

Conflict of Interest

added in December of last year—in terms of real property they can have it registered and therefore made known to the public. What is wrong with this? I said at the outset that the proposals really lack substance; they are totally defective. Why? First, there is too much discretion left in the hands of ministers and the Prime Minister himself. We need tough regulations pertaining to the cabinet, and not so many discretionary decisions left with ministers of the Crown or the Prime Minister.

The statement I have referred to is full of references to the discretionary authority of the minister. Surely, in part that is what the need for conflict of interest regulations is all about, namely, to get away from the discretionary realm in this subject. Tough regulations would protect the minister's good name as much as they would protect the public. We need more legislative control, with less authority left to ministers.

● (1640)

Second, Mr. Speaker, we need more complete public disclosure requirements. For example, the public should be told of the directorships that a minister resigns when he becomes a minister of the Crown. It is important to know what his previous connections were in order to know what his orientation or biases are likely to be. The public has a right to know what goes into both the blind trust and the frozen trust, for the reasons that the Leader of the Opposition indicated in the House today and for the reasons that members of my party and social scientists independent of any party have been enunciating. It is not enough simply for these trusts to be set up. The green paper does not deal with this issue at all, but is simply a cosmetic measure that leaves the impression something is being done when it is not.

Third, the exclusion of spouses and dependent children totally negates the intended result. It seems to me to be a basically misleading notion of equality of the sexes to exempt spouses from disclosure provisions applied to their husbands or wives who are cabinet members. Unless you assume, as is apparently the view of the Department of National Revenue on another matter, that the husband and wife will be divorced and the relationship is a temporal, non-significant one, such a position is contrary to human reality. The family unit should be regarded as just that in regulations dealing with conflict of interest, but the government has totally ignored that basic human and economic fact by exempting spouses from guideline regulations.

Fourth, Mr. Speaker, there are no guidelines for persons leaving the cabinet. If a minister decides to return to private life, normally he goes back to an occupation similar to the work he was doing in government. When the former minister of industry, trade and commerce, the Hon. Jean-Luc Pepin, left the cabinet he went to a firm where his responsibilities would be similar to those he was exercising as a minister of the Crown. Indeed, he carried with him studies and knowledge that were directly applicable to his new line of work. I want to stress that I do not imply any criticism of Mr. Pepin in that circumstance. His is one of a number of cases that could be cited.

Our party does not have an easy answer to this problem, but I hope the committee will spend some time on it and

[Mr. Broadbent.]

perhaps come up with a regulation that would govern ministers and senior civil servants going into the private sector. We know that a deputy minister is leaving the Department of the Environment and going into a line of work very similar to what he was doing for the government. That kind of move at the top level, where there is potential gain for the firm he is going to work for, derived from his experience in government, is unquestionably an area of potential conflict of interest and should be considered. Whether appropriate regulations can be laid down in a free society is another question. This matter was looked at by a federal government commission headed by Professor Williams and completed in 1969, and it should be considered when the green paper is before the committee.

Finally, Mr. Speaker, I want to turn to the matter of guidelines for the public service. These were laid down by an order in council issued on December 18, 1973. There are more defects in those provisions than in these pertaining to cabinet ministers and members of parliament. I would just enumerate them. First, there is no provision covering spouses and dependent children. Second, there is no requirement for public disclosure. Third, too much discretion is vested in the public servant. The onus is on him to disclose to the minister those matters which he believes are in actual or potential conflict.

Fourth, there is no distinction between senior public servants in policy-making positions and those in lower categories. Fifth, there is no provision in respect of ministerial staff. We have talked about civil servants, members of parliament and the cabinet, but what about ministerial staff? They have access to important information which puts them as much in danger of potential conflict of interest as the other groups to which I have referred. Finally, Mr. Speaker, there is no reference in those guidelines to the process of moving back and forth between government and the private sector.

The guidelines in the order in council issued last December are even worse than the proposals and guidelines pertaining to the cabinet and members of this House. The steps the government has taken so far on the question of conflict of interest are totally inadequate. The only good result of government action to date is that for the first time in the history of the Canadian parliament, to my knowledge, a committee of the House will be looking into the issue. It is the hope of the New Democratic Party that members of that committee will come forth with proposals of greater substance than those presented by the government.

● (1650)

[Translation]

Mr. Réal Caouette (Témiscamingue): Mr. Speaker, I think the amendment put forward by the hon. leader of the opposition (Mr. Stanfield) is quite sensible. It purports to delete paragraph (2) of the motion and substituting the following therefor:

That the committee be authorized to report on the aforementioned Green Paper after first considering and making recommendations on the subject matter of Ministers and conflict of interest and Public Servants and conflict of interest.

We have been hearing for a week about conflicts of interest involving members of Parliament, ministers and senior