

FIREARMS

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, a Court of Queen's Bench in Alberta has found the orders in council passed by the past Tory government pertaining to firearms legislation to be invalid because section 116(2) of the Criminal Code had not been adhered to.

My question is for the justice minister. Why has he followed the same procedure in passing orders in council before Christmas, a procedure that has been declared invalid by the courts of this land and has not worked its way through the appeal courts? Why did the minister choose to follow a procedure that has been declared invalid by the courts?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the judgment that has been referred to is under appeal because the federal government believes at first instance it was simply wrong. Without meaning any disrespect to the court, we have every confidence in the validity of the order in council.

The appeal is pending yet government must continue. The government has exercised an authority which it believes has been done validly and lawfully in the best interest of the public.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I understand the response of the justice minister. However, he could have followed the procedure outlined in section 116 of the Criminal Code. I observe that in Bill C-68 he has made that provision.

Why would the minister not follow the procedure set out in the Criminal Code and have the orders in council passed by the elected representatives of the people as section 116 of the Criminal Code demands and as the Court of Queen's Bench in Alberta has indicated is a valid procedure?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is because that section is not relevant to this exercise.

Two sections in the code speak of orders in council. One has to do with the general power on the part of government to prohibit. That order in council need not be placed before the House. The second and different kind of order in council deals with such matters as regulation, fees, businesses selling firearms. Those orders in council must be placed before the House.

We have distinguished between the two. We are confident of the validity of the steps we have taken. We feel in good faith the judgment at first instance in Alberta was wrong. We will pursue the appeal with every confidence that we shall win it.

Oral Questions

EDUCATION

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, my question is for the Minister of Industry who is responsible for the—

Some hon. members: Oh, oh.

Mr. Charest: Mr. Speaker, as usual I am flattered by all of the attention.

My question is for the Minister of Industry who is responsible for the Canada scholarship program for science and engineering students. The government's main estimates in 1995-96 said the "program was very successful in encouraging Canadian students, particularly women, to enter and stay in post-secondary science, engineering and technology studies".

Given the evaluation and the success of the program with the private sector and the rhetoric of the government on post-secondary education and R and D, why did the minister cut the program?

• (1500)

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I am always happy to receive a question from the leader of the fifth party, particularly one who will know that the funding for the Canada Scholarship Plan has been fulfilled to the extent that it was approved and put in place by the previous government. Nothing was cut. Rather the funding accorded by the previous government has run out.

I would like him to know that we are working very hard to find means to supply the Canada Scholarship Program in other ways and perhaps with the participation of the private sector so that a program like this is able to continue.

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, I have a supplementary question.

Given the fact that the government will not continue to reward the excellence of students in the area of science and post-secondary education, my question is for the Minister of Human Resources Development.

Why is it that his department has not continued a stay in school program that seeks to help young Canadian men and women to pursue their studies so that we as a society can do everything we can for young men and women to obtain all the skills they need in their lifetime to participate fully in Canadian society? Why has he cut that program?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, we were put in the unfortunate position that the previous government had only provided limited five-year funding. I have made a special effort in the past year to