longer a court of the Crown's exchequer because its jurisdiction ranges far beyond fiscal matters. It is not a Crown-oriented court. It is not a court destined or organized to protect the purse at the expense of the citizen. Although the name of the court may have great historical significance and enjoy a great deal of emotional attachment on the part of certain members of the legal profession, the purpose of the court under its present name is not readily apparent to the people of Canada.

The Supreme Court of Canada has been required to act as both a first appellate tribunal and a final appellate tribunal since it became the court of last resort in this country in 1949 so far as appeals from the Exchequer Court of Canada are concerned. This lack of an intermediate appellate court between the Exchequer Court as a court of original jurisdiction and the Supreme Court of Canada has given rise to a number of problems. I should like to mention one or two. First, it has meant that rulings of the Exchequer Court in relation to important matters of practice and procedure have been reviewed only infrequently on appeal, and this in turn has resulted in a lack of satisfactory jurisprudence. Second, it has meant that in recent times a very high percentage of the time of the Supreme Court of Canada has been taken up with appeals from the Exchequer Court. These appeals, in turn, have taken more time than they otherwise would if there had been an intermediate court of appeal to sift the record or to prepare the record on which an appeal is based.

Third, litigants who do not wish to accept a trial judgment as determining their rights and obligations have been forced to appeal immediately to the highest court in the land without the opportunity of going through an intermediate court of appeal. Under this new law as proposed, these litigants will be able to obtain not only a trial on their doorstep, because this court will be a circuit court, but they will be able to obtain as well an appeal at their doorstep, because the court of appeal will also be a circuit court. As a result, I anticipate that only more important matters will proceed to the Supreme Court of Canada, as is now the case with litigation before the superior courts of the provinces.

I have said on several occasions that I hope the Supreme Court of Canada can become a more creative court. In saying this I hope I am not putting myself in contempt. I also hope that it will deal primarily with questions of law, with matters of constitution and matters of public administrative law. The bill dealing with the Supreme Court of Canada that has been read the second time and is currently before the Standing Committee on Justice and Legal Affairs will, after it has been passed, be instrumental in filtering out a good many of the more factual appeals, that is to say, appeals depending merely on an interpretation of fact. The bill now before the House will also ensure that there is a further filtering process.

• (3:40 p.m.)

The Supreme Court of Canada can then be left as a final appellate court dealing with matters of law, matters affecting the constitution of this country, matters affecting public administration and the interpretation of the statutes under which administrative tribunals operate.

I wish at this juncture to underline the fact that the new federal court of appeal will be an itinerant or circuit court of appeal. Like the trial division, it will sit throughout Canada with a view to meeting the convenience of the parties. Indeed, the bill expressly provides in clause 16(3) that this shall be done. In other words, the court will continue the decentralizing process that was begun under the present President of the court. It will bring justice to the people, decentralize the operation of the present court, make the court more accessible, quicker and less expensive.

In addition to the fundamental change in court structure that I have mentioned, the bill proposes what I consider to be an important administrative law change in relation to the superintendence of federal boards, commissions and tribunals. For many years federal boards, commissions and tribunals have been subject to the diverse jurisdictions and practices of the various superior provincial courts in this country. For this reason federal boards, commissions and tribunals can be supervised to a much greater extent than can their provincial counterparts since provincial boards, commissions and tribunals of similar nature can be supervised only by their own provincial courts.

This multiple supervision, with a lack of consistent jurisprudence and application, can work serious hardship not only on the boards and commissions but on those who appear before them. Indeed, hon. members can readily see the possibility of harassment and the possibility of the misuse of this multiple su-