

Public Works Act

Mr. Macdonnell (Greenwood): Mr. Speaker, how true were the remarks of the leader of the opposition (Mr. Drew) this morning when he said that the minister had a gift for making, I was going to say an unsatisfactory explanation—but why should I call anything about this unsatisfactory?—in a satisfactory manner. I am sure the minister will understand that it is only the strongest sense of duty on my part which makes me feel that, notwithstanding the Christmas season and notwithstanding the regard we have for the minister, it is absolutely essential that the record should make completely clear what has happened.

Mr. Fournier (Hull): That will be for future reference.

Mr. Macdonnell (Greenwood): For future reference we may hope, yes. I am sure the minister will not disagree with me that it is, let us say, an absolutely unprecedented explanation of an amendment. If we assess it properly it is really, as I think the Germans call it, colossal. What I mean by that is that it is something super. The real reason for changing, according to the minister, is that there is a danger that our arguments made two weeks ago, while not necessarily in themselves right, nevertheless might persuade the members of his staff who thereby might get an exaggerated idea of their power, and as a result, adherence to the principle of tender which the minister was at pains to support two weeks ago might in fact not be maintained.

As I say, I think it is only fair, in the interests of the record and in the interests of the opposition, that we try to set out—and I will do so briefly—exactly what was proposed; in other words, that we take stock of this situation. While the minister has dealt with it in an extremely delicate manner, the fact is—and I am sure it was not the minister who wanted it; I am sure it was one of his wicked partners—that there was a try-on here to get something through which really was quite basically in contradiction with our whole method of doing business. I want to make that very clear. I can do it by briefly reading the section as it was, and then reading the amendment which was proposed. In the section as it appeared, first of all subsection (a) says that tenders may not be needed in cases of pressing emergency, and that is carried into the new section, almost word for word. Subsection (b) reads:

(b) in which from the nature of the work it can be more expeditiously and economically executed by the officers and servants of the department; or

[Mr. Fournier (Hull).]

And that is carried into the new section. Subsection (c), as the minister has read, says:

(c) where the estimated cost of the work is less than five thousand dollars and it appears to the minister, in view of the nature of the work, that it is not advisable to invite tenders.

The minister's discretion is strictly limited to \$5,000. I want to read subsection (c) as it stands in the proposed amendment, that is the one which is now amended. It reads:

(c) the minister is satisfied that the nature of the work renders a call for tenders by public advertisement impracticable and that the public interest can best be served by entering into a contract for the execution thereof without inviting such tenders.

It is clear, Mr. Speaker, that there is no limitation of any kind. It is not only the Minister of Public Works (Mr. Fournier), but the rank and file of the ministers, just the ordinary ministers, who can come along and do the same thing. I believe any of the ministers could let tenders in this way without limit, except that they have to satisfy their own minds and we know how easy that is.

From the outset we said we regarded this bill as vicious. If I may quote a very great authority, namely myself, I said it was like throwing down the drain the practice of generations. Really one could hardly see anything further that could be done, unless one day the government turned up to say that parliament would only meet once every five years. After all, the C.B.C. gets a five-year lease on life, so why should they not call us back only once every five years? It is hard to see how much further they could have gone in setting aside the proper position of parliament and in arrogating more power to the executive. I do say seriously that it shows how far arbitrary power will go when it gets under a full head of steam. There is hardly anything we can imagine which would go further than this.

I must say that I thought we had seen the limit before, because there have been some rather wide stretches of power requested here. But if anyone had told me that the government would come in with a measure of this kind—not for defence production, because we are accustomed to broad powers for defence production—I would have said, "Just go and roll your hoop." I imagine that this section was really brought on through desire to emulate the Minister of Defence Production (Mr. Howe), who has such wonderful powers about which he tells us so often with such pride. I can imagine that it was really brought about by that kind of competition, the desire to keep up with the Howes.

We must however give the government credit, because they have come through now