

Customs Tariff

I am not going to argue this point until the cows come home, but I argue it as a matter of principle. I am opposed to the particular item in this form. If the minister removes the words "designated by order of the governor in council", I am with him 100 per cent. Other than that, I say no.

Mr. Turner (Ottawa-Carleton): Mr. Chairman, I do not argue the hon. member's thesis in principle. I had a good deal of trouble with some of my colleagues at the time I brought in the Statutory Instruments Act to limit the power of delegation, and when the power of delegation was authorized by parliament, to ensure that under the Statutory Instruments Act—the hon. member and I, as well as the hon. member for Peace River and the hon. member for Fundy-Royal, had a good deal to do with it—delegation was properly exercised and did not abuse the definition or its parameters. The publicity which the Standing Committee on Statutory Instruments can focus on this element will provoke some self-discipline on the part of the government as a regulation-making authority and the exercise of that authority.

The problem I am faced with is that there is no accepted definition of "handicraft". On the one hand, I think it was parliament's view—certainly as it was reflected by the passage of the general preferential tariff last year—to accord duty free entry to some legitimate primary products and some legitimate handicrafts. At the same time, we want to ensure that this duty free entry is not abused by the countries concerned by boot-legging into Canada under the guise of its being a handicraft, a machine or industrially-fashioned process to the detriment of our own handicrafts.

Because of the difficulty of definition it is impossible to define "handicraft" with precision in the tariff. For that reason I am asking the committee to give the government authority, in negotiation, to ask the developing country to prove that it is a bona fide handicraft, and in consultation with our own handicraft industry from time to time to regulate the entry of handicrafts. If the hon. member could suggest a better way, I would be open to suggestion.

Mr. Lambert (Edmonton West): At the risk of monopolizing the floor, I am prepared to compromise if the minister will introduce an amendment which will provide that such an order of the governor in council shall be subject to affirmative approval of the House under the Statutory Instruments Act. I can tell the minister that in Britain practically all of this kind of thing is subject to the affirmative approval of the House. It is a matter for the statutory instruments committee whether it should recommend to the House that there be affirmative approval. The minister may want to consider that point.

The world will not come to an end if the minister has to come back here on a matter, no matter whether it is a handicraft or not, on which there are negotiations. It is basically a question of what is, in effect, a legislative change, authority for which is being given, under an item in the Customs Tariff, to the government to change by order in council. I say, in a spirit of compromise, that the way is open to make it subject to affirmative approval. If the minister is in agreement, fine; otherwise I will keep arguing this matter.

[Mr. Lambert (Edmonton West).]

Mr. Mazankowski: Mr. Chairman, I wish to associate myself with the representations made by my colleague, the hon. member for Edmonton West, in the House yesterday on behalf of the agricultural industry. They had to do with the tariff treatment of combine cab coolers and air conditioners. Combine cab air conditioners and tractor cab air conditioners are basically the same unit.

● (1540)

I reiterate and re-emphasize my support of the representations put forth by the hon. member for Edmonton West, and point out to the minister and his officials a very obvious and glaring anomaly that prevails in the treatment of cab air conditioners. In effect, a cab is a cab whether it is mounted on a combine or on a tractor. These cabs are basically used for the same purpose and the same individual rides in the cab, yet we have a situation where air conditioners for tractor cabs come into the country tariff exempt whereas the tariff is applied in respect of coolers used for combine cabs. It is a simple matter but a very aggravating anomaly.

This is not a new question. Representations have been made by various people involved in the industry, and the manner in which the Department of Agriculture, the Department of Finance and the Department of National Revenue have received these representations clearly illustrates the kind of run-around that this government gives very simple anomalies. I should like to put on the record some of the exchange of correspondence which took place on this subject. I see the Minister of Finance shaking his head. If he can give me a legitimate reason why an air conditioner for a tractor cab should be tariff free, while an air conditioner for a combine cab should have a tariff applied, then I will accept it—but I very much doubt that he has ever ridden in either.

Mr. Turner (Ottawa-Carleton): The hon. member is right.

Mr. Mazankowski: Then I am glad. On May 31, 1974, the Canadian Federation of Farm Equipment Dealers wrote to the Minister of Agriculture.

Mr. Turner (Ottawa-Carleton): What date did you say?

Mr. Mazankowski: May 31, 1974, which is when the representations commenced.

Mr. Turner (Ottawa-Carleton): You were pretty busy at that time, were you not?

Mr. Mazankowski: Probably not as busy as the minister. I noticed that the minister had someone in his constituency who kept him there close to home, and that he was running a little afraid. However, I must say we were looking forward to the minister's smiling face and to seeing him politicking out in western Canada. But to no avail; he had better things to do in his own constituency. We were really sorry about that because we always welcome his attendance in our part of the country.

Mr. Turner (Ottawa-Carleton): I went to Calgary.

Mr. Mazankowski: I want to be serious, but obviously the minister does not, because I think he realizes that this