

minister had presented to the committee his definition of what a letter was. The intention was that the definition would be incorporated into the provisions of the bill and not made the subject matter of the regulations. I consider that to be absolutely essential, not only from the point of view of making hon. members of the House aware of the extent of the monopoly they are granting, but at the same time thwarting an effort, as a consequence of the passage of this bill, to transpose to a Crown corporation the authority, unobstructed not only by the House but by the governor in council, to interfere and determine what the law shall be.

It is absolutely fundamental, not only with respect to the definition of the word "letter" but with respect to the way in which all regulations under the bill are drafted, that the House and at least the governor in council pass the regulations. This is not the case which presently confronts us.

Accordingly, I urge members of the House to have some regard for what most assuredly has been a well-recognized practice in the passage of laws. If Parliament does not pass the law, at least the governor in council must pass it. This is not the case, having regard to the provisions in Clause 17(7).

Certainly in my experience I have not encountered a move of this nature by a government since the demise of the East India Company. I have not seen such an illustration since the Hudson's Bay Company, a commercial organization, ruled Rupert's Land.

It is incredible that in this simple piece of intended legislation we have a complete abdication of the responsibilities not only of elected members to pass the laws of Canada but of the governor in council. It is reprehensible enough that this should happen when the governor in council, without reference to Parliament, passes a law. We have seen ample illustration of the growing tendency to avoid reference to Parliament and an inclination to rely upon the governor in council to pass regulations. We have simply gone a step beyond. I submit this is dangerous to the system of representative democracy.

I recognize that the government has taken almost a whole page in the draft bill, that is page 11, to explain the potential need to publish, for the benefit of the public, the intended regulations. I understand that they are there for the purpose, hopefully, of permitting the public to express views with respect to the very items to be covered by the new laws which will be passed by the Crown corporation. But that whole purpose is defeated by the provisions of clause 17(7) which provide that if the governor in council does not take action within 60 days, what will very clearly happen is that the people of Canada will bask in the glory of new laws passed by a Crown corporation.

In my view, under the circumstances we have a most legitimate request with respect to an amendment to clarify the extent of the monopoly, which is the chief purpose of this whole piece of legislation. All other provisions, while interesting from the standpoint of watching the establishment of a Crown corporation, its board of directors and so on, are superfluous to the real purpose, which is to grant a monopoly for the transmission of letters in Canada. That monopoly is not

to be handed over to a government department, which is subject to scrutiny by the House, but to a Crown corporation and, accordingly, a minister who will answer questions in the House. The Crown corporation alone can determine what a letter is and will be in a position to determine the nature of the competition it may enjoy.

In case I should be met with the argument that there is provision within the bill to cover the work stoppage situation of which Mr. Smith and I have complained, a situation about which the Markham Hydro Commission and most of the business community in Canada are concerned, I would like to refer to clause 36(1) which was referred to briefly in committee. It reads as follows:

The Corporation may, with the approval of the Minister, make such arrangements for transmitting mail in emergencies as in its opinion are necessary in the interests of the public.

Clause 36(2) goes on to provide:

Every common carrier in Canada when required by the Corporation shall carry mail and duly accredited employees of the Corporation on such terms and conditions as the regulations prescribe.

From an examination of that particular clause, it is very clear it does not cover the concern of the public and the business community in Canada with respect to what happens to their business activities in the event of mail stoppage.

The clause provides that the corporation "may", not "must", in its determination decide whether the steps are necessary and in the interest of the public.

I urged the minister to split the provisions in Subclauses (1) and (2) so that it would be very clear that the operative part of the clause was not designed to permit the corporation to insist upon an intervention in the affairs of common carriers to seize up the assets of common carriers and use them at their pleasure. I submit the arguments I advanced have not been met by the provisions of this clause.

May I call it six o'clock?

● (1800)

The Acting Speaker (Mr. Blaker): No, I do not want to recognize the hon. member calling it six o'clock because his time for intervention has ceased. I have been trying to indicate that to him by giving various little signals. I do want to recognize the hon. member for Brampton-Georgetown (Mr. McDermid), who may be attempting to make sure that he has the floor at eight o'clock. That is a courtesy which I can extend to him, if he asks to be recognized.

Mr. John McDermid (Brampton-Georgetown): Mr. Speaker, I will now call it six o'clock.

The Acting Speaker (Mr. Blaker): The hon. member for Brampton-Georgetown will be recognized at eight o'clock provided, of course, that he is in the House at that time.

Mr. Parker: Mr. Speaker, I rise on a point of order, if I may. Two Conservative members have already spoken.

The Acting Speaker (Mr. Blaker): The remark made by the hon. member is quite correct. I had not seen the hon. member