

*Security Intelligence Service*

the Chair a large number of amendments which we believe can be withdrawn and need not be dealt with. We hope, in taking into account those two actions, on the one hand our proposal for grouping, and on the other hand our offer to withdraw a significant number of motions, that that will find favour with the Chair and that the Chair will in its final ruling reflect that gesture of goodwill on our part which is intended to facilitate the business of the House.

● (1220)

I believe, therefore, we have met the two challenges given by the Chair to the Hon. Member for Burnaby, who was speaking on behalf of this Party. We believe on those two questions the action of the Hon. Member for Burnaby will help to improve the orderly disposal of this legislation.

I would now like to come to what I believe is perhaps the most important matter left to be dealt with. On page 3 of the preliminary ruling, the sixth point states:

Motions Nos. 15, 76, 84, 117, and 175 attempt to introduce an entirely new concept and principle into the Bill—a parliamentary oversight committee—a concept not in the Bill as introduced or read a second time.

The paragraph continues and the relevant ruling, if you will, preliminary though it is, is as follows:

Thus it is clearly beyond the scope of the Bill and I must rule each of these motions out of order.

I do not have to explain the Bill to you, Mr. Speaker, as you are probably just as familiar with it and all of its clauses as I am. However, the bill is for the purpose of setting up a Canadian Security Intelligence Service. That is the main principle of the Bill. Within the Bill itself there are a number of proposals which deal with how the security service should be set up; who should constitute the security service; how the security service should be administered; and how oversight, if you will, should be provided. There are at least two sections in the Bill which deal with the question of oversight, which deal with the very important question of who is to be responsible for ensuring that the actions of this security service, if, as and when it becomes law, will be adequately judged and reviewed by an appropriate body.

We are not proposing to remove the review committees which are presently provided for within the Bill. What we are proposing is that they do not go far enough. We are proposing to extend the oversight provision. What we are saying is that there can be no group anywhere in the country more suitable than Members of Parliament in determining the appropriateness of the actions of the security service. We are the only people in Canada who are directly accountable. The decision to accept unto ourselves the responsibility, onerous though it is, of answering for the actions of the security service is a decision, I believe, which shows both intestinal fortitude and a sense of the importance of the service and of Parliament. It surely is the responsibility of Parliament to make that kind of decision. That cannot be beyond the scope of the Bill. Surely there can be no one who could argue that the Parliament of Canada does not have the right to set up a committee for the purpose of ensuring that the security service of Canada oper-

ates within the legal framework established by the Act under which it is constituted. If we do not have the right to make that decision, then who does? If we do not have the right to establish a committee—

**Mr. Kaplan:** But not at report stage. That is on second reading.

**Mr. Deans:** The Minister interjects—and I am not being critical of the interjection—and says that we should have made this—

**Mr. Kaplan:** You did make it.

**Mr. Deans:** Wait a moment—we should have brought this to a vote at second reading. But we cannot make the amendment at second reading.

**Mr. Kaplan:** No, at committee stage.

**Mr. Deans:** But we did take it to the committee stage.

**Mr. Kaplan:** That is right.

**Mr. Deans:** And the committee decided not to approve it. I do not want to give a lesson on parliamentary procedure, but the reason for the report stage is to allow Parliament as a whole to consider those matters which were placed before the committee, if it so desires. That is what the report stage is all about. We have a report stage so that all Members of Parliament will be given the opportunity to exercise their responsibility by voting for or against matters which the committee—being representative of Parliament but not in fact involving everyone in its deliberations—had placed before it and decided upon.

Let me suggest, for example, that it is my understanding that the Minister is going to attempt to put back before Parliament a clause which the committee decided it did not want in the Bill. The Minister is going to do that. Would he argue that since he lost it in committee he is not entitled to ask that the House vote on it? Of course not. Why, then, would he argue that an amendment moved by the Opposition which was defeated in the committee is inappropriate to place before the House at report stage? One cannot have it both ways.

**Mr. Kaplan:** But one was out of order.

**Mr. Deans:** One was not out of order. It was quite in order. The rules of Parliament make it abundantly clear that it is possible to move not only to alter clauses contained in a Bill which is before the House or before the committee, but it is equally appropriate to move to introduce new clauses provided they are within the general scope of the Bill as contained in the principles debated at second reading.

Quite clearly in the debate at second reading, we raised the question of the inappropriateness of the review structure contained in the Bill and indicated that we intended to move an alternative review structure, or if not an alternative review structure, to augment the review structure in the Bill with an additional review. We said so at second reading. We served