

Order Paper Questions

(b) makes the rights and liberties of the subject dependent on administrative discretion rather than on the judicial process;

8. appears for any reason to infringe the rule of law or the rules of natural justice;

10. in the absence of express authority to that effect in the enabling statute or prerogative, appears to amount to the exercise of a substantive legislative power properly the subject of direct parliamentary enactment, and not merely to the formulation of subordinate provision—

11. without express provision to the effect having been made in the enabling statute or prerogative, imposes a fine, imprisonment or other penalty, or shifts the onus of proof of innocence to the person accused of an offence;

13. is not in conformity with the Canadian Bill of Rights;

14. is unclear in its meaning or otherwise defective in its drafting.

I have taken a few minutes of the time of the House to read those for the benefit of civil servants and members of the bureaucracy engaged in the drafting of orders in council and regulations, looking at the pipeline bill about which the Deputy Prime Minister (Mr. MacEachen) is concerned. He will agree with me that there is very great scope in the bill for drafting orders in council. It may well be essential. I hope that he and other ministers will draw to the attention of the bureaucracy and the members of the civil service who have any involvement in the drafting of orders in council that these are the criteria which this parliament, operating through both its Houses, has laid down as being conditions precedent. These criteria must, in our opinion, be met before there is a proper order in council.

I make that point not in a partisan sense because every member of the committee on both sides of the House in all parties feels exactly the same way. Having in mind that we are getting to the stage where there is so much governing by regulation and decree, it is imperative that these criteria be printed and put in the high offices of most of the public servants in this country who are involved in any way in the drafting of regulations.

Mr. Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

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[Translation]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Yvon Pinard (Parliamentary Secretary to President of Privy Council): Mr. Speaker, the following questions will be answered today: 112, 113, 409, 732, 735 and 965.

[Text]

LEASED PREMISES AT 640 STE. CATHERINE STREET WEST,
MONTREAL

Question No. 112—**Mr. Herbert:**

1. Was the Department of Public Works charged with the responsibility of the lease for the premises on Ste. Catherine Street West, Montreal, previously

[Mr. Baldwin.]

occupied by Information Canada and presently known as the Post Office House and, if not, which department carried the cost?

2. What was the term of the lease?

3. Was an attempt made to sublet the premises and were any offers received by prospective tenants for amounts less than the balance payable on the lease and, if so, what are the details?

Mr. Frank Maine (Parliamentary Secretary to Minister of Public Works and Minister of State for Science and Technology): 1. Yes, the Department of Public Works was charged with the responsibility of the lease for the premises at 640 Ste. Catherine Street West. The former occupant, Information Canada, carried the cost until October 31, 1976.

2. September 15, 1971, to September 30, 1981.

3. Yes, a public tender was published on March 14, 1977, and one bid received but rejected as being too low. The proposal consisted of: Annual rent: \$20,000. Term: approximately four years five months commencing as soon as premises were available and terminating September 30, 1981 (date of termination of DPW's lease). Use: a family shoe and/or clothing store, including accessories.

OCCUPANCY OF 640 STE. CATHERINE STREET WEST, MONTREAL

Question No. 113—**Mr. Herbert:**

1. What was the date of occupancy by the Post Office Department in the premises on Ste. Catherine Street West, Montreal, designated The Post Office House?

2. What is the duration and monetary terms of the lease?

Mr. Frank Maine (Parliamentary Secretary to Minister of Public Works and Minister of State for Science and Technology): 1. Occupancy by Post Office Department commenced October 3, 1977.

2. Duration of the lease is September 15, 1971, to September 30, 1981, at a rental value of \$243,922.63 per annum. There are escalation clauses covering operating costs, real estate taxes and the cost of living index.

LAURENTIAN PILOTAGE AUTHORITY—PERSONS UNDER
CONTRACT

Question No. 409—**Mr. McKenzie:**

1. What is the total number of persons under contract to the Laurentian Pilotage Authority and how many are retired public servants?

2. What was the total amount in (a) 1975 (b) 1976 paid to those under contract and how much of this was to retired public servants?

Hon. Otto E. Lang (Minister of Transport): 1. Two. None are retired public servants.

2. (a) \$34,535.01; (b) \$47,040.23. None of which was paid to retired public servants.

HMCS "BRAS D'OR"

Question No. 732—**Mr. Jones:**

1. (a) What is a breakdown of the total cost for the construction of HMCS *Bras d'Or* (b) were tenders called?