

Criminal Code

which would call attention to the nature of the regulations which have been passed.

Mr. Basford: They do.

Mr. Peters: Then what is the argument against making the designation of these officers available to parliament?

Mr. Basford: They are.

Mr. Peters: The minister says they are to be made available. It is true some orders in council appear in the *Canada Gazette*. I suppose we sell some 2,000 or 3,000 copies of the *Canada Gazette*, but it would surprise me very much if more than five copies were read north of the sixtieth parallel where many of these pseudo peace officers are likely to be needed. I do not think many of the people up there are likely to be reading the *Canada Gazette*.

I should like to see this information brought before the House once a year so that we might consider the choices the minister has made and express our approval or otherwise. The hon. gentleman says he wishes to be known as the law and order minister of justice. Members of parliament might help him, possibly, by suggesting a reduction in the number of categories of people who are to be given these limited powers of peace officers for the purposes intended in the bill. Members of parliament should know who is to be given these powers and who is not. A similar point arose in our consideration of an earlier bill.

● (1530)

This legislation affects people very directly and personally, so I see no reason why the regulations should not be made public. There may well be some legitimate reason why they cannot be. For example, what happens in the Northwest Territories may be different from what happens in the Yukon, or what happens in northern Ontario may be different from what happens in other parts of Ontario. It may be necessary to have different categories. But I do not think there should be any objection to anyone knowing what the categories are and expressing their opinion on them.

I am not suggesting that we get bogged down in approving regulations, orders in council, treasury board minutes, and so on; but I think we should at least know what they provide. I do not see why the government is reluctant to be more specific in the third clause and to spell out that it will be a peace officer, a notary public or somebody else. Are police, detachment officers in the RCMP, storekeepers above a certain level, going to be given this power? If so, it should be spelled out. Whoever drafted the legislation must have had someone in mind. I am shocked by the position taken by the Minister of Justice. There have been ministers of justice before who were not practising lawyers and had no such experience. But this minister has.

Mr. Basford: Mr. Speaker, would the hon. member permit a question?

The Acting Speaker (Mr. Turner): Would the hon. member for Timiskaming (Mr. Peters) permit a question?

[Mr. Peters.]

Mr. Peters: Sure.

Mr. Basford: Mr. Speaker, I wonder whether the hon. member realizes that all of the regulations we are talking about will, under the act, be made public and will, under the laws of parliament, be permanently referred to the standing committee on statutory instruments. The amendment he is debating provides, not that they be made public and referred to the standing committee but that they must be approved, each one of them, by an affirmative resolution of parliament, which is something which he just said he was not in favour of.

Mr. Peters: No, Mr. Speaker, I was not aware that we would have to affirm them, and I appreciate the minister's bringing that to my attention. The minister says they are going to be made public. Why could the regulations not be attached to the report that is made to parliament, so they could be examined in terms of this legislation? It is true that very few members ever read the *Canada Gazette*, a piece of literature which we receive but which very few of us read. I suggest that only those who subscribe to the *Canada Gazette* or to reports of the statutory instruments committee would be made aware of that information.

My point is that if the matter is left to regulation, and if we do not know what the regulations are, then they should be attached to the annual report to parliament, in which case they obviously will become known. I think it is going too far to say that we have to approve them, because if that were the case we would be doing nothing but approving regulations. The government makes thousands of regulations every day, and we would soon become bogged down. Most of the regulations which are tabled, along with reports affecting individuals, do not become known until, as a previous speaker said, someone is charged under a section of the legislation or one of the regulations. This seems unfair since they were not aware of the existence of the regulation.

Rather than leaving it to regulation, I would prefer the legislation to spell out definitely who will exercise this authority under the act. The drafters of the bill, as I say, must have had someone in mind and I should like to know who it is. Otherwise, they are deciding on my behalf at a later date.

Mr. Dan McKenzie (Winnipeg South Centre): Mr. Speaker, I am rising to speak in support of the amendment of the hon. member for Calgary North (Mr. Woolliams) which asks that when regulations are made they should be tabled in parliament within 15 days and then debated. This is very imperative in such matters as gun control. My support for the amendment arises from my deep concern that this government has consistently eroded the parliamentary system in Canada. The Liberal government has constantly abused the power to govern outside of parliament by regulations and orders in council. Many years ago an eminent British judge called government by orders in council the "new despotism". Since that time England has restrained itself in regard to government by regulation, but in Canada this sneaky, undemocratic and all-embracing method of pushing people around has become the Liberals' favourite method of abusing parliament.