

Canada Shipping Act

is what the Recommendation says. Such an interpretation is not what is intended by the rules. Amendments not creating a new expenditure should not be ruled out of order if they are otherwise relevant to the Bill. This amendment is relevant to the Bill and it does not create a new expenditure.

Mr. Speaker: Is there any further procedural argument? I thank the Hon. Member for Papineau (Mr. Ouellet) for, if I am allowed to say it, one of the more interesting procedural arguments the Chair has heard.

With respect to the case made by the Hon. Member, I think he knows that whatever the desirability of arriving at a new procedure, notwithstanding his argument that the Beauchesne's Fifth Edition citation arises shortly after the adoption of the new rules, it has been confirmed many times by rulings from the Chair since that time.

Whatever the quality of the argument the Hon. Member is making, and without entering into, I hope, an *obiter dicta*, may I say to the Hon. Member that the Chair has already admitted as admissible amendments to the Bill, including in this particular case, amendments to Clause 4.

I believe the Hon. Member would expect me to understand the latter part of his submission as argument, let me put it that way. I think I am going to find, having looked at the matter, as he knows, at some length in advance, that Motions Nos. 1, 2, 3 and 4 have to be ruled out on the basis of our precedents and their relationship to the Royal Recommendation, as I indicated yesterday.

I believe I might want to pursue that matter further with the Hon. Member on a more general basis. Perhaps that is the best way to deal with it. Therefore, resuming debate.

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, it is my pleasure today to rise in support of the amendment of my colleague, the Hon. Member for Thunder Bay—Atikokan (Mr. Angus), with respect to Clause 4. The effect of the three motions put forward by my colleague would essentially be to bring Clause 4 under some sort of public review and parliamentary control; some sort of reporting and review regime which is not provided for in the present structure of the Act.

My concern and the concern of my colleague is, of course, the virtually limitless taxing powers this gives to the Canadian Coast Guard. We know it is essentially that the bureaucrats at the operating level will be making the decisions. What concerns me is that Clause 4 says nothing of the cost accounting structure of the Canadian Coast Guard. It says nothing as to target recovery percentages or target fee levy percentages. It simply places the power in the hands of, supposedly the Minister, but more realistically his officials, to recover costs, however those might be defined, with a view to relieving the public purse and with no consideration provided for of any form of assessment of the impact on users of canals, waterways, seaways and, of course, the Great St. Lawrence Seaway about which my colleague is so rightly and responsibly concerned.

I am sorry we have not had any participation as yet from Hon. Members on the other side of the House concerning the amendments put forward by my colleague. If these amendments are in any way deficient, if they overly circumscribe the powers and responsibilities of the Government, or if they would impose impossible operating burdens on the Ministry, let the Progressive Conservative Members say so. Let them stand up and put on the record their criticisms of these amendments. But just to let the amendments get voted down and the Bill to pass in its current form is not the way those concerned with the exercise of democracy should be conducting themselves in this House. What it essentially represents is a "hear no evil, see no evil, do not evil" type of philosophy where it is the apparent belief of Government that, after all, the Minister, being the Minister, cannot do any wrong with this legislation. That, as we know from prior experience, particularly with the Liberal Government, is far from being the truth.

● (1520)

We know after all that when Ministers are given virtually unlimited freedom to set rates of charges or recovery there is a tendency, or temptation if you like, to rule arbitrarily by legislative fiat. I think the amendments proposed by my hon. colleague are very worthy of attention and incorporation in the final form of this legislation.

Under the Bill as it is now written, the only public review provision is that a regulation is to be published in *The Canada Gazette* at least 90 days before the proposed date with a reasonable opportunity afforded within those 90 days to make representations to the Minister. That really is a pretty loose, limp and eminently disregardable form of public review and input.

On the other hand, the measures proposed by my colleague are reasonable. They would not overly constraint the Government. I believe any Government should be able to live with them. They do not provide for lengthy hearings, for legal contestatory processes or for expensive review boards. In fact, they do not provide for any patronage appointments; that may be one reason why they are perceived as being deficient.

The amendments do provide that a committee of the House would, on the written request of 20 Members, review the regulation, and that would be the public forum. I think that is an excellent idea. Let us face it; with the necessity of getting the written request of 20 Members it would not be a rubber stamp. It should not be the sort of thing that one Member, however diligently she or he might ply his or her own parish pump, could put through willy-nilly. Presumably, it would depend on a degree of common understanding and acceptance that there was something worth questioning and, of course, it would depend on a degree of commitment on the part of Members of the House who wish to examine the regulation and hold hearings on it.

Motion No. 6 provides for the automatic review of Clause 4 by the Transport Committee every two years. Again, I think