

*Government Affairs Control Act*

ards and we should be prepared, at least, to look into the imposition of standards on ourselves to govern our conduct and our position with respect to matters of personal interest. At least, then, we will have relieved ourselves of the burden which is placed on us to provide a code of conduct with which we can all live and from which the people of Canada will benefit.

● (1720)

*[Translation]*

**Mr. Jean-Robert Gauthier (Ottawa-Vanier):** Mr. Speaker, I am pleased with this opportunity to speak to the issue of conflicts of interest, and more specifically to Bill C-208, an Act to provide for the control of conflicts of interests in Government affairs, introduced by the Member for Halifax West (Mr. Crosby).

Mr. Speaker, it is a subject that is very close to us and that requires reflection. In fact, for over twenty years a great deal of reflection, effort and initiative has been expended on this matter by the Government. The concept that official duties, public or otherwise, should be performed in an entirely objective and disinterested manner—which is the principle of integrity—is the cornerstone of all good Government, and I am pleased to see that the Member for Halifax West also recognizes the importance of this issue and has put it before the House for consideration.

Bill C-208 which the Hon. Member is presenting today gives a list of personal activities that constitute circumstances where a conflict of interest arises for a Minister or public servant; it authorizes the Deputy Registrar General to inquire into cases of conflict of interest and to put the results before a judge of the Federal Court of Canada. The judge would then take the necessary steps or measures. If there is a conflict of interest, he may terminate the employee's employment and, in the case of an official who is not an employee, suspend or revoke the appointment of the official. Interestingly, although the Bill before the House is aimed at maintaining a standard of ethical conduct, it tends to stress the control aspect, and I would refer Hon. Members to the explanatory note on page 1a):

The purpose of this bill is to ameliorate the control of conflicts of interest by Cabinet ministers and officers and employees of the Government of Canada by defining the circumstances under which a conflict of interest is deemed to arise and by providing a method of enforcement through the Deputy Registrar General and the Federal Court of Canada.

Mr. Speaker, before going any further, I would like to remind the Members of this House that in our system of Government, the issue of ethical conduct is still relatively recent. I said earlier that the Government has been considering this question for twenty years, and I am referring to the matter of establishing a set of ethical guidelines for members of Cabinet and Government employees. Mr. Speaker, I believe that any new initiatives in this field should be put in perspective and be considered within the general context of the Canadian situation. If we go back to the sixties, which is not so long ago, we find there were no conflict of interest guidelines.

It was then up to one's own standards of moral behaviour and one's personal conscience. Employees did not have to be told what to do. When they entered the Public Service, they did whatever was necessary so as not to be in a conflict of interest situation. Guidelines and regulations were not necessary.

I realize that times have changed, but to what extent? What do we have to do now to make sure that public servants observe high standards of ethical conduct? I believe this is a question that the present Members of this House will have to consider very carefully.

Times have changed, and the Government realized this early on. In 1964, the then Prime Minister, the Right Hon. Lester B. Pearson, wrote to his Cabinet Ministers, stressing the importance of maintaining a high standard of ethical conduct and emphasizing that the same standards should apply to their staff. In the same letter, he formulated what was to become the basis and the essence of the standard of conduct to which all public servants would have to conform for many years to come. I shall, if I may, quote some extracts from this letter, Mr. Speaker:

It is by no means sufficient for a person in a position of responsibility in the public service to act within the law. There is an obligation not simply to obey the law but to act in a manner so scrupulous that it will bear the closest public scrutiny. The conduct of public affairs must be above all suspicion, in terms of standards of conduct, objectivity and equal treatment.

Another aspect of Prime Minister Pearson's philosophy in this field was that Ministers must refrain from giving preferential treatment to their friends and acquaintances, that Ministers of the Crown and their excluded staff must act in such a way that no one would consider it possible to have privileged access to staff or services, that they should not have a pecuniary interest that would conflict with their official duties and that they should not use information acquired in the performance of their official duties for their personal benefit. Mr. Speaker, these points, as you may have noticed are still relevant.

In the late sixties, the Public Service of Canada underwent many changes. The number of employees increased, the duties and specializations became more diversified, more technical and, of course, more complex. Many Government organizations were decentralized. The situation had to be reviewed because it had become important that Government employees be better informed about what was expected of them in their particular field. The Government acknowledged the situation and, in June 1973, the Prime Minister told the House, and I quote:

An effort will be made by the Government to reconcile the very real desire of the people of Canada to have people of eminence in their service . . . with the important principle of avoiding a conflict of interest situation where such a person would serve his own personal interest in serving the public.

That was when the Government began drafting conflict of interest guidelines. As you recall, Mr. Speaker, guidelines for Ministers of the Crown and public servants were issued in December 1973, guidelines for people appointed by the Gover-