

*Government Orders*

sentatives of the industry, the health sciences, consumer groups, and the legal profession.

• (1650)

The use of these panels will also contribute to the cost-effectiveness of the process. These bodies will be transient rather than permanent. They will come into being as the issues emerge. They will then do their work and they will disband. Panel members will perform this public service on a voluntary, unpaid basis.

These then are the components of the Law Commission of Canada as proposed in Bill C-106. The structure is simple. It is also economical. The commission will be served by a small secretariat of no more than eight people. Instead of retaining an in-house staff to conduct studies, the commission will contract for research from outside sources. In this way we will avoid duplicating the effort of provincial reform bodies or work being done in the academic communities. As a result, the commission will be highly cost-effective.

Although the last law reform commission, abolished by the previous government, cost \$5 million a year to run, the law commission proposed in Bill C-106 will have a budget of \$3 million, all of which will be found through a redeployment of existing funds. It seems to me that we can be confident of getting the job done within these constraints because of the new commission's composition and because of the way it is approaching its work: the use of new technology, a commitment to partnership endeavours, and the reliance on voluntary advisers and panel members.

That brings me to my final observation. The legislation would give the new commission a mandate to explore and to innovate. That requirement is explicit in the purpose section of the bill, which provides that the commission's tasks will include the development of new approaches to law and new concepts of law.

What does that mean? Among other things, it means that the commission will not feel compelled to recommend as the solution for every problem a new law or even an amended law. Its mandate requires the commission to look at the full range of options. It is vitally important that it do so. One of the most urgent challenges of law reform is to cope with change without creating an impassable morass of litigation, administration, and enforcement.

The system is close to being overburdened now. A primary goal of the commission will be not only to avoid increasing that load but indeed to lighten it. As the purpose section of the bill provides, the commission's task will include, "the development of measures to make the legal system more efficient, economical and accessible".

As to the balance in that architecture of independence and accountability, obviously both elements are indispensable: in-

dependence because the value of the commission will depend in large part on its ability to provide expert impartial advice to the government on legislative programs and policies; accountability because the commission will be a public body serving the people of Canada, and as such it must answer to the people and their elected representatives for the conduct of its affairs and the quality of its work.

I believe these principles are reflected in the arrangements the bill describes. The commission will submit its reports and recommendations to Parliament through the Minister of Justice of the day. That minister must forward these products of the commission to Parliament untouched, unaltered, and must respond to them in a specific period. On the other hand, the responsibility for the final decision about their disposition remains, as of course it must, with the government.

[Translation]

Hon. members will find balance built into not just the general design but the details of this legislation. One example is to be found in the sections under the heading "Purpose, Powers and Duties of Commission". The Commission will draw up its own agenda—but will consult with the Minister of Justice before finalizing it.

[English]

The legislation would also require the minister to consult with the commission before referring other matters to it for consideration.

• (1655)

As I have said, the essential purpose of the bill is to bring a wide-ranging integrated approach to the reform of Canadian law. The law is more than a book of statutes. It is a living thing, a presence in our individual lives. The law is also the infrastructure of our social and economic life. Seen in that context, the task of law reform is part of the wider work of nation building, of advancing our collective and individual well-being, of building social harmony, improving our competitiveness, our standard of living, our quality of life, and our relations with each other.

It was in the 18th century that the British jurist Lord Mansfield said that as the usages of society alter the law must adapt itself to the changing needs of all. At the end of the 20th century that is still the task. I suggest that the instrument proposed in Bill C-106 will help us meet that continuing challenge.

[Translation]

**The Acting Speaker (Mr. Kilger):** Before yielding the floor to the hon. member for Saint-Hubert, may I suggest to the House that we call it 5 p.m.?

**Some hon. members:** Agreed.