

House would allow me to obtain a list of those ministers expected to be present in the House from the whip.

That situation was satisfactory as far as we were concerned. It allowed us to circumvent the procedure of phoning each minister. It also provided a simple way by which the government could let us know, not too soon before the question period commenced, who might be in the House, and it would also result in facilitating the business of the House.

My office has been informed by the office of the chief government whip that henceforth there will be no notification, and in fact we will not be apprised as to which minister will be in the House during the course of any question period, and also that this information is of a confidential nature and should not be disclosed. Aside from the fact that this is in line with the paranoia and determination of secrecy on the part of the government with respect to almost everything it does, I suggest it has very serious consequences for the way in which this House will operate. If the government is to take this position, childish and poor as it is during the course of an election year, it would seem to me in line with the ruling that you yourself made with respect to the obligation of ministers to be present and receive questions, as opposed to answering them. I believe this particular practice will affect the ability of members on this side in carrying out their functions as members of parliament. I bring to your attention, Sir, the extent the government is prepared to cover up and hide from answering questions in this House.

**Mr. Gus MacFarlane (Hamilton Mountain):** Mr. Speaker, I may be accused of many things but seldom of lack of co-operation.

I would like to say that the first time I heard about this matter was a few moments before entering parliament. One would presume if I was involved in any kind of agreements that someone would have spoken to me before that time. Certainly no request of any nature has been made to me personally. My House leader has not informed me of any kind of agreement which exists. My staff are quite loyal and would follow the strict instructions which say that at no time do you discuss with the media, with the opposition or with anyone else, attendance in the House. Those are strict instructions which I have issued. Even if someone phoned our office concerning some of the opposition's attendance, it would be no one's business. I am sorry if it in any way has destroyed any kind of agreement that would help the House. If an agreement was wanted I would presume a little person like myself might have been spoken to.

**Mr. Speaker:** Order, please. Essentially the point, of course, establishes private arrangements. It concerns matters of discussion and negotiation about House business and does not constitute, in any way, matters of privilege.

## *Regulations and Statutory Instruments*

### ROUTINE PROCEEDINGS

[English]

#### REGULATIONS AND OTHER STATUTORY INSTRUMENTS

CONCURRENCE IN SECOND REPORT OF STANDING JOINT COMMITTEE

**Mr. W. Kenneth Robinson (Parliamentary Secretary to Minister of National Health and Welfare)** moved that the second report of the Standing Joint Committee on Regulations and other Statutory Instruments, presented to the House on Wednesday, February 8, 1978, be concurred in.

He said: Mr. Speaker, I understand that the hon. member for Peace River (Mr. Baldwin) wishes to make a point at this time with regard to the regulations and statutory instruments committee.

**Mr. G. W. Baldwin (Peace River):** Mr. Speaker, I have a brief intervention to make on this important matter. It is important because it constitutes a situation where all members of a hard-working committee, without regard to partisan politics, have produced this report, as they have produced other reports.

This particular report provides for the reconstituting of the criteria under which this Standing Joint Committee of the Senate and the House of Commons on Regulations and Other Statutory Instruments examines orders in council, regulations, and decrees. Having in mind the debate in which we have just been involved and other things, members should be aware of some of the criteria which we have adopted. I mention that because two and a half years ago this House and the other place adopted such a report. It was for that specific session and we are now reintroducing it. I hope the government House leader might give some thought to having these criteria made legal every session. He might introduce the criteria as amendments to the Statutory Instruments Act which can then become part and parcel of the basis under which that committee operates.

I will read some of these criteria and ask hon. members on both sides to take a note because many of us in committee have had discussions with our colleagues who have sometimes challenged orders in council and decrees on the basis on which they are made. We have said that here is a vehicle by which it is possible to examine regulations and let the committee have an opportunity of providing it with material to do so on their behalf. I will not go over all of them. There are 18 points in the criteria contained in 15 orders. Some of them are as follows. We object to a statutory instrument if it, and I quote:

● (1522)

4. makes some unusual or unexpected use of the powers conferred by the enabling statute or by the prerogative;

5. trespasses unduly on the rights and liberties of the subject;

6. (a) tends directly or indirectly to exclude the jurisdiction of the courts without explicit authorization therefor in the enabling statute; or