

"international emergency" means an emergency involving Canada and one or more other countries that arises from acts of intimidation or coercion or the real or imminent use of serious force or violence—

That is pretty wide. If someone thinks that there is a threat of violence then they can invoke this measure. The clause continues, "—and that directly threatens the sovereignty, security or territorial integrity of Canada—". There is no problem there. We have to act if Canada is threatened. But the clause goes on:

—or any of its allies or any other country in which the political, economic or security interests of Canada or any of its allies are involved.

I do not think that there is a country in the world in which some ally of Canada does not have economic, political or security interests. This means that at any time that there is a disturbance anywhere in the world the Canadian Government might use this law as the basis for declaring an international emergency. If President Reagan wakes up in the middle of the night tonight and says, "The Sandinistas are going to raid Texas," he will phone and ask us to declare an emergency. Fortunately, the law has not been passed. At the moment it would not be quite legal to do that. I hope that the Government will not try to do that.

This is what might happen if President Reagan decided that his country's economic interests were being threatened in the huge nation of Nicaragua, a nation of 2.5 million people. The Government could appropriate, control or forfeit the use and disposition of property or services. It could control or regulate any specified industry or service, including its equipment, facilities and inventory. It could authorize or direct any person or any class of persons to render essential services of a type that that person or person of that class is competent to provide. It could regulate or prohibit travel outside Canada by Canadian citizens or by permanent residents. It could remove from Canada persons other than Canadian citizens or permanent residents. There are about ten more powers that are given.

What I am saying is that it is far too wide in the scope in which it can be used. It is far too wide in the powers that can be used. Unfortunately, there is inadequate legislation to provide for compensation of people who are unjustly harmed by the action of the Bill. It gives the Senate a new power that even the Meech Lake Accord did not give it, or which the Constitution does not give it. It gives the Senate the power under certain circumstances to insist on the continuation of a state of emergency. If there is a debate in the House of Commons on a motion to revoke a state of emergency and if it is passed by the House but defeated by the Senate then the state of emergency will continue. It is very unfortunate that that power should be given to the Senate.

What this provision does is to damage very much the rule of law in Canada. We are told that the Charter of Rights applies, as does the Bill of Rights and so on. But it sometimes takes years to bring a matter before the Supreme Court to seek relief under the Charter of Rights or the Bill of Rights. Therefore, it is not wise, fair or reasonable to give powers to the Government which can only be corrected or may be corrected years

Softwood Lumber Exports

after through an action in the Supreme Court. These powers must be restricted much more than they are or else this Bill ought to be defeated.

[Translation]

The Acting Speaker (Mrs. Champagne): It being five o'clock the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[English]

TRADE

SUGGESTED MARITIME EXEMPTION FROM DUTY ON SOFTWOOD LUMBER EXPORTS

Mr. Bob Corbett (Fundy—Royal) moved:

That, in the opinion of this House, the government should consider the advisability of enacting the provisions of Section 15(1) and (2) of Bill C-37, an Act respecting the imposition of a charge on the export of certain softwood lumber products, of the Second Session of the Thirty-third Parliament, to allow for the incorporation of a Maritime regional exemption from the 15 per cent export duty on softwood lumber exports destined for the United States.

• (1700)

He said: Madam Speaker, I have taken this opportunity to move this motion in an effort to motivate the Government to take action to initiate those provisions of Bill C-37 which would grant an exemption from the softwood export tax to all Maritime softwood lumber producers.

Canada has had the right and ability to seek an exemption since the Memorandum of Understanding was signed last December. That memorandum clearly states that the Government of Canada may reduce or eliminate the export charge on the basis of increased stumpage or other charges by provinces on softwood lumber production. The Government of Canada and the Government of the United States will consult semi-annually and otherwise at the request of either Government regarding any matter concerning this understanding.

I am pleased to have been made aware that the Government has made some effort to incorporate Clause 15(1) and (2) of Bill C-37, and that there have been negotiations and talks going on in Washington with reference to this matter. However, I think it is extremely critical and important, particularly now that apparently the housing market is off, housing starts are down, and it is obvious that there will be some considerable changes in the market-place for Maritime and other softwood lumber producers in the country. Indeed, now we should be moving to correct the anomalies that do exist in the agreement, and recognize that there are certain sectors and regions of this country that should be excluded and exempted from the 15 per cent tax.

As I mentioned, a similar provision was provided for under Clause 15. That was an Act that came into effect last year