

Customs Act

Customs Act, which is attuned to modern developments, methods, business practice and transportation will help us achieve these goals. It will do so without weakening in any way the Department's basic role of collecting duties and enforcing Canadian law relating to importation and exportation of goods. The legislation will help customs personnel do their work better and, in the process, of course, it will benefit the Canadian public.

I would like to thank and congratulate members of the legislative committee which reviewed Bill C-59 under the chairmanship of the Hon. Member for Beaches (Mr. Young). I thought the committee acted in a very expeditious yet thorough manner when it examined this piece of legislation. The committee met several times during September and October and received representations from various organizations which will be affected by this legislation. In general, I think the representations which were made both by committee members and by witnesses were constructive and reflected the widespread support for this measure which has developed in the House and among Canadians generally.

I would like to recognize the contribution of the Hon. Member for Saint-Léonard-Anjou (Mr. Gagliano) and the Hon. Member for Regina East (Mr. de Jong) for their constructive commentary during debate and the parliamentary and committee deliberations of this Bill, as well as the leadership of my Parliamentary Secretary, the Hon. Member for Trois-Rivières (Mr. Vincent).

I think the broad support for this legislation is due in no small part to the extensive consultation which the Department undertook in its preparation. During the development of this Bill, considerable dialogue was undertaken with those affected by its provisions. Their input was encouraged and some of their suggestions are incorporated in the final version of this Bill.

● (1200)

A number of amendments to Bill C-59 were made at committee stage, some as a result of representations made by members and interested organizations, others of a relatively minor and technical nature. To illustrate, one of the amendments was made as a result of concerns expressed about Clause 110(3), which permits a customs officer who has reasonable grounds to believe that the Act or regulations have been contravened to seize anything that he or she has reason to believe will afford evidence of a contravention of the Act. Some Hon. Members, and particularly the Hon. Member for Regina East, expressed some reservations about the powers implicit in this clause. These are concerns which I shared and which seemed well founded. They prompted some reconsideration. As a result, an amendment was adopted to require a customs officer who seizes anything as evidence to report the circumstances forthwith to the Deputy Minister of National Revenue. This will provide a strong degree of administrative control and will help ensure that this power is not abused.

An amendment to Clause 135(1) will extend the length of time allowed for a person to appeal a forfeiture decision from

30 to 90 days. This amendment was made in response to representations that the 30 day period originally set out was inadequate. During the course of the committee hearings, I believe committee members became convinced as I am of the need to give customs officials the right to open mail items weighing more than 30 grams without first obtaining the permission of the sender or the addressee. Of course, no item could be opened unless officials had reasonable grounds to suspect that dutiable or prohibited materials were enclosed. This change is necessary so that the Department may effectively carry out its role of protecting Canadians from the importation of prohibited items such as drugs or pornography. An amendment was introduced to permit customs officials to be given this authority prior to the proclamation of the Act which I hope will occur in June of next year.

I would also like to remind the House that one of the more progressive features of the new Customs Act is a provision for ongoing review. This is provided for in Clause 168 of the Bill. Clause 168 also requires that a committee of Parliament must, within five years, undertake a comprehensive review of the operations of the Act. In addition, regulations which flesh out the details of the Act must be published 60 days in advance of their coming into force. These two features will ensure that Government takes into account on a continuing basis any concerns of Members of Parliament, the importing community and of course the public at large.

Customs officials who serve in cities, towns and villages scattered all across Canada play an important role in protecting Canadian society and in providing service to the travelling public and Canadian businesses. This new law should enable us to enforce our laws even more effectively and at the same time to improve our service to the Canadian public. The Bill before us today has broad support from the business community and others who will be affected by its provisions. I hope that all Members of the House will join me in expediting third reading so that this important measure may be enacted at an early date. I thank the House for its indulgence.

Mr. George Baker (Gander-Twillingate): Mr. Speaker, I too wish to congratulate members of the standing committee for the excellent job they did in hearing briefs, for taking into account certain of the representations made and for changing the Bill. The introduction of this Bill has been necessary for years. Now we finally have a Bill that incorporates things that have been done by customs in Customs. The Bill was originally proposed by the former Liberal administration and then taken in hand by the now Solicitor General (Mr. Beatty) who, about a year ago, was the Minister responsible. It was then successfully put through the House by the present Minister of National Revenue (Mr. MacKay). Perhaps that Minister deserves more credit than the former Minister who is presently the Solicitor General.

I think most of what deserves to be said about this Bill was said at second reading stage and in committee. I believe it is a good Bill and I think we all agree with that. We do have certain reservations about certain clauses of the Bill, clauses to which the Minister referred a few moments ago.