

Government Organization Act, 1970

• (3:10 p.m.)

Before concluding and giving others an opportunity to present their points of view, I wish to say something else. Over the last few days we have heard quite a lot about the defects of parliamentary government. We have heard something of the failure of the opposition to do its duty resulting in the necessity for backbenchers on the government side of the House to fill in and do the job. That suggestion bears right on this issue, Mr. Chairman. The hon. member for Trinity, the hon. member for Duvernay, the hon. member for York West—I think it is—and the hon. member for Esquimalt-Saanich have been extremely vocal on this particular matter. I have examined the record of the debate on this bill and those hon. gentlemen who have had much to say about the defects of the Opposition have been silent on some matters. Not one of them stood up to defend the right to parliamentary government and the necessity for this chamber to be supreme. Not one of them, and these remarks apply to other bills that have come before the House, stood up in this chamber and defended the need for an auditor general who would be free and independent and report to this House as a free and independent agent. Not one of them stood up when amendments were moved in an attempt to secure passage of the statutory instruments legislation. I just mention these facts in passing, Mr. Chairman. It is about time some of those hon. gentlemen who are so vocal put their votes where their mouths are.

Some hon. Members: Hear, hear!

Mr. Baldwin: When hon. gentlemen see fit to oppose the role of the opposition, they ought to bear in mind that the opposition brought about a reasonable termination of a difficult debate on a difficult bill. I hope hon. gentlemen opposite will bear that well in mind in future. That is all I have to say about that.

We accept the amendment. The amendment offered now is a good amendment. It has been offered in the proper form, and not in the form originally offered by the minister. Our problem is, as the Chair will realize, that at present there is not in our Standing Orders a definition of affirmative and negative resolutions. Ultimately, when the regulations of the statutory instruments Act and the terms of reference of the scrutiny committee are agreed to, there will be those definitions.

At present the amendment provides that there shall not be established a ministry of state unless and until a proclamation has been laid on the table of the House and there has been opportunity to debate of some seven hours or less. That, I hope, will permit hon. members who feel that the department should not be created, or that it should be created in terms other than those proposed in the proclamation, to express their point of view. Then, if they feel that the proposal should be changed, they can urge changes upon the government. The amendment provides, in the final analysis, that the initiation ministries of state is the responsibility of the government, but their final creation is the responsibility of parliament. I think the amendment is good.

[Mr. Baldwin.]

I do not object to the other amendment with regard to the deletion of that clause limiting the number of such ministries to five. The government has that power now. If the government wishes to create any number of new departments, it has the right to do so. It must do so by bringing in legislation. Perhaps this is a simpler and more efficient way of dealing with the matter, provided that it is done by proclamation and that the proclamation is laid on the table of the House. It is true that if this were done by legislative proposal there would be the usual opportunity for hon. members in opposition to propose changes and alterations and to move amendments.

I hope, Mr. Chairman, after this amendment has been passed, as I assume it will be, that if at some time in future ministries of state are created, apart from the two which are the subject of the House order, there will be full discussion and debate when the matters come into the House and that the Chair will look with some leniency upon any attempt by opposition members to amend motions of this kind. I know that the Chair cannot decide in advance what course of action it will take, be just as hon. members of the House do not know what their course of action will be. I hope, however, that a proclamation setting up in some detail establishment of a ministry of state will be susceptible to reasonable debate in this House and to reasonable amendment. That would take the place of a statute. Its terms of reference may be fairly difficult and complex and those hon. members who want to make suggestions and alterations should have an opportunity of doing so. I simply file that as a caveat. Perhaps we shall have to wait for one or two years before we have an opportunity to test this.

Having said that, I repeat that I am glad to see this amendment. I am glad to see it introduced through cooperation and understanding, and I am glad to see that it underlines the fundamental principle which we in this House should never forget: that, since we are the representatives of the people of Canada, the final say on matters of this kind should always lie in this House.

Mr. Knowles (Winnipeg North Centre): Mr. Chairman, as I read this amendment, it implements to the letter the agreement worked out by the House leaders with respect to this phase of the bill. We, therefore, are happy to indicate our support of the amendment and will vote for the clause as amended in this respect.

I do not wish to engage in any contest with my good friend the hon. member for Peace River as to who fought the hardest against the unlimited powers that were contained in this bill before the amendment was proposed. May I just say that the record is clear that members of this party made it equally clear that we could not accept an arrangement that would have added, as this bill did, to the enormous powers of the Prime Minister. The hon. member for Nanaimo-Cowichan-The Islands and the hon. member for Selkirk spoke on this matter, and so did I in the course of my remarks on second reading. We made our position very clear. We said that one of the things wrong with Parliament at present is that too much power is being put into the hands of one man, and we simply could not countenance this addition to that enormous