

Oral Questions

them? It will tell the provinces, "Change your laws, otherwise we will change them for you!"

Mr. Speaker, is that the policy of national reconciliation preached by the Prime Minister during the 1984 election campaign?

[English]

Hon. John C. Crosbie (Minister for International Trade): Mr. Speaker, thank heavens we know about some sane Liberals in this country, for example, Mr. Donald Macdonald who chaired the Royal Commission and recommended the action which we are now carrying out, and the Hon. Gerry Regan who was Minister of International Trade for several years who supports this authority.

The legislation introduced here yesterday does not intrude one jot or tittle upon provincial jurisdiction. We do not have the power to intrude upon provincial jurisdiction. We can only exercise federal jurisdiction.

Any Government or person who believes that we are going beyond our jurisdiction can go to the Canadian courts, free and independent, and ask them for a verdict or an opinion on whose jurisdiction is whose. We are confident that this Bill concerns only our jurisdiction in the area of international trade and commerce. Without that Canada is not a nation and Canada does not have a Government.

PROVINCIAL JURISDICTION—POSITION OF QUÉBEC
GOVERNMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the same Minister. We certainly heard the Minister's answer. If there had been as much light as there was sound we might have even been persuaded.

With reference to Clause 6 in the proposed Bill an important Minister in the Province of Quebec has said: "It's obvious this article is an interference in provincial jurisdiction".

Any number of lawyers who have since looked at the package, including some on the opposite side of the House, have said that Clause 6 is nothing other than an override of provincial jurisdictional authority.

Has the Minister been in touch with the Government of Quebec in the past 24 hours on this matter? The Québec Minister said that this was unacceptable to the Government of Quebec and that it violated the constitutional division of powers. Has the Government of Canada done the correct and co-operative thing, consulted with the Government of Québec and conveyed to it the federal Government's views on this matter?

● (1430)

Hon. John C. Crosbie (Minister for International Trade): Mr. Speaker, as I believe most Hon. Members of the House know, I had a consultation with all 10 Premiers of Canada before this Bill was introduced. I explained to them the various options that were available to the Government of Canada in

order to carry out the free trade agreement and to meet our commitment to carry out the obligations of the free trade arrangement. The Bill that we introduced yesterday contains the least obtrusive methods of carrying out the free trade agreement. There is no interference with provincial jurisdiction in the Bill.

All that the Bill states in Clause 6 is that this Parliament reserves to itself the right to introduce legislation in the future to carry out the obligations of the Free Trade Agreement undertaken by the Canadian Government if we feel any other legislation is necessary, a reserve power.

We cannot arrogate to ourselves any other jurisdiction than we have. The courts will see that we are kept to our own federal jurisdiction. Anyone who fears that we are going outside it can go to the courts. I plead with them to go to the courts and let the courts decide this issue.

Mr. Rodriguez: How arrogant!

Mr. Broadbent: I am sure the Minister, who is well known for his thorough briefing sessions, has read the Bill with a great deal of care and will recall that Article 103 commits the federal Government to implementing the agreement with the United States, not only within traditional areas of federal jurisdictional authority but also in areas covered by provincial and local Governments.

REGIONAL DEVELOPMENT AND SOCIAL PROGRAMS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, whatever the Minister may think, most Canadians understand that the Canadian Constitution states the provincial governments have authority within local or provincial domain, not the federal Conservative Government of Canada. That happens to be the reality.

The accord also commits the Government to negotiate over the next five to seven years what is to be deemed to be a subsidy, and the Americans have already made it clear that all kinds of our regional development and social programs, most of which are in the provincial domain—

Some Hon. Members: Oh, oh!

Mr. Broadbent: Will the Minister at least do service to the House by telling us frankly—

Mr. Wilson (Etobicoke Centre): Why do you not do service to the House and speak the truth?

Mr. Broadbent: If this Government allows Clause 6 to proceed, it will enable the Government to interfere directly in social and regional development programs in the provincial domain. Will he admit that?

Hon. John C. Crosbie (Minister for International Trade): Mr. Speaker, I say that that is entirely false, completely false, truly false, absolutely false. It is so false that it is the falsest statement I have ever heard falsely put.