

Energy Supplies

and speed in dealing with the whole question of a highly complicated area in which literally thousands of individuals, businesses, institutions, corporations and separate legal personalities would be involved. I would have thought that hon. members would be anxious to reduce uncertainty and to confine as much as possible the time frame in which decisions could be upset, delayed, postponed or interpreted. It is for these reasons that the amendments proposed by the hon. member for Peace River fail to move me.

There is one point I might just add, and it has to do with the first part of motion No. 3. Motion No. 3 would add a seventh subclause dealing with an order approving or amending a mandatory allocation program. The proposed subclause reads as follows:

If any order is not laid before parliament in accordance with the provisions of subsection (6) of this section, it shall be void and of no effect as if it had not been made.

The force of that proposed subclause is that it would require action by the government within several days to table before parliament the particular amending motion or amending order. If the government did not do so, the order would have no legal effect. I cannot complain about that particular provision, and I would not object to it if that were the nature of the whole amendment, but it goes much further than that and introduces, as I have said, a whole series of measures and provisions which could delay the certainty of a decision by many weeks. Clearly, in an emergency—and it would be a national emergency, as defined in the legislation, related to energy and security of supply—it would not be in the public interest to accept an amendment which could have the effect of hamstringing the administration of an emergency program. For that reason I will vote against the amendment.

Mr. Don Mazankowski (Vegreville): Mr. Speaker, I rise to support the amendments in the name of the hon. member for Peace River (Mr. Baldwin), and I want to thank the hon. member for Northumberland-Durham (Mr. Lawrence) for presenting these motions on behalf of the hon. member for Peace River.

The minister has pointed out that the effect of these amendments would be to create uncertainty and, to use his words, an element of extraordinary inflexibility and to hamstring the board. I think the minister failed to back up his statement. He made the statement and left it at that.

As has been pointed out by other hon. members who have participated in this debate, if there is a real emergency and not a phony one, parliament in its wisdom would surely act decisively. There would be no reason for it to do otherwise. What these amendments do is insert a check and a balance in the system which really are very fundamental to our system of parliamentary democracy. I think we would do well to take heed of the significance of these amendments.

As my colleague the hon. member for Northumberland-Durham has pointed out, the hon. member for Peace River has had a long and distinguished career in this House. He has provided a long and distinguished service to Canadians and he

has been a watchdog of parliament. He has been constantly vigilant of the importance of our system of parliamentary democracy—and we know that there have been erosions. It is only natural that majority governments, in their wish to pursue certain pieces of legislation with vigour and enthusiasm, tend to ignore and to trample upon the rights and traditions of parliament.

● (1420)

In this particular case, albeit we are dealing here with an emergency, I think it is incumbent upon us all to recognize the fact that we should not be too eager to ignore the traditions of parliament and the requirement to be constantly vigilant in dealing with matters of autocratic governments or governments which wish to superimpose their wishes upon the Canadian people. This really is a protective device.

The debate that has been going on here centres around the measure which incorporates legislative closure. I think that the hon. member for Northumberland-Durham deserves to be highly commended for his concern in this matter. The amendment we have been dealing with here has provided some stimulating debate and given incentive to stimulating thoughts in terms of the preservation of our system of parliamentary democracy. At any time use is made of the guillotine rule to stifle debate, our liberties and freedoms are weakened and trampled upon.

The important thing for us to remember when we are dealing with an emergency such as this is that although there is a role for the government, there is also a fundamental role for parliament, and parliament must be supreme in the final analysis. What has concerned many members in this debate is that the government's record vis-à-vis its policy of rule by edict is pretty dramatic. When we look at the record of orders in council which have been passed in the last three years—we all know that orders in council are a necessary and important part of our system of government—and when we look at the number that have been published, we find that an inadequate safeguard has been provided for parliament and for the Canadian people.

For example, in 1976 there were 3,326 government orders in council passed, of which only 653 were published or made known to the Canadian public. In 1977 there were 3,746 government orders in council passed, of which only 860 were made public; and in 1978, almost 4,000, or 3,973 government orders in council, were passed and only some 812 were published. What we are saying here is that we have been subject in this country to being governed by government orders in council.

This is a very important debate and I am sorry the government sees it as one needing to be rushed through. We know that this is legislation to deal with an emergency, but the implications of this bill are very important from the standpoint of the energy resource industry and are very important from the standpoint of its impact upon the traditions of parliamentary procedure. The spirit of this debate has centred around those two points.