

Pesticide Residue Contamination

limit their rights to obtain the kind of treatment they deserve as citizens.

If a rate of compensation were set this would make a difference, but I do not think the difference would be sufficient to deny an appeal procedure. I assume that an assessor would be appointed from the bench to hear appeals against decisions which had been made by the Department of Agriculture. We should not deny individuals the right to appeal such decisions to a court.

Individuals are bound by the rate of compensation set by the Department of Agriculture. I do not think it would happen, but it is conceivable that a compensation rate might be too low. In that event, through an appeal procedure, it might be found that the compensation was too low. Under this measure there would be no recourse even though it was obvious that the compensation was lower than that anticipated by this measure.

For these reasons, I think this proposed section should be deleted from the act. We should leave an individual or a company with the right enjoyed by other Canadians, that is, to appear before a court of law to settle a grievance or obtain justice.

Mr. H. W. Danforth (Kent-Essex): In speaking on this amendment let me assure the house that we in the official opposition will support the amendment referred to by the hon. gentleman who has just taken his seat. We are of the opinion that this matter could have been decided at the committee stage. It is unfortunate that we in the opposition must, in every instance, make a final appeal to the house when we have what we consider to be a very good proposition to put forward.

The minister stated previously that the conditions embodied in many of these clauses can be found in many other legislative measures and that these are merely repetitions of regulations which have been in existence throughout the years. It is for this reason, among others, that we wish to see changes made, because we are not dealing with the past, but the future.

We can foresee drastic changes in the agricultural industry and allied industries. In the years ahead of us the operations of these industries will advance. Certainly, agricultural operations are very different today. The fact this bill is before us indicates that the government is aware of the drastic changes which have taken place already. We cannot accept the minister's contention that because these conditions exist in other legislative

[Mr. Gleave.]

measures, they should be incorporated in this bill.

I agree with the hon. gentleman who has just taken his seat that there should be a right of appeal in respect of conditions laid down or judgments rendered. We are not talking about a judgment of the court, but merely the decision of an appointed assessor. I am not suggesting such decisions will be unfair, but surely it is unnecessarily drastic to write into the bill that such a decision by an assessor is binding and that an individual or company will have no further recourse.

Surely, in this new and just society we are supposed to be creating government members should be anxious to support this right of appeal to an individual or a corporation which felt it had been aggrieved because compensation was not adequate. While this type of clause may be written into other measures, the fact that it curtails the right of appeal from the judgment of an assessor should indicate to hon. members that something is wrong. We are preventing by legislation this recourse in respect of decisions of this type.

We are entering an entirely new field of endeavour. The agricultural and chemical industries will undergo extensive changes in the future. The best we can accomplish by this legislation may prove to be wrong in a matter of months rather than years. I entreat members of the government to look favourably on the contention by opposition members that there should be a right of appeal.

In dealing with bills of this nature I am gravely concerned because there seems to be no avenue of appeal in respect of mandatory decisions taken by individuals, groups or government departments. This is indeed unjust and a practice which should be discouraged rather than encouraged.

• (4:40 p.m.)

Hon. H. A. Olson (Minister of Agriculture): Mr. Speaker, I should like to commend the hon. member for Kent-Essex (Mr. Danforth) for implying that the government is looking to the future in proposing this legislation. It should be drawn to his attention and to the attention of the hon. member for Saskatoon-Biggar (Mr. Gleave) that prior to the introduction of this act there was no provision at all under which compensation could be provided to a farmer who suffered a loss as a result of the use of pesticides. Furthermore, while some compensation is paid under other measures, there is no appeal at all against the