

nor in Council were issued in November 1974, guidelines similar to those applicable to people appointed by the Governor in Council were issued in November 1975 for Lieutenant Governors and, finally, those guidelines were extended in 1978 to cover ambassadors, high commissioners and heads of missions. In November 1975, guidelines were issued for so-called excluded personnel, namely people working in a Minister's office who are not necessarily public servants. Finally, in January 1978, guidelines for any Government employee—Minister or public servant—were issued to avoid conflict of interest situations after their employment with the Government.

● (1730)

The purpose has always been the same, Mr. Speaker: to maintain the impartiality and the integrity of the Government. I am talking about the initiative of the Government in that field, and that leads me to mention a project which was begun not so long ago. I am referring, of course, to the task force on conflicts of interest set up last July at the request of the Prime Minister. Their mandate, Mr. Speaker, is to review the policies and rules which now govern the conduct of people who hold or have held public office. The mandate emphasizes that the study must take into consideration, first, the fact that those people must discharge their official duties so as to maintain public confidence towards the Government and, second—an important point raised by the Hon. Member for Halifax West, I am sure—the fact that the Government has to recruit highly qualified people with wide-ranging career profiles to look after public affairs and the administration of the country.

We all know, Mr. Speaker, that the problem of conflicts of interests is a complex one. What is important, and that is the difficulty, when faced with the task of developing standards of ethics for such a large body as the Public Service, is to strike a fair balance between, on the one hand, a set of rules that are strict enough to ensure integrity and public confidence and, on the other hand, a system which is reasonable enough so as not to discourage Canadians from entering the Public Service and which does not preclude the Government from hiring the qualified employees it needs to administer the nation's business and offer to the public high quality services which the public not only expects but, I add, which Canadians are also entitled to.

Mr. Speaker, I said earlier that conflicts of interests are a complex matter. One point to consider is the field of application. Is it more appropriate and more equitable to have only one set of rules for all employees, whatever their rank and function, or several for different groups?

I note that the proposal introduced by my colleague from Halifax West, and I refer to the definitions that are included in the measure, applies to any member of the Cabinet who holds a portfolio in the Government or who is a Minister of State, to any official of the Government or of any government

agency, as well as to any person, other than an employee, who is a member of the governing board, council or body or who holds some office or official appointment in the Government or a Government agency.

In some cases, similarity of responsibilities could justify a single wide ranging system. However, in other cases, more particularized systems could be more effective in meeting our objectives.

Another thing I would like to mention, Mr. Speaker, is the method or means to be used to ensure that employees adhere to the standards of ethics advocated by the Government and to avoid that they be tempted to serve their personal interests before the interests of the public they are supposed to serve. While I recognize that there is some need to exercise control, I must admit that I have reservations as to the means to do so. In my view, an excessively rigid system would interfere with the obvious requirement for the Government to hire the qualified personnel that is needed, and indeed, it might possibly affect motivation and morale among existing staff. I repeat that we must aim for a system or mechanisms which provide a balance between the need to guarantee the integrity of the Government system and the necessity to attract and retain qualified and able people within our organization.

I believe that the whole issue of control and of the proper mechanisms to ensure this control must be reviewed. I am speaking about both the administrative mechanisms and the legal provisions which can be implemented. I recognize that it is not easy to determine what is the best way to protect the Government against disreputable practices used by employees, for instance. But still we must aim for a balanced position between legal provisions and administrative mechanisms, in other words, acts and regulations on the one hand, and procedures and guidelines on the other. If I had enough time, Mr. Speaker, I would explain the difference between an act and a regulation. However, I am running out of time and I would like to conclude my comments.

Mr. Speaker, a system should reflect the balance between rigidity and flexibility and between the general and the specific. If we look at the present system, we find that Government employees are already subject to several acts which dictate their behaviour and provide penalties for possible offences. I am thinking for instance about the provisions dealing with fraud and corruption in the Criminal Code and in other acts such as the Customs Act, the Financial Administration Act, the Unemployment Insurance Act, the Income Tax Act, the Public Service Employment Act, especially Section 33, as well as many other acts which for lack of time I cannot mention here. All of them provide guidelines and prescribe a certain behaviour for the public servants to whom they apply.

Mr. Speaker, I admit that these laws are useful because they undoubtedly discourage temptation and dishonesty and clarify possible penalties for certain offences. However, some of these laws are sometimes needlessly restrictive and do not always