

An Hon. Member: Hear, hear!

Mr. Langdon: Very interesting, Members opposite say "Hear, hear!" but they and their Minister have not been prepared to give a single iota of evidence to back up that claim, not a single iota despite questions and attempts by the Agriculture committee to pin down a specific case, not a single example. This from a Government that sanctimoniously, now that it is under attack, not for questions and contradictions from Opposition Members but instead from contradictions that have come from its own people—

Mr. Dick: Is this about Canagrex?

Mr. Langdon: A Government which sanctimoniously says but you opposition people are not prepared to give an iota of evidence of our wrongdoing despite the fact that we have learned that the Prime Minister's Office knew about the spoiled tuna two months before it came off the shelves—

An Hon. Member: So did the CBC.

Mr. Langdon:—despite the fact that that reality existed, their sanctimonious reply to the Opposition is but you are not prepared to give us evidence. Despite our asking for evidence for months with respect to Canagrex, the Government has not been prepared to give a single iota of that evidence. Instead, despite the opposition of the farming community, despite the favourable cost-benefit ratio of the agency, despite the testimony of the heads of the agency which indicated just how positive the contribution had been, despite all that, for ideological reasons, because of a blind faith in the operation of the large scale corporate sector, the Government wants to do away with Canagrex without being able to justify it.

● (1600)

Mr. Deputy Speaker: I regret to interrupt the Hon. Member. He will have 12 minutes left in his speech the next time this matter is debated in the House.

It being 4 p.m., the House will now proceed to consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[English]

UNEMPLOYMENT INSURANCE ACT, 1971

MEASURE TO AMEND

The House resumed, from Friday, April 19, consideration of the motion of Mr. Jourdenais, that Bill C-221, an Act to amend the Unemployment Insurance Act, 1971, be read the second time and referred to a legislative committee.

Unemployment Insurance Act, 1971

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I am pleased to have the opportunity to discuss Bill C-221 in this House. The Bill contains two proposals that deal with the Unemployment Insurance Act. I would like to discuss the proposal for the UI appeal system.

The Bill requests that we repeal an existing section of the UI Act, Section 103, and replace it with another. To properly understand this section of the Act and the ramifications of its removal, I believe we must first look at the present UI appeal system and agree on the purpose of Section 103, and what would happen if it was changed along the lines suggested in this Bill. The UI appeal system has been a part of the UI Act since its inception in the 1940s. It is a bi-level appeal system. The first level of appeal is the Board of Referees. The Board is composed of a chairperson and at least two members, divided evenly amongst two groups, employers or representatives of employers, and insured persons or representatives of insured persons. The chairpersons of the Board of Referees are appointed by the Governor in Council and the other members are appointed by the Canada Employment and Immigration Commission. Unlike, for example, a provincial Court of Appeal, the Board of Referees is not a permanent body with a fixed number of members, any of whom may at any time be called upon to sit, generally as members of a bench or judges, to hear any case within the jurisdiction of the court. The Board of Referees is constituted afresh, each time an appeal is lodged, from panels of members, one panel for each group of representative members, and a panel of chairpersons. All members of the Board are independent of UI and their decisions are based on the UI Act, regulations and previous jurisprudence of the umpire.

The second level of the UI appeal system is the umpire, who is usually a judge of the Federal Court. The principle of the existence of a second level of appeal is not universally recognized in law. Eminent jurists of both the Anglo-Saxon and civil legal traditions have asserted that the existence of a second level of appeal makes the first level virtually useless. In Canadian law, however, the two-tier appeal is the rule rather than the exception. The existence of the Supreme Court of Canada as a general court of appeal has accustomed Canadians who come before the courts to rely on a second level of appeal which can overrule decisions of their provincial Court of Appeal. The same is also true of administrative tribunals which we, the legislators, frequently endow with at least two, and sometimes more, levels of appeal. This adds to the safeguards flowing from the general power of supervision and review which is invested in the Superior Court of every province and in the Federal Court.

The existence of a two-tier appeal system in unemployment insurance cases can be explained easily. The subject matter of these appeals is the administration of a piece of social legislation, the purpose of which is to preserve the economic order by protecting wage-earners and developing a common goal between business and labour. It seemed quite natural to involve representatives of the two groups of society most directly