

Proceedings on Adjournment Motion

however, that their net profit at the end of the year does not appear to be excessive. I think these factors have to be examined.

The preliminary report indicated some opinions on the subject and the final report indicates some further opinions. I think it would be reasonable to examine all these opinions very carefully before seeking to blacken the reputation of the farm machinery industry.

Mr. Mazankowski: That is exactly what the commission tried to do.

Mr. Howard (Okanagan Boundary): The commission was selected as an independent body to make a report to the government, Mr. Speaker. It is not a report made by government; it is a report for government. There is a vast difference. No one in the government has made these statements. This is an independent body and I think we have to respect the opinions of these people.

Mr. Deputy Speaker: Order, please. The parliamentary secretary's time has expired.

ROYAL CANADIAN MOUNTED POLICE—USE OF RADIO BANDS FOR TRANSMISSION OF LISTENING DEVICE SIGNALS

Mr. Mark Rose (Fraser Valley West): Mr. Speaker, in the last couple of days I have raised questions, first with the Minister of Transport (Mr. Jamieson) and later with the Minister of Communications concerning the alleged use of electronic eavesdropping devices for the purpose of obtaining information about certain groups and individuals in our society.

Concern for individual privacy and the implications of electronic spying are neither new nor are they limited to Canada. In the United States it was reported that a sixth circuit court judge ruled the FBI must first obtain a warrant to tap phones of domestic groups suspected of subversion. The FBI, of course, was somewhat less than enchanted with this ruling. Much controversy, too, has surrounded the U.S. army's snooping on civilians and a U.S. Court of Appeal has ordered a full-dress hearing by a federal court into the constitutionality of the army's spying on civilians.

In our own country, too, there is widespread concern. In tonight's *Ottawa Citizen* under the headline "Bugging ban bill due before summer" there is the report that the great defender of civil liberties, our own Minister of Justice (Mr. Turner) emotes equal concern and plans to make electronic invasion of privacy a criminal offence.

So much for the background. What prompted my question was the allegation of the movement for the defence of political prisoners that their meeting May 15 in Montreal had been subjected to furtive electronic scrutiny. This is the very thing that the Minister of Justice's proposed bill is supposed to guard against. If this surveillance were conducted by the RCMP, the Montreal police or any other body there is nothing in present law which forbids it except—and this is a big exception—that under section 3 of the Radio Act any radio transmission requires a licence to operate on a designated frequency

[Mr. Howard (Okanagan Boundary).]

except under certain exceptions granted under part 2 of the same section. Under section 11 of the Radio Act it is illegal for any person to establish or instal a radio station contrary to the act, and if one does he is liable to a fine of \$25 or a 12-month prison term.

Mr. Speaker, this raises some interesting questions. The Department of Communications issue licences to operate radio transmitters on prescribed frequencies. Therefore I asked in the House, have certain frequencies been assigned to the police and, if so, what are they? If the answer is that police have not been assigned frequencies, and if they have been using them as is alleged in the Montreal case, then the police are acting illegally. That raises some interesting questions about the admissibility of any evidence gained thereby—or do the police, like the FBI, feel they can do as they please?

A second point is that the frequency used by the bugging device was very close to that assigned—I have learned this from the Department of Communications—to aeronautical radio navigation signals. Yet no one in the Ottawa communications headquarters would answer whether or not the police had applied to use this band. The whole thing is extremely woolly, Mr. Speaker. As you can see, there was a noticeable lack of candour in respect of my efforts to gain information.

I am moved, in conclusion, to ask some questions. First, do commercial bands for taxis, businesses, the police, etc., include implicit permission to employ electronic eavesdropping devices? Second, what effort is the Department of Communications making to effectively administer assigned frequencies so that invasions of privacy are not encouraged.

We are told that there are 5,000 radio transmitters in Ottawa and 25,000 in both Montreal and Toronto. So this is a serious matter. It seems to me, from my brief immersion into the Radio Act, that if the act and its regulations were enforced to the fullest extent there would be little need for the Minister of Justice—Mr. Clean himself—to move for more legislation in this very personal area.

Mr. Gérard Duquet (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the hon. member will be aware that the allocation of radio frequencies is no longer the responsibility of the Department of Transport. It was transferred some time ago to the Department of Communications. I have been provided with the following information which may shed some light on the subject.

One of the important responsibilities of the Minister of Communications is the management of a public resource, the radio frequency spectrum. To do this the minister has the authority to assign frequencies in the spectrum and to issue licences or technical certificates to persons or organizations wishing to use radio. The purpose of the minister's management function in the use of the spectrum is to ensure the most effective development and use of this resource. To do this the government of Canada not only enters into agreements with foreign countries on the allocation of frequencies, but maintains monitoring services throughout the country whose main task is to make certain that there is not unauthorized interference with the licensed users either inadvertently or by design.