

*National Library Act*

National Museums Act, set up a board of trustees, and as I understand it from the interpretation of the Secretary of State himself, this board is free from the direct control of the responsible minister.

I have been pursuing in this house questions with respect to the commissionaire service provided by the National Museums of Canada with particular reference to bilingualism, and the Secretary of State has always taken the attitude that this is the responsibility of the board of trustees. In other words, governments have hesitated to become directly involved in the supervision of, and in the direct control of, communications services which relate to educational and cultural matters.

This house will shortly be debating the establishment of an educational television agency. As I read the approach taken in that legislation the same principle is to be carried out, on the premise that E.T.V. will be providing services in this sensitive area of education and culture.

● (9:00 p.m.)

I now come to the point that I have made in committee. I believe I also made it during the first reading stage when the bill was originally introduced. This is the part of the legislation which I find objectionable in principle. The Canadian Library Association, in its representations on the matter has also hinted broadly that it shares the same suspicions, namely, that the government, through the Secretary of State (Mr. Pelletier), is becoming much too deeply involved in the every day activities of our national library service.

The original brief presented to the government by the Canadian Library Association and its French speaking equivalent recommended that the National Library be operated as a crown corporation, in order to get around this difficulty. They expanded on this thought by indicating that they wanted the National Library to be a truly national service and not the errand-boy for any particular arm of government.

The government has obviously, as we view the bill, not accepted the recommendations of the Canadian Library Association in this respect. We had some discussion in committee on this point and the Secretary of State indicated that the Canadian Library Association had after some persuasion changed its mind in this respect. However, in my continuing discussions with some of the leaders of the

library association movement in Canada I find that the same idea still persists, namely, that the National Library is violating this fundamental principle which I have outlined briefly, and which applies to all other areas of government participation in cultural education, by making the Secretary of State directly responsible.

Had there been the opportunity to move an amendment, I would have submitted an amendment which would have called for the deletion of clause 4 of the bill. While this would not deal with the problem in its entirety, it would at least go some way to satisfying members of the opposition, as well as all private members of this house who are concerned with the diminishing role and influence of the backbench member of parliament with regard to government bills. Clause 4 reads as follows:

The minister shall preside over and has the supervision of the management and direction of the library.

The key words there are "preside over", "supervision of" and "management and direction" of the library. This feature of the new bill is entirely absent from the original National Library bill. We inquired of the law officers of the crown why the offending principle was stated in such explicit terms, because this clause stands by itself. There are no subclauses; it is just a bold and blunt statement under the heading "Administration of Library." It places the Secretary of State in the pre-eminent role in the administration of the affairs of our new National Library. The law officers of the crown explained that this is the new technique, the new way of making legislation tidier and the terminology of bills a little more explicit.

There was a further explanation, that it is a natural evolutionary process. If one were to read some of the further clauses of the bill, the explicit powers of the minister as outlined in clause 4 are implied in the clauses immediately subsequent thereto. For example, clause 5 (1) provides:

The Governor in Council may appoint an officer to be called the National Librarian.

The subsequent subclauses outline the duties, functions and responsibilities of the National Librarian. This is the form these provisions took in the original act. Perhaps one of the reasons the government has fallen into the error of the violation of the principle of maintaining at least the fiction that it has nothing to do with communication matters is

[Mr. Dinsdale.]