

Transport and Communications

Mr. Baldwin: Mr. Speaker, we are extremely grateful to the parliamentary secretary for his views and his solicitude for members of the opposition. I am certain, after the short period between the present and the time when he will be sitting on the opposition side, he will be able to make great use of his own words.

Some hon. Members: Hear, hear!

Mr. Baldwin: I think the parliamentary secretary has made his position quite plain. Apparently, he even wanted to estop our right to argue the procedural aspects of the matter. According to the parliamentary secretary, we are here to say, "Nyet" or yes, and any attempt to say anything else is completely wrong. That seems to be the parliamentary secretary's view.

I am not going to address my argument to the question of whether a motion for concurrence should be moved. Nor am I going to address myself to the question of whether or not there should be debate on these matters. I will leave that to one side entirely and leave it for Your Honour to deal with, as Your Honour has the wisdom to deal with such points. However, I want to make some comments about the position argued for by the parliamentary secretary, namely, that the standing committees, when dealing with estimates or, for that matter, anything else, are forbidden—that is virtually what he said—to comment upon and include in their reports issues related to the matters referred to them. That is the position taken by the parliamentary secretary. This is despite the fact this has been done by a great many committees in the past, including one, if I remember correctly, of which he was chairman.

● (1240)

Mr. Reid: I have sinned.

Mr. Baldwin: He has sinned. The virtue of the parliamentary secretary does not shine too well today in this regard. That is a different situation entirely, What is the right of a committee with regard to a matter which has been referred to it? What right does the committee have to discuss related aspects of the issue and report upon them? I am not suggesting that under the terms of the Standing Orders and precedents which have been cited that the report can be debated in the House or in respect of which concurrence can be moved. Because the British practice has been referred to, we should go back a little in point of time.

When this committee on procedure returned from overseas, it made recommendations which were contained in proposals brought to the House and generally made Standing Orders or amendments to standing orders. It recommended that we look at the British practice, and parts of the Canadian practice, and marry them in the hope it would be fruitful as far as our debates are concerned.

Among other things, we looked at the practice of the former standing committee on estimates. It was either a standing or special committee established in 1959 or 1960. That was one of the practices of this House. That committee's powers of reference were to examine and inquire into all such matters and things as may be referred to them by the House and report from time to time its observations and opinions thereon, with power to send for persons,

[Mr. Reid.]

papers and records. While Standing Order 65(8) did not go that far, I suggest the special committee on procedure and this House did have that precedent and practice before it.

It also had before it the practice followed by the standing committee on estimates in the United Kingdom. As a matter of fact, the report of the special committee on procedure, presented on March 13, 1968, stated in part:

The British practice, while it avoids discussion of the estimates items, has the great value that it permits the Opposition to explore whatever shortcomings, either small or great, it detects in the policies and conduct of the Ministry before Supply is voted.

That runs directly contrary to what the parliamentary secretary suggested. He indicated that the right of the various committees on estimates shall be rigidly limited. The parliamentary secretary shakes his head. However, he has been converted since he put in a report of this kind. That is the only conclusion to be drawn from his remarks. I suggest that was not the intention.

In so far as opportunities to debate are concerned, Your Honour might be able to find great comfort in the Standing Orders and practice and say they should only be debated on an opposition day. I would not struggle very hard against that proposal. However, a committee must have the right to establish its practice and jurisdiction with regard to what it does within the terms of reference. There must be some allowance to the committee, particularly when we have decided as a matter of practice in order to make more time available for the House, we shall set aside small units of this House and authorize them by terms of reference, the Standing Orders and general practice to conduct examinations which would otherwise be done in the House.

I suggest by inference we should not deprive a standing committee dealing with estimates of its right to go further afield than just saying yes or no. If in the course of its discussions and explorations it finds issues which it deems fit to refer to the House, it should be entitled to do so, but not necessarily to the extent of following them up by a debate and a motion to concur.

I wish to cite one particular case as an illustration. After a great many attempts to obtain the reports of Canadian National Railways and Air Canada from the Minister of Transport (Mr. Marchand), the hon. member for Hastings (Mr. Ellis) became frustrated. The Minister of Transport said it was automatic that these reports were referred to the Standing Committee on Transport and Communications. It is by no means automatic. During the examination of the estimates by the committee, the hon. member for Hastings should be entitled to have the committee support him in his efforts to obtain these documents.

On April 28, 1970, the select committee on procedure presented a detailed report on estimates to the House. It is this same committee, with virtually the same members which recommended the new Standing Orders to the House. That is some evidence that what the committee had in mind was at least the right of the committee to deal in a collateral way with issues and matters which come forward as the result of an examination of the estimates. If the committee has the right to decrease the estimates, I suggest with great respect they should have the right to include them in a report, but not necessarily in a report to be presented to the House with a motion for concurrence