

*Excise Tax Act*

ed, for one reason or another, that they will push off certain needed improvements by reason of the fact that they say, "We will save a few mills", or they may think they can save half a mill on the municipal tax for the year in question. The only thing is that it will cost a mill or a mill and a half the following year, or two years later. This is total false economy. That is one of the worst practices that government at all levels in this country inflicts upon Canadian citizens. It is a shortsighted view, and in my opinion should not apply.

I come now to another area that has been drawn to my attention. It is unfortunate the government has not brought forward the appropriate measure for the finance committee to consider, the commodities tax, the whole of the manufacturers sales tax, not only the philosophy of it but its definition; the rigidity with which rulings are applied, and the horse and buggy age for which the Sales Tax Act schedules are usually applicable.

In another context, dealing with the Bank Act, I have always felt that we were not legislating for the future but were trying to legislate for the year of the quill pen. It is precisely that which we are doing with this particular act. As a matter of administration, under sales tax, clauses are split. One gets the most fantastic interpretations of the English language with the actual position of the words. If the Department of Finance drafters and the Department of Justice people who put together the legislative amendments to the schedules of the act do not carry out precisely with the language the intention of the Minister of Finance, then the whole purpose of any tax change proposed by the Minister of Finance, accepted, amended or rejected by this House, or part of it, still gets a different interpretation and a different application than that given by the Minister of Finance. Once we have interpretation bulletins filling the books, like the one I have here for the Department of National Revenue, Excise Department, nothing short of dynamite, total repeal of the act or anything based on it will change those interpretations.

I was given a classic example this afternoon by a dentist who now runs a dental supply firm. I have not been able to find the example in the myriads of definitions of the act, but if we go to dental materials it says: "impression materials". In other words, anything used to take an impression of a tooth, gums or of the mouth for the purpose of dentures or various tooth repairs, are exempt. They come under the general exemptions for health items. At page 390 of whatever book it was in—I have not found it yet—is what is called dental materials extension. These items are precisely the same as the impression materials. They are subject to tax. One classification is coe-flex, a material for taking an impression in the mouth. That is deemed to be taxable. Another is jel-cone, a silicone based rubber type material. It is taxable. Another item is called jel-trate, made of sodium alginate. It is taxable. Another is methyl-methacrylate which is taxable. Another item, orthocryl, is taxable, while microlon is non-taxable. The chemical base and composition of both of them are the same. One is taxable, the other is not. Both are used for the same purpose, but there is a difference in treatment.

[Mr. Lambert (Edmonton West).]

● (2150)

I cite this as rather a minor item, but it shows the jungle that small businessmen have to go through and the sheer frustration they suffer. When they look through the schedules and the excise bulletins, as do the officials who have to explain them, these people suffer utter frustration. They see one item that is composed of certain materials and is of a particular use which is taxable, and another item composed of the same materials for basically the same purpose which is non-taxable.

The last item I want to draw to the attention of the House is another incident which applies in Bill C-42. The hon. member for Peace River (Mr. Baldwin), the hon. member for Northumberland-Durham (Mr. Lawrence), the hon. member for Winnipeg North Centre (Mr. Knowles) and others have protested against making rules for this House by statute. The provision for closure in C-42 is totally unacceptable to this House. It should be. By statute we are getting different modes of closure and different modes of procedure.

Let us look at what happens in this bill. Clause 16 deals with an order made under clause 15. Subclause (3) of clause 16 determines how the motion shall be dealt with by a parliament. Clause 16(1) and (2) reads:

(1) An order under section 15 shall be laid before parliament not later than the fifteenth sitting day of parliament after it is issued.

(2) An order referred to in subsection (1) shall come into force on the thirtieth sitting day of parliament after it has been laid before parliament pursuant to that subsection unless before the twentieth sitting day of parliament after the order has been laid before parliament a motion for the consideration of either House, to the effect that the order be revoked, signed by not less than fifty members of the House of Commons in the case of a motion for the consideration of that House and by not less than twenty members of the Senate in the case of a motion for the consideration of the Senate, is filed with the Speaker of the appropriate House.

Then it determines how those motions shall be debated and for how long. There will be a five hour debate. I quote from subclause (4):

—on the conclusion of such debate or at the expiry of the fifth such hour, the Speaker of the House of Commons or the Senate, as the case may be, shall forthwith, without further debate or amendment, put every question necessary for the disposal of the motion.

Here is another closure motion. Are we going to get this as a regular practice in every bill, that it will be provided that there shall be a motion for some consideration by parliament, that parliament will be able to debate that motion for three, five, ten or 20 hours, and then it will be brought to an end? What an easy way out for a government to take. We will be told ahead of time, by statute, how long parliament shall debate any question.

After the next election parliament will be composed of 280 members. Following the next census, it may be over 300 if the stupid act we have on the record continues to prevail and we simply expand the numbers in this House beyond reason. The hours of debate will remain the same and the closure will be even tighter. This is one provision of which we do not approve.

We will not approve closure by statute. If it was wrong in Bill C-42, the petroleum application bill, it is wrong in this bill and will be wrong in any other bill, if we are going to be