

Energy Supplies Emergency Act

Minister of Energy, Mines and Resources has engaged. May I call it six o'clock?

Mr. Speaker: May I remind hon. members that there are still three minutes before six o'clock. I am in the hands of the House, if there is unanimous consent.

Some hon. Members: Carry on.

Mr. Kempling: That is what I call a vote of confidence. Some of the powers contained in the bill should be stated, so that we may see which of them the cabinet needs in order to overcome the so-called energy supply crisis. Clause 13 gives the cabinet power to exempt certain persons from sanctions under the Combines Investigation Act. Clause 24 overrides provincial laws and federal laws pertaining to pollution. Clauses 25 and 26—

Mr. Speaker: Order, please. I have to interrupt the hon. member. Will he kindly resume his seat? I must remind hon. members that it is not competent for an hon. member on second reading to consider a bill clause by clause. There is no difficulty about making general references to specific clauses, but the hon. member is doing now what it will be the responsibility of the committee to do if and when this bill goes the committee. I ask hon. members to bear this in mind when making their contributions on second reading of the bill.

Mr. Kempling: Mr. Speaker, thank you for setting me straight on that point. I was trying to point out various clauses of the bill which override certain jurisdictions of other governments in this country. One clause of the bill empowers the board to seize ships for the purpose of shipping oil. Another empowers it to seize motor trucks for interprovincial transportation of oil.

One of the great dangers is that this bill will not be a temporary measure; that it will not deal with the crisis, and then expire, but that it is intended to be permanent. It is not to come into effect by proclamation, as did the War Measures Act. It is to come into effect after royal assent, and its provisions can be used by the governor in council at any time. I am not convinced that this government, in view of its record, should have this power. This bill would give the governor in council jurisdiction over the petroleum products manufacturing industry, wholly or in part. It would give the government power over industries involved with petroleum, natural gas, coal, electrical power, and over railways, ships and pipelines as well as over interprovincial motor transport.

Mr. Speaker: Perhaps the hon. member will allow me at this time to interrupt him and suggest that it is now six o'clock. It being six o'clock, I will now leave the chair. The House will resume at eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

[Mr. Kempling.]

Mr. Kempling: Mr. Speaker, as I was saying at six o'clock, one of the greatest dangers in this bill is that it is not a temporary measure meant to deal with a crisis and then expire. It is intended to be permanent. It does not come into effect on proclamation as did the War Measures Act, but is in effect from royal assent and can be used by the governor in council at any time. I am just not convinced that this government, on its record, should be given the powers provided by the bill.

This bill, in effect, gives the governor in council jurisdiction over petroleum products manufactured in part or in whole from petroleum, natural gas or coal, as well as electrical power, railways, ships, Canadian or foreign, pipelines and interprovincial motor transport. It further gives the governor in council powers to enter the provincial constitutional field, to effect provincial energy resources, industries manufacturing products from petroleum as well as primary and secondary industries, through control of railways, pipelines, ships and interprovincial motor truck transport. The entire power is in the governor in council. The declaration of an emergency, actual or anticipated, is at the sole discretion of the governor in council.

One of the unexplained words in the bill is "region". It is not defined. It is not given a dimension. It is just stated that a region of the country can be in what the governor in council considers to be a crisis state and the powers come into effect for all of Canada. This is power which should not be blindly given to a government with such an inept record.

There is in this proposed legislation a parallel suggestion to the one the government made during the FLQ crisis, that a public order emergency act be passed. This clearly is no time to enact permanent legislation. Such a proposal should await a period of calm, and should be acted upon following full discussion with the provinces after we have had a chance to see the effects of this winter. There is adequate power for the government to act in existing legislation. We could give the government additional powers to ration energy supplies and they would have plenty of room to operate for this winter season. This bill is written on the premise that there is a serious national energy crisis and yet the Prime Minister (Mr. Trudeau) in his oil policy statement said and I quote:

We are confident no Canadian need fear serious shortages of fuel and oil this winter providing each of us plays his part.

Mr. Alexander: The old double talk.

Mr. Kempling: The old double talk. The fact is there is no oil crisis. The government has not declared a crisis, yet it is asking for these powers.

Mr. Baldwin: The only crisis is the government.

Mr. Kempling: That is right. We have Bill C-236 thrown at us which would place in the hands of the cabinet extraordinary powers. I say we cannot grant those powers; we cannot do that with a clear conscience. We cannot place in the hands of the cabinet such extraordinary powers or we would lose the confidence of the people of Canada.