

this point. The minister will readily understand. I think one has to say, in defence of the report, that it is available to hon. members. I think the minister is forgetting that. Because of the way the committee system functions it is not possible for all hon. members to attend the deliberations in committee with regard to any particular bill. On the basis of the evidence that is presented, they too have a right. A committee does not have the exclusive right to determine any particular provision of a bill referred to them. It is the House that makes the final determination. That is why a bill is brought back at the report stage. I share part of the concern of hon. members with regard to these sections. That is their right.

If members of the opposition raise points not previously raised by members of the committee, the minister should not point the finger. Today government members were tossing the ball back and forth, not quite in keeping with the position of the government.

Mr. Béchard: Freedom.

Mr. Lambert (Edmonton West): The Parliamentary Secretary to the Minister of Justice (Mr. Béchard) says "Freedom". Let's attribute that freedom to the opposition as well as to members on the government side. I wish to ask the minister one question. Unfortunately, I do not have the Customs Act before me. Can the minister state whether action under clause 26(2)(a) of the bill is subject to further review by Parliament? Last summer the government took action with regard to certain types of textiles. Within six months the government must come to Parliament for a resolution of this House to have it confirmed or extended, or it dies. The action taken could be done under the powers granted by this amended section.

Will there be a review by Parliament within a specific period, or are we giving the Governor in Council the power *carte blanche* to act as they see fit, without Parliament having the right to discuss within a stated period the action taken following executive decision? This is the point I want to raise.

Mr. Pepin: The hon. member is referring to the surtax. In the case of a surtax, after 180 days I have to come to Parliament for approval of a resolution for an extension of that surtax for a period of time. We did that recently.

Mr. Baldwin: You may not be here in 180 days.

Some hon. Members: Hear, hear!

Mr. Pepin: No one may be here in 180 days.

Mr. Forrestall: Is that an indication?

Mr. Pepin: No, just a spiritual reflection. The inclusion of a certain item, textile or other, on the list of controls under the Import and Export Permits Act is something we will have to justify while it continues. This is contained in clause 26. As far as I know, it is not the subject of a resolution presented to the House if the minister wants to extend it in the same way as the surtax.

Textile and Clothing Board Act

Mr. Lambert (Edmonton West): I am wondering how the minister can justify this particular action, because in this amendment at line 31 on page 12 of the bill there is the following phraseology:

—“or otherwise regulate the entry of goods to which the arrangement or commitment between Canada and that country relates.”

Surely a surtax is a means of regulating the entry of goods.

Mr. Pepin: Mr. Speaker, a surtax is imposed through another bill; it is not imposed under the bill presently under discussion. I fail to understand the argument. Is the hon. member saying that in this bill as in the case of a surtax, after 180 days we should bring the decision to include a commodity listed on the Export and Import Permits Act back to the House? Is that what he is suggesting? If so, I will answer in the following way: In order to put it there I have to go through all the formalities described in the present bill. Under clause 26, in respect of the Export and Import Permits Act I have to report to the House at the end of the year that the commodity has been added to the list. I presumably have to constantly defend in debate in the House or in the question period why a particular commodity is maintained on the list. I suggest there is no provision here similar to what exists with respect to the surtax.

Mr. Lambert (Edmonton West): I rise on a point of order. With the greatest deference to the minister, clause 27 is not an amendment to the Export and Import Permits Act but is an amendment to the Customs Act. It is under the Customs Act that the minister has authority to impose a surtax.

Mr. Pepin: I suggest the hon. member is dealing with the next amendment. We are now talking about the first amendment of the hon. member for Peace River, an amendment to clause 26, not 27.

Mr. Lambert (Edmonton West): I am on clause 27.

Mr. Deputy Speaker: Is the House ready for the question? The question is on motion No. 6 standing in the name of the hon. member for Peace River (Mr. Baldwin). All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 75(11), the recorded division on the proposed motion stands deferred.