

Farm Debt Review Act

will have very a beneficial effect on the operation of the review panel and the Bill which is before the House today.

Mr. Wise: Mr. Chairman, speaking on behalf of the Government, it is not possible for us to accept the Hon. Member's amendment at this time. We all realize where the crux of this issue lies in terms of the type of legislation which is now before us. Our reading of the situation is that we must be careful. We must stop full stop at this point in time in terms of extending powers in this legislation to the review panel or a court to alter unilaterally any settlement.

Mr. Althouse: Mr. Chairman, the Minister says that he is not prepared to accept the amendment at this time. If we were to stand the clause now, would that enable him to tell us something positive in a matter of two or three days when we deal with the rest of the clauses which have been stood?

Mr. Wise: No, Mr. Chairman. However, if there is unanimous consent to revert to the clauses which have been stood, I have been informed that Clause 17 should be deleted and that Clause 18(2) should be deleted. All subsequent clauses should be renumbered in consequence thereof and any reference to Clauses 17 and 18(2) should be deleted as well. I have been advised that we can accept the request for deletion of those clauses, but we cannot accept the amendment which is before us.

The Assistant Deputy Chairman: As a point of clarification, I presume the Minister will provide copies of those amendments to the Table in writing at a point in time when the committee will decide to deal with Clauses 17, 18 and, subsequently, 19 and 20. We are presently dealing with the amendment to Clause 33.

Mr. Boudria: Mr. Chairman, I agree with my colleague from Algoma concerning his amendment to Clause 33. What he proposes seems perfectly reasonable. I am at a loss as to why the Government is against it. It would simply afford a person a means to obtain natural justice; that is, through the courts. Will the Minister explain to us the reasoning behind his decision? To deny passage of this amendment seems to me that the Government does not want to allow a person this natural process of justice.

I am a little curious as to why the Minister is not in favour of the amendment. It is certainly not a matter of policy; nor is it a major offensive clause. It simply states that someone could appeal to the courts. We all know that the courts are not in place to satisfy members of the Opposition. They are objective bodies, as all Members well know. Will the Minister further explain his position to all Members of the House, please?

Mr. Wise: Mr. Chairman, there should be no confusion in the mind of the Hon. Member with respect to the Government's refusal at this point in time not to accept the amendment. Debate with respect to the Bill has taken place across the country over the last year and one-half. A reading of

the situation shows that the majority of commodity organizations and the majority of farmers deem it not appropriate at the moment to go beyond what we have introduced in this Bill. Conditions can change. There will be an opportunity at some time in the future, on two or three occasions, to review the legislation in order to see if it is working, how effectively it is working and what changes might be required to be made to it. That would be the time to consider such an amendment.

Mr. Althouse: Mr. Chairman, I too rise on the amendment. I hope the Minister will take some time to reflect on this matter. Of course, I am sure that he already has. However, his arguments for disallowing it are not very persuasive, to say the least. I would ask him to address the amendment more carefully. It simply provides an option for the review panel, when it is convinced that all else has failed and that an injustice is about to be done, and when it cannot come to any conclusion in terms of the powers it has, that it will report to the board. Presumably the board will be made up of distinguished and level-headed people who will review the matter. If they are also of the opinion that it is a question which will result in an injustice or an undue delay, after sober second thought they can refer it to a court of competent jurisdiction.

This seems to be a standard expectation in a democratic society. It sounds like the sort of natural justice that we would expect to see happen. I fail to see why it would create a problem. I hope that the Minister will rethink his position in this respect. If he wishes to have some time in order to do that, I am prepared, as I am sure other Members of the House are prepared, to stand this clause and proceed to others in order that he can reflect.

Mr. Hovdebo: Mr. Chairman, this is a key amendment. Without it, it will be possible for any creditor to fold his arms and sit back for 90 days or 120 days and then say: "I have sat out the operation". Even if the panel and the farmer have provided the creditor with a proposal which is really acceptable and worth-while, he can sit it out. It is not as if this has not been done before. I have before me copies of other credit Bills concerning the protection of farm property, farm security and farm land security. I understand that the Bill in Manitoba—and this is hearsay—and the one which is being attempted to be established in Prince Edward Island have this requirement. It seems a logical step to allow the matter to go before a court of competent jurisdiction.

The Assistant Deputy Chairman: It being 5.09 p.m.—

Mr. Wise: Mr. Speaker, I rise on a point of order. Because of the urgent and pressing need for this piece of legislation, we on this side of the House seek the unanimous consent of the House not to see the clock. We ask this in an attempt to move through this piece of legislation at all stages, as we set out to achieve earlier today.