

basis and with reforms which resulted in this particular reform being put on the back burner.

• (1120)

When a Conservative government came to office the *Order Paper and Notices* was practically empty and hardly any matters were brought forward for consideration by Parliament compared to what was more characteristic of the Liberal Government. The Conservatives had the time to devote to the revision of legislation which is more characteristic of Conservatives than Liberals.

This legislation will largely be of interest and help to lawyers and I am pleased that it is being brought forward. As a lawyer who was in practice, I can say it is a considerable advantage to have the legislation updated as it will be. I think the loose-leaf revision is a reform. I hope the Minister will have some other achievements in his career as Minister of Justice (Mr. Hnatyshyn) that one can call reforms. Indeed, he is the Minister responsible for the loose-leaf version of the *Revised Statutes of Canada*. He will go down in history for it. Perhaps it will not be such a large item in the history of Canada but it is an important one.

One wonders why the bound version is necessary anymore. I phoned to find out how much one will cost. I learned that it will be about \$700 while the loose-leaf version will be something like \$600. For my part, I would buy the loose-leaf form and have the update. Perhaps we could save the Government some money down the road by discontinuing the bound version of the statute.

On the subject of timing, perhaps the Minister can tell me in committee why the cutoff date is December 31, 1984. We are already in 1987 and 1988 will be here in a few weeks. One would have hoped that with the benefit of computers, organization and so on the Government might have been able to pick a cut-off date closer to a current date. There have been very few legislative amendments since December 31, 1984 with a Conservative government in office. Perhaps there is less that people who buy the bound volume will have missed than before. Madam Speaker is nodding in agreement, or is it disagreement? I do not want to characterize the intervention of the Speaker but I am glad to see that she is listening so intently to my remarks.

Some of the points made in this revision are worth looking at. The Minister has focused on one. There was one other but let me deal with both.

The French versions of a number of statutes are immeasurably improved.

[*Translation*]

True enough, past tradition was to prepare the English draft and have it translated, a translation far removed for the original version. So 20 years ago when Canadians began to be serious about bilingualism in this country and in the national

Parliament, we had very nice pieces of legislation which they could take as examples of good French and good English.

As to earlier statutes, those which are being revised but were enacted decades ago, doing a good translation proved to be quite a challenge. I did note a number of fundamental improvements, and the Minister deserve commendation not only for his French, for the speech he made, but also for the talent and creativity he and his officials have shown in the translation of hundreds—I do not know the exact number—hundreds of statutes which now look like French statutes, not only obvious translations of the English version.

Therefore we should congratulate those responsible for the translation and the support given by the Government to this endeavour.

The other area where there has been a major reform is that of the English pronouns of masculine or feminine gender, usually of the masculine gender. There is a problem in English which does not exist in French, for we must take the gender of nouns into account if we want to write sentences which are grammatically correct.

[*English*]

In French, as francophones know, the sex of a pronoun is taken from the noun that it modifies and not from the subject of the sentence. One does not run into problems in French with having to carry forward the gender identification of the subject. In English there is only a choice of masculine and feminine and it matters a lot. I regret to say that one has to come to the conclusion that you can only go so far in eliminating gender pronouns. You cannot eliminate them 100 per cent without, in some marginal cases, having very complicated, lengthy and tortured language. Of course, in a statute where clarity is important and where clarity to the layman should always be our goal, we have to be reasonable in deciding where to draw the line on eliminating completely the word "his" and pronouns like that.

We raised the subject with the draftsman. I think we had an effect on them because they did some more work to try to remove the word "his" and other similar gender pronouns. We ended up with a smaller number than we would have had before. In any event, the draftsmen were conscious of this problem and did a much better job. The draftswomen as well—

Mr. Hnatyshyn: The draftspersons.

Mr. Kaplan: Yes, the draftspersons did a lot better job on this than on the last revision. This is an achievement of this legislation and I wanted to acknowledge that.

My final point on second reading is that the revision does not include all of the public acts of Canada. The Income Tax Act has been left out. Since December 31, 1984, it has been changed much. The Government has brought in a lot of legislation concerning the Income Tax Act with which we have disagreed over the last three years, but because it is so often