

*Emergencies Act*

exceptional circumstances it would be possible to simultaneously invoke several parts of the Act.

We are asked by Canadians what types of situations the Bill will cover. We say that the Emergencies Act will only apply to national crises. The emergencies that could give rise to a national crisis have been divided into four groups: public welfare emergencies, public order emergencies, international emergencies and war emergencies.

What is a public welfare emergency? A public welfare emergency results from a natural disaster or accident so serious as to be a national emergency. The provisions dealing with emergencies are designed to allow the federal Government to mobilize the resources of the nation as a whole in order to meet a very serious disaster. All provincial and territorial governments have enacted emergency legislation to meet public welfare emergencies within their jurisdictions. Provinces and territories have acquired sufficient ability, resources and experience to meet most public welfare emergencies, by themselves or with the help of the Canadian Government, provinces or neighbouring territories. However, in a national emergency, the vast mobilization and coordination operation which might become necessary could only be organized by the federal Government.

When the direct effects of an emergency are felt mainly in a single province, the Emergencies Act provides that a public welfare emergency can be declared only if the province indicates that the emergency exceeds its own capacity or authority to deal with it. In serious emergencies which affect several provinces, all the provinces involved have to be consulted before the Act is invoked. In addition, the Act provides that the control or direction of a province over any police force over which it normally has control or direction, including the RCMP, will not be affected.

Canadians can therefore be assured that the Act will not be used lightly to deal with minor or localized emergencies.

What is a public order emergency and why does the Act apply to such emergencies? These are other questions asked by Canadians.

The Emergencies Act defines a public order emergency as an emergency that arises from threats to the security of Canada and that is so serious as to be a national emergency. The threats to the security of Canada are defined in the Canadian Security Intelligence Service Act and concern mostly spying, sabotage, subversion, terrorism and attempts to overthrow the established Government. Legitimate dissidence is explicitly excluded.

The purpose of Part II of the Bill is to establish measures of limited application providing fully satisfactory guarantees to face such threats when they constitute a national emergency and when ordinary provisions prove inadequate. If the effects of the emergency are limited to a single province, this province must indicate that it is unable to deal with the emergency by itself before the emergency can be declared under the terms of

Part II of the Act. In all cases, the Government will be obliged to consult the provinces affected by the emergency before invoking Part II of the Bill. The provisions of the Criminal Code will continue to be used to deal with emergencies of a less serious nature caused by instigators of public disorder.

People are wondering what the purpose is of Part III and why it is essential to the Bill. Part III of the Emergencies Bill deals with international emergencies. It gives the Government fully safeguarded and appropriately limited exceptional powers to act quickly in case of a serious international emergency, without having to resort to the draconian and controversial powers it is given under the War Measures Act. Before proclaiming a state of emergency under this part of the Bill, the Governor in Council must consult all the provinces to the extent that, in his opinion, it is appropriate and practicable to do so.

Part III enables the Government to take and implement, in co-operation with our allies, preventive and preparatory measures of a civil, military, economic and diplomatic nature to deal with the emergency and reduce tension. At the same time, it enables the Government, if necessary, to put the country in a state of preliminary preparedness for war, to start the process of mobilizing civilians and to take steps for emergency preparedness. Consequently, it acts as a deterrent against acts of aggression that are contrary to the interests of Canada or those of our allies.

What does Part IV say? Part IV of the Emergencies Bill deals with war emergencies and provides additional, fully safeguarded and appropriately limited powers to deal with such emergencies, powers that would not be provided under Part III. Part IV would apply only to a real or imminent conflict involving Canada or its allies.

So what is the purpose, Madam Speaker, of the War Measures Act and what are its shortcomings? The War Measures Act was passed by Parliament on August 21, 1914. Not many Members in the House today were present or even born at the time this Act was passed.

When World War I broke out, the Act was passed without dissent after only one-half hour of debate. It contains very few guarantees for protection of provincial interests, parliamentary review or civil rights. In any case, it will not be said that Bill C-77 was passed in half an hour. We will take the time to consider this Bill, and we want to make sure all Members of this House fully understand its implications.

The War Measures Act was quite similar to the *Defence of the Realm Act* which the United Kingdom passed on August 8, 1914. I am not sure, but there must have been similarities. This legislation was adopted quite hastily. Very extensive powers were thereby granted to the Governor in Council who could proclaim the existence of a state of emergency, then enact such orders or regulations which were deemed necessary or advisable for the security, defence, peace, order, and welfare of Canada. Under the Act, a state of emergency might be