

I should like to give the committee the reasons for the amendment that I will propose—unless the minister is prepared to work my idea into his own amendment. As a member of the Joint Committee on Regulations and Statutory Instruments, I know that a number of anomalies were discovered with regard to delegation of powers by parliament through statutory instruments to the governor in council, individuals, corporations and ministers. An arbitrary decision has been taken by the Privy Council which made an interpretation of the Statutory Instruments Act which places certain orders in council outside the ambit of examination by the committee and ultimately by this House. It has also taken outside the right of the people of Canada to have published a large number of statutory instruments. This has been done by their definition of the words "statutory instruments". It is my opinion that the only safe thing is for this parliament, having once given away certain delegated rights to the governor in council, to ministers, to tribunals of any kind, to insist upon these orders in council, these regulations, these statutory instruments, coming before the House for consideration.

I am not going to go beyond that now because I believe we will have a debate on this subject later this year. I know some members of the committee from the opposite side have taken the same stand as I do. I think it is the part of prudence, when we give to the government a very important power such as is contained in the right to establish a group of people entitled to a rebate of tax, to ensure a method of bringing back the statutory instruments by which this is done to this House for examination and, if necessary, to be struck down. We are talking here about a fundamental right, one which goes to the heart of the process of government, that is the right to tax and who shall be exempt from tax.

People may ask—why do this? We elect a government and through parliament give that government authority for three or four years to pass orders in council, to make statutory instruments, to make regulations whether they are for the Department of Manpower and Immigration, the Department of National Health and Welfare, the Department of Labour, the Department of Finance, the Department of National Revenue or whatever. Probably 90 per cent of the decisions which affect the people of Canada are not made by passing bills in this House, but by regulations passed under those bills. It is very important to make it clear that in doing so we must retain the right to review those decisions.

This government is not a benevolent dictatorship for four years. It received about 30 per cent of the votes of all people entitled to vote at the last election. I am not objecting. That is the process under which we operate and the government is entitled to be where it is, to form the cabinet and to sit on the right side of Mr. Speaker. The government received slightly over four million votes and 13 million ballots could have been cast at the election. That is the way we operate and we have not devised a better system.

During the four years that this government sits on the right side of Mr. Speaker, I will take every opportunity, when they ask for and obtain the right to act by order in council or regulation, to examine that power. They must bear in mind that a very large percentage of the people in

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this country do not support them. The powers they seek and the powers they exercise must therefore be subject to a reasonable measure of review in this House. This has not happened very often in the past. This would be a better parliament and a better country if we had more opportunity in the House to examine, review and, if the House so wills, to rescind, annul or change regulations and orders in council.

• (1730)

For that purpose, I propose to move this amendment. The minister has had a chance to consider it. If it has to be moved, I will have to put in it the fact that it has reference to subclause (g). The minister might have an opportunity at this time to indicate if it is acceptable to him. If so, it might well, by consent of the committee, be incorporated into his amendment.

Before resuming my seat, I want to say that when we get further along to clause 5, I will be moving an amendment with regard to clauses 3 and 4 which also give the governor in council the power to do certain things by regulations. They will be amendments of a kind similar to the one I will move now, if necessary.

Mr. Turner (Ottawa-Carleton): Madam Chairman, I wonder if it would be more appropriate if, before we debate the subamendment of the hon. member for Peace River, the amendment I put forward to the committee to re-establish the bill with the ways and means motion might be approved. We could then debate the subamendments.

Mr. Knowles (Winnipeg North Centre): Madam Chairman, I might be persuaded in a moment to agree to that, but first I would like to indicate what I had intended to do at this point.

As for the amendment of the minister, of course it is not necessary to comment on it in substance. It is simply a procedural effort to conform with the recommendation made by Mr. Speaker. However, we now have the amendment before us and the hon. member for Peace River has suggested that there is a subamendment he would like to move, but he has not yet moved it.

I have a subamendment that I would like to move. I am prepared to move it now. However, if the minister persuades me, I might be willing to wait until we have amended the basic clause. Let me indicate what it is. I had the amendment prepared in relation to the printed bill as it is before us. Of course, the minister has changed some of the lines in that bill. If I were moving it now as a subamendment to the minister's amendment, it would read as follows:

That the amendment be amended by adding in subclause (c) after the word "purposes", the following words:

"or for the purpose of getting to and from his place of employment,"

As the minister is aware, subclause (c) in his amendment is the same as subclause (b) was in the printed bill, which refers in terms of exemptions to "a person for commercial or business purposes". My amendment or subamendment, depending on where it is moved, will change that clause to read in its entirety: