

Energy Supplies Emergency Act

error in Council or the minister—negotiate with a provincial government with regard to alternative fuels or electric power for the purpose of there being regulation or allocation of supply. Then, it goes on to make the distinct threat that if no such agreement is made, then the government will find it necessary to bring in its mandatory allocation program. I believe the minister when he says that there has been some discussion with the provincial authorities. I think the minister learned his lesson a little while ago. I say to him candidly that I hope he and his officials will keep in close touch and liaison with the provincial authorities.

Problems of this kind which mature rapidly require co-operation by all levels of government with the present minister and his officials. If the minister and his officials deal with these problems on their own, they are bound to meet with difficulty not merely for them, for us, or for the government, but for the people of Canada. I deplore the language in which this clause is phrased when it includes this implicit threat to provincial authorities that they must deal with the government, that they must accept this government's proposals and disposition with regard to petroleum and other alternative fuels and electric power because if they do not this government will bring in a mandatory program. I consider that is no way to deal with other governments which, within limitations, are sovereign in that respect.

Now, Mr. Speaker, I should like to deal very briefly with the question of the regulations. The minister touched on this. In this Parliament we are becoming accustomed to a government which governs by regulation. I have said before, and I shall repeat again, that were it not for the British North America Act this government with the power and authority it has, with the regulatory power it has seized from this House under a number of statutes over the past few years, and with the changes with regard to the passage of supply, could stay in power for two or three years without calling parliament together. The proof of this lies in the fact that it is now three or four years since the CNR financing bill, which was discussed the other day, has been passed. Hon. members of the opposition have had valid questions to ask about that measure which have not been answered. Despite the fact that under the statute this bill needs to be passed each year, it has not been passed in three years and the government has carried on dealing with the auditors, the capitalization and so on. I say it is essential that we look at these regulations, look at the people administering them and then survey what has been done with the regulations. In this particular instance clause 16 provides:

With the approval of the Governor in Council, the Board may make such regulations as may be necessary in the opinion of the Board to carry out effectively a mandatory allocation program . . .

● (1600)

In other words, the government is saying to itself through the board: pass any regulation you want; there are no restrictions; there is no curtailment; there is nothing at all to constrain you in the type of regulation you pass. That is the effect of that clause. The clause goes on to set out a few particular headings, but these are only afterthoughts. The meat of the regulatory granting clause lies in what I have read, and I say it is a dangerous practice for

[Mr. Baldwin.]

hon. members in the House to grant such powers to any government, even to a government composed of members of this party which will soon be occupying the treasury benches.

Some hon. Members: Hear, hear!

Mr. Baldwin: I would still dispute and challenge for a much better cause than the minister has so far stated, the giving up to hon. gentlemen opposite of the kind of powers which they seek in this bill and this clause in particular.

As the minister said, in addition to what I have already pointed out, the effect of the Combines Investigation Act and all combines legislation can be suspended, and the environmental provisions, laws and regulations which I take to be not only of this parliament but of any of the provincial administrations can be waived and overridden. There is a biblical phrase—and I think the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas) could probably give me a lead on that—that the Lord created the earth—

Mr. Douglas: In six days.

Mr. Baldwin:—in six days. I was not sure of the number of days. By that part of the clause dealing with the environment, the government is seeking to give this board of nameless, anonymous officials the right to destroy with one signature those regulations and those statutes which the provinces and the federal government have, over some opposition and with great difficulty, enacted over the years in trying to make this a better world in which to live. I think it is a dangerous precedent and I am sure that hon. members on both sides of the House will deal with this more extensively later.

There is a right of expropriation and commandeering of the four modes of transport: rail, pipelines, transportation by vessel, and road transportation. In effect, if you search closely the powers which are granted in the clauses which deal with these particular issues, there is no doubt that the almost complete right to commandeer, to expropriate and to make use of any of these facilities of transportation will be vested in this board under the direction of the government.

As to the expiry of the powers, the minister has correctly stated that the bill will expire at a fixed date, but it can be extended by a simple order in council. There is, of course, the saving clause that a negative resolution can be advanced in the House. That, I submit, is not good enough. Our previous experience in trying to get hon. members opposite to give up powers which they have taken unto themselves can be described by a good Peace River saying, namely that it is like dragging a cow out of the muskeg, and probably just about as noisy. I am very unhappy about that proposal.

Having dealt, in this casual and perfunctory way, with what is in the bill, I consider it my responsibility to point out in far more detail than the minister did, the dangers, the extent of the powers which this government is asking for by this legislation. On what basis does the government ask that this bill be passed? I think it would be of some value to hon. members in the House to examine some of the comments which have been made by the Prime Minis-