

this wrangle of who is in the House and who is not in the House.

I hope the Hon. Member will take part in the debate in which he has 40 minutes. He has 40 minutes on Bill C-27. Approximately five minutes have been deducted from that since the points of order have come up. The Hon. Member for York South-Weston has the floor on Bill C-27.

Mr. Nunziata: Mr. Speaker, I am rising on a point of order, not to speak on Bill C-27. My point of order is that the Minister of Justice, in his opening comments, commented on the absence of the official critic for the Official Opposition. He also commented on the fact that I was absent for the first five minutes—

Mr. Speyer: Twenty-five minutes.

Mr. Nunziata: Perhaps the Parliamentary Secretary can confirm that it was because there was an urgent meeting of the Justice Committee to deal with some very urgent matters.

My point of order, Mr. Speaker, is that you permitted the Minister of Justice to comment on the absence of the official critic for the Official Opposition. Now you are denying the Opposition the same right to comment. In fairness, what is good for the goose is good for the gander. We should have every right to comment on his absence.

The Acting Speaker (Mr. Paproski): The goose and the gander have had their say. The Hon. Member has the floor to speak on Bill C-27.

Mr. Nunziata: Mr. Speaker, could I have an indication as to how much time I have to speak on this Bill?

The Acting Speaker (Mr. Paproski): The Hon. Member may carry on. He has plenty of time and I will give adequate warning. I will give the Hon. Member the full time that he requires. He may carry on with his debate.

Mr. Nunziata: Can I have an assurance that the time occupied by the points of order will not be deducted from my time?

Mr. Andre: Get up and give a speech or sit down.

The Acting Speaker (Mr. Paproski): The Hon. Member has until 4.36.

Mr. Nunziata: Thank you, Mr. Speaker. The official critic for the Liberal Party has considerable interest in this Bill, considerable interest in the whole question of equality rights and considerable interest in Section 15 of the Canadian Charter of Rights and Freedoms. It was totally unfair of the Minister of Justice to comment on the fact that the Hon. Member is absent. At least the official critic for the Opposition is monitoring the situation. The Minister of Justice does not even have the common decency to stay and listen to Opposition critics explain their position on this Bill.

Mr. Taylor: You haven't said anything yet.

Statute Law Amendment Act

Mr. Nunziata: It is obvious that Hon. Members opposite are very sensitive about this Bill. It is quite obvious why they are sensitive.

It is also interesting to note that the Minister of Justice spent a great deal of time defending Bill C-27. He was correct in doing so because, in my respectful submission, Bill C-27 is quite simply a cop-out. It is a cowardly act on behalf of the Government because it is afraid to make tough decisions that are necessary with respect to equality in this country. Rather than providing the necessary leadership, the Government has introduced a Bill that basically does very little. In effect, all the Bill does—and is there any wonder why the Minister had to go on the defensive because he had nothing good to talk about with respect to this Bill—is change the language in the various pieces of legislation. I believe the Minister indicated there are about 50 pieces. It changes “husband” and “wife” to “spouse”. It changes the words “son” and “daughter” to “child”. What it does not do is address the very important issues facing this country concerning equality rights.

• (1600)

This Government had a choice. This Government could have taken definitive action as a result of the extensive audit initiated by the previous Government and as a result of the work done by the Justice Department to indicate the inequities and parts of the various pieces of legislation that do not conform to the Charter. The Government could have made a decision on issues such as mandatory retirement, sexual orientation, combat roles in the Canadian Armed Forces and whether those roles should be open to women. But this Government refused on the pretext that it had to consult and on the pretext that it wanted more information from the Canadian people.

In my submission the Government was afraid to lead, it was afraid to make decisions. Instead, it opted for a consultation process which, in my view, is a cop out. It appears the Government and the Prime Minister (Mr. Mulroney) are afraid to make those very important decisions. The Government is afraid to alienate any individual in society. Therefore it has decided to put off the issue of equality rights for many months, if not years. April 17, 1985 will be upon us in a few short weeks. The supreme law in this country, the Canadian Charter of Rights and Freedoms, will be law. No federal majority, not even the Conservative majority we have today, can over-rule the supreme law of this country.

Of course, there is the over-ride provision in the Charter of Rights and Freedoms, but I would hope this Government will not exercise that over-ride position, as the Government of Quebec has done consistently since 1982.

What does Section 15 of the Canadian Charter of Rights and Freedoms provide? There are 46 words in Section 15, a mere 46 words, but the importance of those words is indeed tremendous. Section 15(1) reads as follows:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in