specific clause in this bill devoted to the Human Rights Commission's ability to select from among the general population people to represent women, the disabled, visible minorities and, of course, aboriginal people.

We feel that it will be far more worthwhile for this tribunal not to require any exceptional procedures and for it to be flexible. The only thing that will be exceptional will be the right of appeal, as I have already stated. The principles of natural justice will have to apply, but should a tribunal decision be found to have been in error, there would still be the possibility of applying for an appeal to be heard in the Federal Court of Appeal.

Basically, we think it would be useful to amend the bill so that the commissioners who sit on these tribunals are members of the groups for whom we are trying to ensure representation.

I must say I regret, and I say this with my usual frankness, that the government was not very receptive to this amendment in committee. Now you know my philosophy: I always do everything out in the open. I told the government I would introduce an amendment, and they have not been very receptive.

I hope that between consideration in committee and the debate we are having today, the government will have reconsidered, because this is supported by representatives of the cultural communities who appeared before the committee and by the unions.

I may recall that this amendment would not involve additional expenditures, since in any case, it does not change what the bill now prescribes, which is the presence of three commissioners whose remuneration shall be paid by the Canadian Human Rights Commission.

• (1630)

Since the government has maintained the same designation procedure and did not feel it was necessary to add another category, the groups are still the same, in other words, women, aboriginal peoples, persons with disabilities and visible minorities. In committee we discussed the relevance of adding a fifth or sixth category but concluded that we did not have enough information on other groups in society that might experience specific discrimination in the workplace.

Since the designated groups were maintained and are still designated on the basis of self–designation, I think it makes sense to take the same approach when administrative authorities are asked to hand down rulings, that is, when an employment equity review tribunal is appointed.

I have the impression, and I say this with the utmost caution, that this is also an amendment the Reform Party would like to see. Again, and we cannot repeat this often enough, this will not involve any additional budgetary expenditures, since the composition of the employment equity review tribunal remains the same when a tribunal is established at the request of the human rights commissioner, since according to the bill, establishment of a tribunal may be requested by either the employer or the Canadian Human Rights Commission.

We feel this amendment will considerably improve the bill. I hope it will receive the support of a majority of the members in this House.

Mr. Nick Discepola (Vaudreuil, Lib.): Mr. Speaker, let me first say that I am proud, as a Quebecer and a Canadian, of the major step forward we are about to take in matters of equality and human rights with the passing of this bill on employment equity.

I would also like to thank our colleague for Hochelaga—Maisonneuve for his strong and sincere commitment to human rights and to promoting equality and equity for all of Canada's citizens.

I thank him for his ongoing efforts in this regard, both on the Standing Committee on Human Rights and the Status of Disabled People and here in the House of Commons. He continues to express his commitment with the motions he is putting before the House today in order to further improve this bill on employment equity.

With the motions we are debating, that is, Motions Nos. 13 and 14, he is proposing that the people appointed to an employment equity review tribunal themselves represent designated groups or have knowledge or particular experience in this area.

Given the legislation it applies to, the motion is highly justifiable in theory. However, it seems fairly clear to us, as some of my colleagues have already mentioned, with all due respect to my colleague, that it is literally inapplicable in practice. For the information of my fellow members, I think it would be useful to first look at the nature and the function of this tribunal and to put it in the context of the logic of this bill so we can understand when and how it intervenes and how it is made up. First, when does it intervene?

The employment equity review tribunal takes action following an intervention by a compliance officer with an employer governed by the act. When should a compliance officer audit an employer? When there is a need to determine if an employer fulfils his or her obligations under the act.

Who decides if an audit must be conducted? Again, this decision is made by the Canadian Human Rights Commission, to which the bill gives the authority to enforce the act and monitor employers' compliance.

Clause 22 of the bill provides that the commission is responsible for the enforcement of the obligations imposed on employers by the sections that concern them.

The human rights commission determines if a given employer is complying with the employment equity requirements outlined in the act.