

Aeronautics Act Regulations Bill

sent the report of the committee on Bill C-192.

Mr. Speaker: Is that agreed?

Some hon. Members: Agreed.

Mr. Gervais: Mr. Speaker, in the name of the chairman of the committee, I have the honour to present, in both official languages, the fifteenth report of the Standing Committee on Justice and Legal Affairs.

[*Editor's Note: For text of above report see today's Votes and Proceedings.*]

[*English*]

GOVERNMENT ORDERS

AERONAUTICS ACT REGULATIONS BILL

PROVISIONS RESPECTING REGULATIONS MADE PURSUANT TO SECTION 4

The House proceeded to the consideration of Bill C-218, respecting regulations made pursuant to section 4 of the Aeronautics Act, as reported (without amendment) from the Standing Committee on Transport and Communications.

Hon. Donald C. Jamieson (Minister of Transport): Moved that Bill C-218, respecting regulations made pursuant to section 4 of the Aeronautics Act, as reported (without amendment) from the Standing Committee on Transport and Communications, be concurred in.

Motion agreed to.

Mr. Jamieson moved that the bill be read the third time and do pass.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, so far this bill has had a pleasant, even passage. However, one or two things still remain to be said about it. I have a responsibility to take a few minutes of the time of the House to refer to the bill, and possibly to move an amendment.

At first blush the bill looks very simple. There is an amazing story behind this bill. As an amendment to the Aeronautics Act seeks to repair an omission of 16 years and tries to validate in a retroactive manner air regulations which have been passed from time to time since 1954. This is because of an error which has crept in where ministers, probably on the advice of their officials, have enacted these regulations by means of Order in Coun-

[Mr. Gervais.]

cil. In section 4 of the Aeronautics Act it is stated that subject to the approval of the Governor in Council, the minister may make regulations. Over this 16-year period a large number of regulations have been enacted by Order in Council, improperly and illegally. I am not here to challenge the necessity and virtue of the regulations; I am here to point out the dangers in adopting this procedure.

We are continually giving the government, at its request and demand, power to act by Order in Council, regulation, decree and ordinance. At the present time there is very little legislative power left in this House. We have seen this situation occur in the electronics media, in broadcasting, and in transportation. The government has supreme power in these two areas: it is omnipotent; it cannot be regulated or controlled. These actions have been the basis of motions in this House which have not had any real effect. The Minister of Agriculture (Mr. Olson) is attempting to take such action, on behalf of the government, with respect to agriculture. It is happening in respect of financial institutions, through the Corporations Act and the investments act.

We are heading into a very dangerous area where all-power will reside in the government. The situation would be bad enough with a good government, but when we have an incompetent, stupid, sawdust-Caesar government making use of this power it is time some of us stood up and called attention to the fact.

Some hon. Members: Hear, hear!

Mr. Baldwin: This bill was brought about because in the recent past someone noticed the irregularity and challenged the validity of a regulation. When the matter came to court, a judge decided that the regulation in question was invalid because it had not been dealt with in the proper way. I wish the Minister of Justice (Mr. Turner) were here. In the face of most complete and meticulous requests by members of this side of the House, that minister saw fit to institute the breathalyzer provisions by amendment to the Criminal Code, without asking the proper precautions. I cannot go any further than that because the matter is now before the courts. These are two examples within recent weeks of the government's acting in a tyrannical and autocratic manner.

This government is out of step. Grave dangers face the people of this country because of the exercise of power such as this. In an attempt to validate all the regulations improperly enacted over the last 16 years, this