

*Public Bills*

moneys as well as the initiation of legislative proposals. What is done so easily and so frequently in the United States under their congressional system cannot be accomplished in Canada.

In New Zealand, Australia and some of the other commonwealth countries, there are procedures by which private members public bills can be brought on but this does not happen more frequently than in Canada. The United Kingdom, however, has a different system. For example, over the last 18 years, according to my calculations, some 170 private members public bills have been initiated, brought forward, adopted and enacted, becoming the law of the land. This is an average of slightly under ten bills per session. Obviously the government of the United Kingdom has found a formula which works. It is very interesting, Mr. Speaker, to consider the names of some of the bills and the importance of some of those measures passed in that country, all private members public bills.

I have two lists which can be secured from the research department of the parliamentary library. These show that starting in 1949 a private member was able to secure the passing of the Adoption Act, the Married Women (Maintenance) Act, the Law Reform Act, Slaughter of Animals Act, Small Lotteries and Gaming Act, National Insurance Act, Advertisements (Hire Purchase) Act, Matrimonial Proceedings Act, Divorce (Insanity and Desertion) Act and amendments. Of course, hon. members will recall that the divorce law which made the first breach in the walls of solidarity in the grounds for divorce was brought on as a private members public bill by Sir Alan Herbert. This list also includes the Fatal Accidents Act, the Clean Rivers Act, the Consumer Protection Act, the Rural Waters Supply Act, the Landlord and Tenant Act, the Oil and Navigable Waters Act, the Antarctic Treaty Act and the Clean Air Act. These are a few of the 170 statutes I have cited, which indicate the importance of some of the legislation that private members have brought forward. That legislation was debated and passed by the Commons and the Lords, and has become part of the laws of England. England has not fallen by the wayside; England has not desolved in ruins because private members have been able to bring into the house public bills which have become law. Why cannot we do the same thing here?

● (5:10 p.m.)

Although my time is limited, I wish to give some indication as to how this is accomplished in the United Kingdom, not to suggest that we slavishly copy the Standing Orders they have in the U.K. but merely to show that it is feasible, without loss of government time, for this to be done, as it is in the U.K. Over there they have 20 days allotted to private members. There are 20 Fridays, ten of which are set apart for private members public bills and ten for private members notices of motions. Polling takes place there, as it does here, but the polling is for members really, rather than for bills. If I am fortunate enough to secure a position of priority on the ballot, even though I do not have a bill, I can go to

[Mr. Baldwin.]

the hon. member for Saint John-Lancaster (Mr. Bell), who may have a bill, and say "Take my place." As a matter of fact, that is how Sir Alan Herbert brought in the divorce bill which was such an innovation in the laws of the United Kingdom. He was not successful in the ballot, but one of his friends was; and he was persuaded to bring forward Sir Alan Herbert's bill on divorce.

Of those ten days set apart for private members public bills, six days are devoted to second reading. Twenty members draw, in a ballot, for positions on those six days. The first six drawn of course have the first slots on Friday. The seventh man has the choice of second place on another Friday, if he so wishes, and so on. The last four days are set apart for the final stages of a bill. The whole day is devoted to the bill. Having passed second reading, the bill will then go to committee, to the Lords, and then back. The last four Fridays are set apart for the final stages of dealing with the legislation. In the result we find that seven, eight or nine bills every year are enacted into law.

It seems to me that although it is very nice for us to have long lists of private members public bills on the Order Paper, and this was commented on by Mr. Speaker, I should think that most members would be prepared to sacrifice the opportunity of putting 10, 12 or 15 bills on the Order Paper in exchange for a reasonable opportunity to have one bill brought forward at least once during the four sessions of Parliament, in the gamble that it might, with reasonable expectation, become law. I am satisfied, without in any way disparaging the efforts of the government which must initiate and bring forward legislation, that the effectiveness of this Parliament in dealing with the problems of this country will be immeasurably advanced if some members are given the opportunity to bring forward matters for debate and decision which, in their view, ought eventually to become the law of the land. I am suggesting, Mr. Speaker, that the matter should be referred to the committee in order that it may examine all aspects of this proposal.

Under our system we are limited to 40 one-hour periods, plus additional time after the 40 days have run out. When I first came to this House, we spent a full day discussing private bills. I forget how many days there were then. We faced the same problem then as now; the bills and motions were talked out. Why is it that governments are afraid to listen to useful, intelligent and reasonable proposals that are brought forward by private members on both sides of the House. The government is protected. The constitution says that the consolidated revenue fund cannot be raided with respect to costs incurred by measures introduced by private members. But where social problems are concerned today, there is every need for private members who draw on their knowledge and experience—since they are the pipelines to their constituents and the people of Canada—to bring forward reasonable proposals with respect to matters of which it may take years for the bureaucrats who live in the high ivory towers of the bureaucracy to become aware. I would therefore urge that this matter be given some consideration.