

Aeronautics Act

requested to allow his regulations to be scrutinized by the House and by a committee of this House.

I think that would be very fair, and I say seriously that if we do not stop this legislation by regulation, somewhere down the line we will cause the death of parliament, the death of responsible government and the death of democracy in Canada. I hope the minister will take these words seriously. They are meant to be taken seriously and, if they are, people will wake up to the problem which is the height and depth of this country.

Mr. James A. McGrath (St. John's East): Mr. Speaker, I would like to raise my voice with those who have expressed concern about a development which has crept into our parliamentary practice. The whole purpose of the amendment put forward by my colleague, the hon. member for Vegreville (Mr. Mazankowski), is to provide parliament with a safety valve. It is not enough for the Minister of Transport (Mr. Lang), a distinguished lawyer, a former head of the faculty of law of one of the great universities of the country and a former minister of justice, to sit back complacently in the knowledge that we have a Standing Committee on Regulations and Other Statutory Instruments. As a good lawyer the minister surely knows that that is not enough. He knows that that committee cannot possibly keep abreast of the hundreds and hundreds of regulations which flow from bills which are passed by this House.

I recall a few years ago a very important bill coming before this House, a bill dealing with packaging and labelling. That bill received a great deal of attention by the House, and rightly so. It was the first real thrust by the government to provide a degree of consumer protection in the area of packaging and labelling. I remember debating that bill at great length in this House. I remember the bill going before a standing committee of the House where it received a great deal of attention. We heard a number of witnesses and studied the provisions of that bill with great care and in great detail. The bill became law. However, the operative part of that bill was the regulations which were to flow from it. The bill provided for publication of the regulations before they would be promulgated into law. We must not forget that regulations are a very important part of statute law. The fact is the regulations were not gazetted and promulgated into law until almost three years after the bill was passed by this House.

● (1552)

The extraordinary thing about that piece of legislation which struck me at the time was that there was never any reference whatsoever to this House or to a committee of this House of the regulations that had been put together by order in council to make that bill operative.

It is possible for regulations to go beyond the ambit of a bill. Indeed, there have been occasions when regulations have gone beyond what parliament intended.

What my colleague, the hon. member for Vegreville, is trying to do by this amendment is to provide a safety valve

whereby if we find that the regulations which will flow from this bill go beyond what we intend by the legislation, we will have the right to call those regulations before the House and examine them. Surely that is a reasonable proposition. It does not follow that we will exercise that prerogative; it is merely put there in the event that the government and its senior bureaucrats attempt to go beyond the legislation which parliament passes.

When he spoke on this bill a few days ago, the hon. member for Peace River (Mr. Baldwin) referred to what I would call the case load of the statutory instrument committee. He referred to the fact that the committee had to examine over 3,000 regulations put in place by this government to cover various bills.

If we pass bad law, a bill that is going to be unjust or is going to take away somebody's rights or hurt somebody in some way, we have to be accountable for it as legislators. However, there is absolutely no accountability for the regulations of the government, none whatsoever. These regulations are put together by nameless, faceless bureaucrats who hardly ever follow the debates in this House. I look into the official galleries today. Where are the public servants who will draw up these regulations? Are they here listening to members of parliament express their concern over the danger of regulations going beyond the ambit of a bill? Will they sit down and read *Hansard*? I doubt it very much.

My colleague has put forward a very reasonable proposition, one that should surely lend itself to the serious consideration of the Minister of Transport. It is not an irresponsible move; it is made in the knowledge that we as legislators have the ultimate responsibility for any regulations that will be put together as a result of this bill. All we are saying by this amendment is that we would have the right to call these regulations before the House for a short debate if we deemed that the regulations did in fact go beyond the authority given to the government by the bill. That is a reasonable proposition.

There is concern in this country today over the growth in government, especially the uncontrolled growth of the federal government. When we have this kind of uncontrolled growth in the Government of Canada, it means that somewhere along the line some citizen of this country is getting all tangled up in red tape. In the process, he is losing some of his civil rights. That is happening every day.

When this bill passes the House and when these regulations are put together, somebody is going to be hurt by the regulations. At the very least, someone is going to find himself all snarled up in bureaucratic regulations. The very reasonable amendment moved by my colleague will give parliament the right to call these regulations back before the House, if we deem it necessary, so that we can examine them in the light of the bill to ensure that the regulations do not in fact exceed the authority given to the government by the bill.

[*Translation*]

The Acting Speaker (Mr. Ethier): The hon. member for Lafontaine-Rosemont on a point of order.