

Government Orders

setting out the total number and amount of loans made under subsection (1) during the preceding fiscal year.

Subsection 1, of course, describes exactly what we are after here.

There are a couple of key phrases in the subsection. The first is that this automatically happens on an annual basis. Every year this particular report is tabled in the House. As our Standing Orders provide, any report that is tabled in the House is then automatically referred to the specific standing committee.

That deals with several things. First, every year it is done. Second, it is automatically referred to the committee. Third, it has some specifics in terms of the details, which I believe are what the hon. member wants.

The hon. member's amendment reads as follows:

The Standing Committee on Labour, Employment and Immigration of the House of Commons—

He specifies the specific committee but, of course, that is provided for by our Standing Orders.

—shall be empowered to examine—

They are automatically empowered to examine right now without any changes to the act.

—advances made pursuant to this act.

That is only more general wording which accomplishes exactly what I believe is taken care of by the act itself. The beauty of the wording in the act is that it is a little more specific and, therefore, if we were to end up with some kind of a court challenge or court intervention, of which we as legislators know we have to be so careful, the more specific wording would, I believe, have a better chance of surviving. This general wording may well leave us in a situation that is very much open to interpretation and problems.

Therefore, the principle of the hon. member's amendment is well understood, but I think he is in fact putting some redundancy into the act, and I think we should be very careful of doing that.

Mr. Heap: Mr. Chairman, I thank the hon. member for drawing to my attention, and perhaps to the hon. member for York West's attention, the section of the act to which he has been speaking.

There are two matters not provided for there. First, the report must be made within six months following the commencement of each fiscal year or, if Parliament is not then sitting, within the first 15 days next thereafter.

In other words, in 1990 that report will not be made until after the summer, six months after the beginning of the fiscal year. That does not do us any good for the present crisis.

Second, the report, as defined here, is only intended to deal with what is passed. Here are the number of loans, the number of dollars, the number of people and so on, without any projection toward the future. What we are concerned with and what I thought might be included in the general wording of the motion of the member for York West, is that the minister would report at whatever time of the year either the minister thought appropriate or the committee requested and would include, especially if requested, a projection.

For example, she might have reported in December of 1989 that there is a rise in the take-up of the loans and that it is going to approach the limit, or perhaps in February or March she might have reported that. That would have been very helpful in encouraging whatever action is needed by Parliament or the cabinet. It would at least support their action. It would also give notice to those in the public who have been materially concerned, those who are providing for refugees when they get here, those who are working at the selection of refugees overseas and who rely on the loan system as part of the support arrangements. Although the report, as provided for in the act, should be of some value, it does not catch an emergency like the one which occasioned Bill C-77.

• (1250)

I do not know whether it is possible to make any changes in the wording of the amendment now. I am not sure if there is any procedure by which we could do that. It seems to me that we and the minister's representatives are very close on this matter. We agree in principle. The problem, if any, would be in the actual wording. Certainly I do not want to cause a lawsuit. However, the present section does not provide for either recognizing an emergency that has begun or forecasting an emergency that there is good reason to foresee.

Some arrangement for flagging that would be very useful to prevent this kind of problem from happening again. I was told by the minister's office that it took six months to get this amendment through cabinet and it would only take three months to get a regulation through cabinet. That may be, but even three months can run us into an emergency the way things are