

Committee Reports

[Translation]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I would simply ask the Chair to enlighten me and advise the House concerning the acceptability of this procedure. In support I would refer to the Standing Orders, as follows:

"A standing committee of the House does not have the mandate to report on a measure still under second reading consideration", Bill C-103 in this case.

And on page 1946 of *Votes and Proceedings* of the House: "The Standing Committee on Finance and Economic Affairs presented the First Report of the Committee (provisions of Bill C-103, An Act to amend the Loan Companies Act, the Trust Companies Act, the Bank Act and the Quebec Savings Banks Act in respect of certain regulatory matters)." Mr. Speaker, it is because I would not want any misunderstanding about our roles in the House as set forth in the new Standing Orders. I want to be very clear, namely that if a committee is empowered to report on a Bill before the House, a standing committee of the House in this case, I would like to know the full extent of such power.

Referring to Standing Order 96 which empowers standing committees to make certain reports, these reports have a limited scope indeed, and I would remind the House that Standing Order 96(2) clearly defines these powers:

96.(2)—in addition to the powers granted to them pursuant to section (1) of this Standing Order and pursuant to Standing Order 82—

I am reading Standing Order 96.(2):

—the standing committees, except those set out in sections (3) and (4) of this Standing Order shall be empowered to study and report on all matters relating to the mandate, management and operation of the department or departments of Government which are assigned to them from time to time by the House. In general, the committees shall be severally empowered to review and report on—

And this is the point.

(a) the statute law—

—meaning legislation adopted by this Parliament—

relating to the department assigned to them;

(b) the program and policy objectives of the department—

—not those of the Government—

—and its effectiveness in the implementation of same;

(c) the immediate, medium and long term expenditure plans—

—and so on. The point I want to raise is that, in my opinion, a standing committee cannot report on a legislative measure still at second reading in the House because, as I see it, the Bill has not been adopted on second reading. Mr. Speaker, I fail to understand how a standing committee could have such power under the Standing Orders. That is why I rose to avoid a series of committee comments or reports on any question before the House, and so that we will not find ourselves in somewhat difficult situations. So I am asking the Chair for a clear and specific explanation, namely: Can a standing committee report to the House on a legislative measure still before the House at second reading, for instance, or even later, just so my interpretation will be wider ranging? Is that allowed? Can we do that under the new Standing Orders?

[English]

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, the Hon. Member's request is very interesting. However, the very provision that he refers to, Standing Order 96(2)(e), states:

In general, the committees shall be severally empowered to review and report on:

(e) other matters, relating to the mandate, management, organization or operation of the department, as the committee deems fit.

The intention of the new Standing Orders, as I see it, was to permit committees of the House of Commons to engage in reviews, as they saw fit, of all matters relating to or falling within the jurisdiction of the Department for which they are responsible. It was done in that way for the reason that, until the change was made in the Standing Orders, committees did require a reference from the House in order to engage in review.

I submit that the committee report is entirely in order inasmuch as it does not require any action to be taken with regard to the law. But rather it is suggesting that the appropriate provisions of a Bill be used to ensure that major financial institutions such as Canada Trustco not be placed under the control of major non-financial institutions such as Imasco.

I contend that it is in fact within the ambit of responsibility of the Department to determine for itself whether to accept the recommendation of the committee that those provisions which are appropriate be used for that purpose. It is not determining for one moment whether or not the Bill in its entirety is valuable. Neither is it passing judgment on the value of the Bill itself. Rather it is suggesting that the Minister, acting on behalf of the department, take into consideration the recommendation that there are provisions in that Bill which, if used judiciously, could be used in such a way as to ensure that what it has requested be done.

● (1520)

I would suggest that it is entirely appropriate for a committee to look at anything which does fall within the jurisdiction of a department, and to look at it in such a way as to offer recommendations on how that might be best used, and to suggest that the department can, if it deems it to be appropriate, take certain actions which it is empowered to take.

In fact, what this committee has done is entirely appropriate. The committee is not restricted in any way in terms of the areas into which it can investigate as long as those areas are deemed to fall within the responsibility of the department. Clearly, the Trust Companies Act, the Bank Act, and the Quebec Savings Banks Act, are all acts which fall within the jurisdiction of the Ministry of Finance to which the committee is responsible.

I would suggest, therefore, that it would be imposing a rather restricted interpretation on the powers of committee at this early stage in the new committee structure if we were to deny a committee the opportunity to make a recommendation to a department on the application of certain sections of Acts