as to what flows.

Because we respectfully disagree with that aspect of the judgment of New Brunswick, we will appeal it, but at no time will the result of that decision impugn the validity of decisions made in this House or in the Senate. That is the technical detail.

If the courts confirm that another seat is required, then we will act to fulfil the judgment of the courts. But, respectfully, we disagree with the interpretation of the court of New Brunswick on that point.

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SCOTIA SYNFUELS PROJECT

Mr. Francis G. LeBlanc (Cape Breton Highlands—Canso): Mr. Speaker, my question is directed to the Minister of Industry, Science and Technology.

The people of Nova Scotia cannot believe his decision to turn down the Scotia Synfuels Project. This project would create 2,000 jobs for more than 36 years. That is more than three times the number for Hibernia and at a fraction of the public sector cost. It would produce four million barrels of high quality, clean fuels for Canadians and a clean use for Cape Breton coal. This project for tailor-made for the Cape Breton economy.