

*Criminal Code*

have the right, if it desires, to establish a lottery but it will be able to do so by Order in Council without any reference to this house. If a provincial government wants to establish a lottery, it will be required to introduce legislation setting out the terms and conditions under which the lottery will be operated, who will be the agents to act for the government, and for what purpose the money will be used. All the details will be subject to debate and discussion. But if the federal government decides to set up a lottery it will not need to refer to parliament at all. It will be done simply by an Order in Council setting forth the terms and conditions, naming some person or group of persons to act for the government, and, presto, a full lottery will be in operation.

When I asked the minister about this last night, he said we will always have the right to deal with the matter by means of a motion of non-confidence in the house. Isn't that a marvellous concession! Parliament will not be permitted to examine any such proposal, amend it in any particular or, as my colleague points out, even discuss the details of what is a tax proposal. All parliament will be allowed to do is vote yes or no on whether it has confidence in the Order in Council which the government has passed. There are totalitarian régimes in the world where the members of the legislative bodies are strictly limited to saying yes or no, but I thought we had not reached that low level in Canada.

• (3:20 p.m.)

However, the minister is seriously telling us that he thinks it is all right for the federal government, by Order in Council if it so desires, to set up a lottery, to determine by Order in Council the terms and conditions of that lottery, how it will be operated, how much of the money will go into the federal treasury, how much will be paid out in prizes and the purposes for which the funds will be used, and parliament will have nothing to say about it except that it may be provided with an opportunity on an allotted day to move a motion of no confidence. This to me, Mr. Speaker, is preposterous. It is preposterous for a government that has talked so much about participatory democracy, about the need for involvement, about the value of dialogue and consensus, to say now that a plan can be introduced and that hon. members will have no opportunity to discuss it and amend it in any particular. All they will have will be an opportunity to deal with the matter

by a vote of confidence or non-confidence in the government.

I hope that the Liberal members of the house who support the government will take a good look at this provision. I suggest it is a dangerous precedent. I suggest democracy means more than just having the right periodically to vote yes or no, and that if parliamentary democracy means anything it means playing a part in the process of formulating legislation. We have a process here whereby legislation is discussed on second reading and then sent to a committee where experts can be called, where discussion can be heard, where it can be amended and brought back to the house to go through report stage and third reading. But this is the thin edge of the wedge. We are sweeping all that aside and saying that by Order in Council so important a thing as a national lottery can be established and parliament will have nothing to say about it until after it has been established. To me this is shocking and scandalous.

When hon. members on the other side of the house look carefully at the implications of the precedent now being established by the Minister of Justice, I think they will join us in asking him to remove these provisions from the bill. I say that the press has a responsibility to tell the people of Canada what is in this legislation, not just the idea that the federal and provincial governments will have the right to set up state lotteries but also that the federal government will have the right to establish a state lottery without reference to parliament, that it will have the right to bypass parliament, that it will have the right to set up machinery to collect possibly millions of dollars and dispose of that money in whatever way it thinks best, to determine how much will be paid out in prizes and how much will be paid into the federal treasury or into whatever aspect of federal expenditures it decides, without referring the matter to parliament. If the Canadian people were made fully aware of this very serious innovation, and I suggest the press has a responsibility to make them aware of it, I believe they would speak out in no uncertain terms and say that this type of legislation ought not to be passed.

I make an appeal, even to those who are in agreement with the government about the advisability of government lotteries, provincial or federal, that if we are going to have such lotteries then at least the federal government should be on the same basis as the provincial governments. If the federal government is going to establish a lottery it