

Point of Order—Mr. Penner

knowledge because of the information that the Department had at the time of the legislative requirement for responding.

One of the most dramatic and far-reaching aspects of the changes to the Indian Act under Section 22 will be with respect to Indian bands having control of their membership. As the statute was passed, two years were allowed for bands to take control, if they wished, of their membership by establishing a membership code in accordance with the statute.

Up until the last two weeks or three weeks as this report was being prepared, bands had not provided membership codes to the Department. Therefore it was very difficult for the Department to assess how people who were reinstated under Indian heritage return and membership return would be treated by individual bands. Therefore, with respect to the impact on lands and resources, as well as in terms of actual increases in program and service expenditures, only a small number of people have returned to reserves to date. As a result, the full impact of the amendments are yet to be felt. The Department is therefore committed to continuing to monitor the impact of implementing Bill C-31.

I do not want to take any more time on that point. I think the Hon. Member opposite understands the rationale for the report being statistical in nature and the inability of the Department to enunciate the full impact.

I want to address briefly the tabling of the document, as the Hon. Member has suggested, pursuant to Standing Order 67(1). That Standing Order states:

67. (1) Any return, report or other paper required to be laid before the House in accordance with any Act of Parliament or in pursuance of any resolution or Standing Order of this House may be deposited with the Clerk of the House on any sitting day, and such return, report or other paper shall be deemed for all purposes to have been presented to or laid before the House.

My colleague opposite referred to this. I would also point out that Standing Order 67(4) states:

67. (4) Reports, returns or other papers laid before the House in accordance with an Act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

In this report, as it was tabled, we felt that it was deemed to be referred to the appropriate standing committee, that is, the Standing Committee on Aboriginal Affairs and Northern Development.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I would like to say just a few words in support of my colleague, the Hon. Member for Cochrane—Superior (Mr. Penner).

I agree with him when he says that the report that is being tabled today by the Minister is incomplete in that it does not deal with the very important fact of the impact of Bill C-31 upon Indian bands and Indian organizations. That was not dealt with. In his response the Minister said that the impact could not be measured because the information that the Department had at that time was incomplete.

I wish to submit that the Minister and the Department did not undertake the necessary process to obtain that type of information. Although the full impact is not yet known as to what Bill C-31 will do to Indian bands across Canada, Indian bands are already experiencing considerable difficulty in the implementation process. The Assembly of First Nations, meeting now in Toronto as we speak, would not agree with the Minister that no determination about the impact can be determined. There is an impact. Although the full impact cannot yet be established, we should be able to see what some of the preliminary impact is. We should be able to understand in what direction the impact is moving Indian peoples.

I wish to stress that when the committee was dealing with this Bill, we were very concerned about the widespread changes that this would introduce to Indian communities. As a result of that we built in the procedure that there would be a full reporting to Parliament by the Ministry on the impact that this would have. We realize that we were not completely sure of what was going to happen. By the Minister and the Department not filing a full and complete report, they are not meeting their obligation to Parliament. In turn, as Members of Parliament, we are not meeting the obligation that we undertook at that time to the Indian people to ensure that we would monitor the impact of Bill C-31 upon their communities. The Department has failed. The Minister has failed. Unless we as the House of Commons insist that the Department and the Minister table a full report, then we are failing.

I would like to second the other point made by the Hon. Member for Cochrane—Superior, that is, that a special joint committee be appointed to look at all aspects of the implementation of Bill C-31 to see how it is actually affecting Indian communities and the people who are being reinstated.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I have just a few brief remarks to make since I believe the Minister has replied fully. First, with respect to the question as to whether or not this matter should go to a standing committee or a joint committee, I make two points. First, I wish to reiterate a point made by the Minister. He said that Standing Order 67(4) states:

67. (4) Reports, returns or other papers laid before the House in accordance with an Act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

I submit that the Minister is in compliance with the rules of the House. Had the Government been aware of any request or consideration that the matter go to a joint standing committee, then that is something we could have taken into consideration. In the meantime I submit that to suggest to the House that one has a point of order because one has lost confidence in a standing committee, which is not fully made up of people of one's own Party, is more a matter of debate than a point of order.